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COMMUNITY DEVELOPMENT

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 533-8585
FAX: (239) 485-8344

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

PROJECT NAME: Captiva Plan Update

PROJECT SUMMARY:

An update of the existing Captiva Plan language currently in Goal 13 of the 2014 Lee Plan.

Plan Amendment Type: ✓ Normal ☐ Small Scale ☐ DRI

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: **nine plus appendices and support files**.

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Owner or Authorized Representative

3/15/16
Date

Ken Gooderham, Administrator, Captiva Community Panel
Printed Name of Owner or Authorized Representative

I. APPLICANT/AGENT/OWNER INFORMATION (Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.)

Applicant: **Captiva Community Panel**
Address: **P.O. Box 72**
City, State, Zip: **Captiva, FL 33924-0072**
Phone Number: **N/A** Email: **captivacommunitypanel@gmail.com**

Agent*: **Ken Gooderham/Gooderham & Associates Inc**.
Address: **5460 Beaujolais Lane**
City, State, Zip: **Fort Myers, FL 33919-2704**
Phone Number: **(239) 489-2616** Email: **kengooderham@comcast.net**

Owner(s) of Record: **N/A**
Address:
City, State, Zip:
Phone Number: Email:

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE

A. TYPE: (Check appropriate type)

4 **Text Amendment**

☐ Future Land Use Map Series Amendment (Maps 1 thru 24)
List Number(s) of Map(s) to be amended:

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. An additional set of mailing labels is required if your request includes a change to the Future Land Use Map (Map 1, page 1). The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

   At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: **Captiva Island**
2. STRAP(s): **N/A**

B. Property Information:

Total Acreage of Property: **724+**

Total Acreage included in Request: **724+**

Total Uplands: **684+**

Total Wetlands: **40+**

Current Zoning: **See enclosed maps**

Current Future Land Use Designation: **See enclosed maps**

Area of each Existing Future Land Use Category: **See enclosed maps**

Existing Land Use: **See enclosed maps**

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

Lehigh Acres Commercial Overlay: **N/A**

Airport Noise Zone 2 or 3: **N/A**

Acquisition Area: **N/A**

Joint Planning Agreement Area (adjoining other jurisdictional lands): **N/A**

Community Redevelopment Area: **N/A**

D. Proposed change for the subject property:

Update in existing goals, objective and policies

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	**651**
Commercial intensity	**125**
Industrial intensity	**0**

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	**651**
Commercial intensity	**125**
Industrial intensity	**0**

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.

Attached

2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.

Attached – no change from existing map.

3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.

Attached – no change from existing map.

4. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

Attached – no change from existing map.

5. Map and describe existing zoning of the subject property and surrounding properties.

Attached – no change from existing map.

6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in

addition to the perimeter boundary of the property for each wetland or future land use category.

The subject property is Captiva Island, as bounded by the waters of the Gulf of Mexico, Redfish Pass, Pine Island Sound/Roosevelt Channel and Blind Pass. A map of the affected land mass is enclosed, but I am not aware that a metes and bounds legal description of the island itself exists beyond the bounding waters description above

7. A copy of the deed(s) for the property subject to the requested change.

Not applicable

8. An aerial map showing the subject property and surrounding properties.

Not applicable

9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

The Captiva Community Panel is a citizens' advisory group authorized by the Lee County Board of County Commissioners under Lee County Administrative Code 13-3. The panel is operated by the Captiva Island Property Owners Association Inc. (the panel sponsor) under a contract with Lee County initially approved by the Lee County Board of County Commissioners on Jan. 8, 2002, with subsequent approvals for other task in the time since. This update is being funded by a reimbursable grant from Lee County, Contract No. 6523 with Vendor No. 367912.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis: The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

The proposed amendment will have no impact on short- or long-term traffic, except to allow investigation of unspecified transportation alternatives that might lessen overall traffic over time.

2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space
   e. Public Schools.

The proposed amendment will have no anticipated impact on these issues as detailed:

- **Sanitary sewer:** Such service is only available within the boundaries of South Seas Island Resort via a planted operated by Florida Governmental Utilities Authority/U.S. Water. This proposed amendment will not change that except to allow exploration of options to expand such service to the balance of the island if desired by residents/property owners.
- **Potable water:** No anticipated impact to service currently provided by Island Water Association.
- **Surface water/drainage:** No anticipated impact.
- **Parks, recreation and open space:** No anticipated impact.
- **Public schools:** No facilities exist within this area, so no impact.

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   d. Solid Waste;
   e. Mass Transit; and
   f. Schools.

There is no anticipated impact from this proposed amendment to any of the services cited here. A copy of this application will be provided to each agency for review and comment is desired.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

The proposed amendment will have no anticipated deleterious environmental impact.

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

The proposed amendment will have no anticipated impact on historic resources.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

1) No increases in island population are sought as part of this plan. In fact, this effort would strive to confirm the current density without the possibility of increase if that were possible.
2) This is an update to Goal 13 and the Objectives and Policies therein of the current Lee Plan. It seeks to update that language in accordance with community input and intent as well as in concurrence with all existing Lee Plan policies currently affected by the existing Goal 13 language.
3) There is no proposed impact on adjacent local governments or their comprehensive plans.
4) To my knowledge, there are no state or regional policy plans relevant to this proposed amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

Not applicable.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

Not applicable.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

Not applicable.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

Not applicable.

G. Justify the proposed amendment based upon sound planning principles
Be sure to support all conclusions made in this justification with adequate data and analysis.

The proposed amendments have been drafted and review by the community at an extensive series of public meetings as part of the monthly Captiva Community Panel meetings as well as at separate/adjacent advertised workshops. There have also been community surveys and committee research done as part of this effort, with the necessary documentation, results, background materials and minutes as appropriate included in this application.

H. Planning Communities/Community Plan Area Requirements
If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
- ☐ Alva Community Plan area [Lee Plan Objective 26.7]
- ☐ Buckingham Planning Community [Lee Plan Objective 17.7]
- ☐ Caloosahatchee Shores Community Plan area [Lee Plan Objective 21.6]
- 4 Captiva Planning Community [Lee Plan Policy 13.1.8]
- ☐ North Captiva Community Plan area [Lee Plan Policy 25.6.2]
- ☐ Estero Planning Community [Lee Plan Objective 19.5]
- ☐ Lehigh Acres Planning Community [Lee Plan Objective 32.12]
- ☐ Northeast Lee County Planning Community [Lee Plan Objective 34.5]
- ☐ North Fort Myers Planning Community [Lee Plan Policy 28.6.1]
- ☐ North Olga Community Plan area [Lee Plan Objective 35.10]
- ☐ Page Park Community Plan area [Lee Plan Policy 27.10.1]
- ☐ Palm Beach Boulevard Community Plan area [Lee Plan Objective 23.5]
- ☐ Pine Island Planning Community [Lee Plan Objective 14.7]

Minutes from the necessary meetings and workshops attached.

AFFIDAVIT

I, Ken Gooderham, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature of Applicant

3/18/16
Date

Ken Gooderham
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 3/18/16 (date) by Kenneth Gooderham (name of person providing oath or affirmation), who is personally known to me or who has produced FL Drivers license (type of identification) as identification.

Signature of Notary Public

Tammy J. Collins
(Name typed, printed or stamped)

NOTARY PUBLIC
TAMMY J. COLLINS
Notary Public, State of Florida
Commission# FF 242248
My comm. expires Aug. 17, 2019

Captiva Plan Update contents

In addition to the application PDF file, this submission includes the following:

- The Captiva Plan Update language, in both strikethrough and clean-text versions
- An analysis of the proposed language, in three stages:
    - The initial analysis done in August 2015.
    - Staff comments on the proposed language from September 2015.
    - The final version with notations as to the panel's response to staff suggestions.
- A timeline of the activities and meeting/workshops held in support of this plan update.
- A folder ("MapsCharts") with island zonings and elevations, FLUM and planning community data.
- A folder ("Minutes") with minutes from panel meetings January 2013 to March 2016.
- A folder ("Packets") with board packets (agendas, support materials, etc.) from January 2013 to March 2016, which were distributed to panel members and members of the public attending the panel meetings.
- A folder ("Surveys") with the community survey draft and final, mailings and a summary of responses and comments.
- A folder ("Workshops") with materials and presentation from the community workshops, including flyers advertising the workshops, presentations and questions offered at each, notes from the discussions at each and summaries offered by panel members during and after the public workshops and meetings.

The Captiva Plan (Proposed February 9, 2016)

~~**GOAL 13: 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).~~

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Captiva residents, property owners and businesses value the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's residents.
- A community that provides a level of commercial services that reflects the balance between tourism, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, organizations representing Captiva residents, property owners and businesses must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limit noise, light, water and air pollution.
- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that maintain existing densities and building heights, and development regulations designed to preserve the Captiva Community Vision.

- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as present and future residents and organizations on Captiva work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01).

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. Subdividing ~~No subdivisions of~~ parcels that were zoned RSC-2 (Captiva Estate) ~~on~~ as of January 1, 2002~~, regardless of their zoning at any time thereafter, may be permitted~~ is prohibited unless all ~~of the~~ resulting lots comply with ~~all of~~ the minimum lot size and dimensional requirements set forth in the Land Development Code for the RSC-2 zoned lots in Captiva ~~district~~. (Added by Ordinance No. 03-01).

POLICY 13.1.2: Building Heights on Captiva Island. The height of buildings and structures on Captiva is related to conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these natural and regulatory forces, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation, the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19).

~~**POLICY 13.1.3:** 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)~~

POLICY 13.1.3~~4~~: Beach and Shore Preservation. Lee County will 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).

POLICY 13.1.4~~5~~: Quality of Adjacent Waters. Lee County will encourage and support efforts by ~~the~~ Captiva ~~community~~ to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva ~~Island~~. Such measures may include regulation of the maintenance of septic systems or other onsite sewage treatment and disposal systems, and the introduction of sewers only if sized to limit development to that permitted by the Captiva Plan and Land Development Code ~~this plan~~. (Added by Ordinance No. 03-01).

POLICY 13.1.5~~6~~: County Information Clearinghouse. The Captiva ~~Island~~ Community Panel will establish a document clearing house on Captiva or will publicize the appropriate internet access, 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).

POLICY 13.1.6~~7~~: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct the public informational session on Captiva at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel shall apply.

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).

POLICY 13.1.7~~8~~: Public Participation. 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).

POLICY 13.1.8~~9~~: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by Captiva residents and organizations ~~Captivans~~ to develop and submit ordinances that will encourage the siting and ~~building~~ design of structures consistent with the historical character of the island. (Added by Ordinance No. 03-01).

POLICY 13.1.9~~10~~: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by ~~density on said property above~~ current zoning standards will not be permitted. (Added by Ordinance No. 05-19).

POLICY 13.1.10~~12~~: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva. ~~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)~~

~~**POLICY 13.1.13:**~~ **[Moved to Policy 13.5.5 Mangroves]**

~~**POLICY 13.1.14:**~~ **[Moved to Policy 13.5.1 Trees Along Captiva Drive]**

POLICY 13.1.11~~15~~: Telecommunications Tower. 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 ~~capability~~ 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. 15-19).

POLICY 13.1.12: Dark Skies. The location of Captiva provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Land development regulations applicable to exterior residential and commercial lighting must limit light pollution and light trespass, and protect wildlife from any detrimental effects.

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations and policies affecting Captiva will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.14: Blind Pass. Lee County will support through advocacy at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit Captiva residents, property owners and businesses.

OBJECTIVE 13.2: 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09).

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of January 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed-use Planned Development. (Added by Ordinance No. 07-09).

OBJECTIVE 13.3: Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

OBJECTIVE 13.4: Tourism. Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. Captiva will work with the Lee County Visitor and Convention Bureau to implement this policy.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, residential units on Captiva (excluding those in South Seas Island Resort and in other licensed resorts, hotels or motels) may not be rented for a period of less than seven (7) consecutive days, and may not be rented or leased under more than one lease at a time.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy. Lee County will encourage and support efforts by Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and policies affecting Captiva will permit no further degradation of estuarine and wetland resources and no loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: **Trees along Captiva Drive.** The restoration of the historic tree canopy and vegetation buffers along Captiva Drive between Blind Pass and the north end of Captiva Drive is encouraged. For all new tree plantings on Captiva Drive, only trees that are indigenous, native or non-invasive may be planted. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is also encouraged on Captiva.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. Captiva and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site, then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva ~~Island~~ will be protected to the greatest extent possible. The Land Development Code will include setbacks from the mangrove fringe along Captiva to protect the shoreline and structures. (Added by Ordinance No. 05-19). (Formerly 13.1.13).

The Captiva Plan (Proposed February 9, 2016)

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Captiva residents, property owners and businesses value the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's residents.
- A community that provides a level of commercial services that reflects the balance between tourism, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, organizations representing Captiva residents, property owners and businesses must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limit noise, light, water and air pollution.
- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that maintain existing densities and building heights, and development regulations designed to preserve the Captiva Community Vision.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as present and future residents and organizations on Captiva work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva. (Added by Ordinance No. 03-01).

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. Subdividing parcels that were zoned RSC-2 (Captiva Estate) as of January 1, 2002 is prohibited unless all resulting lots comply with the minimum lot size and dimensional requirements set forth in the Land Development Code for the RSC-2 zoned lots in Captiva. (Added by Ordinance No. 03-01).

POLICY 13.1.2: Building Heights on Captiva Island. The height of buildings and structures on Captiva is related to conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these natural and regulatory forces, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If the lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19).

POLICY 13.1.3: Beach and Shore Preservation. Lee County will continue to support the efforts 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).

POLICY 13.1.4: Quality of Adjacent Waters. Lee County will encourage and support efforts by Captiva to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva. Such measures may include regulation of the maintenance of septic systems or other onsite sewage treatment and disposal systems, and the introduction of sewers only if sized to limit development to that permitted by the Captiva Plan and Land Development Code. (Added by Ordinance No. 03-01).

POLICY 13.1.5: County Information Clearinghouse. The Captiva Community Panel will establish a document clearing house on Captiva or will publicize the appropriate internet access, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. (Added by Ordinance No. 03-01).

POLICY 13.1.6: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct the public informational session on Captiva at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel shall apply.

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).

POLICY 13.1.7: Public Participation. 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 Captiva as well as ongoing technical expertise related to the functioning of any adopted policies. (Added by Ordinance No. 03-01).

POLICY 13.1.8: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by Captiva residents and organizations to develop and submit ordinances that will encourage the siting and design of structures consistent with the historical character of the island. (Added by Ordinance No. 03-01).

POLICY 13.1.9: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by current zoning standards will not be permitted. (Added by Ordinance No. 05-19).

POLICY 13.1.10: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva.

POLICY 13.1.11: Telecommunications Tower. 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. 15-19).

POLICY 13.1.12: Dark Skies. The location of Captiva provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Land development regulations applicable to exterior residential and commercial lighting must limit light pollution and light trespass, and protect wildlife from any detrimental effects.

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations and policies affecting Captiva will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.14: Blind Pass. Lee County will support through advocacy at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit Captiva residents, property owners and businesses.

OBJECTIVE 13.2: Mixed Use Development. Captiva 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09).

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed Use Planned Development. (Added by Ordinance No. 07-09).

OBJECTIVE 13.3: Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

OBJECTIVE 13.4: Tourism. Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. Captiva will work with Lee County Visitor and Convention Bureau to implement this policy.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, residential units on Captiva (excluding those in South Seas Island Resort and in other licensed resorts, hotels or motels) may not be rented for a period of less than seven (7) consecutive days, and may not be rented or leased under more than one lease at a time.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy. Lee County will encourage and support efforts by Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and policies affecting Captiva will permit no further degradation of estuarine and wetland resources and no loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: **Trees along Captiva Drive.** The restoration of the historic tree canopy and vegetation buffers along Captiva Drive between Blind Pass and the north end of Captiva Drive is encouraged. For all new tree plantings on Captiva Drive, only trees that are indigenous, native or non-invasive may be planted. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is also encouraged on Captiva.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. Captiva and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site, then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva will be protected to the greatest extent possible. The Land Development Code will include setbacks from the mangrove fringe along Captiva to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13).

DRAFT AMENDMENTS TO THE LEE PLAN AND FOR CAPTIVA ISLAND

A REPORT TO THE
CAPTIVA COMMUNITY PANEL
August 2015

Max Forgey, AICP

Forgey Planning Services

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Contents

Section 1:	Overview of Captiva Plan Update	Page 3
Section 2:	Draft Amendments to Lee Plan	Page 7
Appendix 1:	Existing Captiva Community Plan Goal, Objectives, and Policies	Page 13
Appendix 2:	Existing Land Development Code 33 (Captiva Specific)	Page 16
Appendix 3:	Survey Document 2013	Page 27
Appendix 4:	Survey Results	Page 42
Appendix 5:	Table Notes from Public Workshops	Page 62
Appendix 5-1:	Character, Design, and Quality of Life	Page 63
Appendix 5-2:	Transportation	Page 68
Appendix 5-3:	Economic Development	Page 75
Appendix 5-4:	Water Quality	Page 82

I. Overview of Captiva Plan Update

The Lee Plan, Lee County's **Comprehensive Plan**, was first adopted by the Board of County Commissioners in 1984. It was the first plan in Lee County to feature a Future Land Use Map (FLUM) and Levels of Service (LOS) standards for infrastructure and services, and was a precursor of Florida's 1985 Growth Management Act. The Lee Plan, which was adopted following an unprecedented series of public meetings an hearings, featured an Urban Service Area and set aside large areas for agriculture and conservation. The Lee Plan has been amended several times since 1984 through the Evaluation and Appraisal Report (EAR) process mandated by the Growth Management Act, expanding the text of the Lee Plan and enlarging the Urban Services Area.

The most recent EAR amendment cycle is the **New Horizon** 2035 Plan which was launched in April and May 2012 with a series of twelve public visioning sessions, including one in Captiva, which focused on five topics: ***Livability, Strengthening Connections, Community Character,*** **and** ***Sustainability.*** After the workshops were completed, County staff forwarded a set of proposed revised elements to the County's Local Planning Agency (LPA) for consideration. The last of these elements, the Future Land Use Element (FLUE) was reviewed by the LPA on Aug. 25, 2014, although some maps were sent to the LPA in January 2015. At this time, it is uncertain when the Lee County Administration and BCC will take up the plan EAR again.

The Captiva Plan is a **Community Plan**, which was also adopted as a part of the Lee Plan in 2003. It contains one goal and a set of objectives and policies to guide future development on Captiva Island. In Lee County, community plans are adopted by ordinance as amendments to the Lee Plan.

The Captiva Plan was prepared under the auspices of the **Captiva Community Panel***,* which was established by the Captiva Property Owners' Association (CPOA), a 501(c)3 corporation. The Panel contracts with the Board of County Commissioners to update and maintain the Captiva Plan. Over the years, the Panel has conducted more than 100 public meetings and workshops, which address planning and other community issues, such as public safety and environmental protection.

☞**The Captiva Community Panel maintains a website that contains past agendas, minutes, and documents detailing the history of the Captiva Community Plan. To access these documents, go to: http://www.captivacommunitypanel.com/captiva_plan.html**

Amendments to the Community Plan. Since 2003, the **Community Plan has been amended three times**—there were several amendments to the text in 2005, an amendment addressing mixed use development in 2007 and one amendment—concerning building height—in 2011.

The Building Height Amendment of 2011. The building height amendment was particularly significant because it came at the end of several years of controversy concerning building heights on the island. Although there was a strong consensus against high-rise and mid-rise development on Captiva—roughly defined as two habitable floors above a lower level for parking—changing conditions

had made the old standard ("35 feet above the average grade of the lot or 42 feet above mean sea level measured to the peak of the roof") difficult to implement for property owners seeking to build or rebuild on an existing lot.

These conditions included the State of Florida's Coastal Construction Control Line (CCL), which had shifted inward, forcing residents to begin their measurements from an increasingly higher elevation, without relief from the regulations in force. Homebuilders also found that the peak of the roof standard encouraged the construction of flat topped roofs that clashed with the island aesthetic that most Captivans wished to continue. By adopting revised Policy 13.1.2 of the Lee County Comprehensive Plan in CPA 2010-15 on Sept. 28, 2011, the Board of County Commissioners affirmed the Panel's recommendation that residents be permitted to choose the old standard or a new standard—"28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs."

Land Development Code (LDC) amendments. On Sept.11, 2012, the Board of County Commissioners adopted a set of major amendments to Section 33 of the Lee County Land Development Code, based upon the testimony received by the Panel over the previous three years. (See Appendix 2) In addition to the building height language in Policy 13.1.2 which restated CPA 2010-15 verbatim, the LDC amendments addressed major changes to signage regulation, short term rental of residential property, and other issues.

Contract with Lee County. On Sept.3, 2013, the Board of County Commissioners approved a new contract with the Panel to explore possible revisions to the Captiva Plan and the Land Development Code, but with emphasis on the former.

Visioning Exercise. In early 2012, the Captiva Community Panel conducted a series of informal visioning sessions to engage the public in expressing community directions and values. At that time, the Panel and its advisers, Ken Gooderham and Max Forgey, hoped to propose the vision statements for amendment to the Lee Plan as a part of the County's New Horizon 2035 initiative, which has subsequently become stalled. The 2012 visioning language was reconsidered by the Panel in the spring of 2015 and is proposed for incorporation into the Lee County Comprehensive Plan as a part of this report. The Panel, after lengthy deliberation, identified a community vision that is contained in the revised Goal 13, placing strong emphasis upon the island's natural environment, its tranquil ambience and unhurried lifestyle, and the balance of economic and environmental needs.

The proposed Goal 13 contains six value statements (e.g. valuing "the island's history as an informal resort destination" and "recognition of its fragility as a coastal high hazard area") and seven items for cooperation with Lee County (e.g. "[s]horeline and natural resources management" and "[b]uilding standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.")

Community Survey. In the fall of 2013, Ken Gooderham conducted a detailed survey of attitudes and preferences on Captiva to prepare for the Workshops. The topics included:

- Landscaping Historic Preservation
- Lighting
- Economic Development
- Pedestrian Connectivity & Safety
- Parking
- Future Direction of Captiva Community Panel

For a detailed summary of the survey, see Appendix 3 to this report.

A survey was drafted, reviewed and revised over the course of four panel meetings in summer/fall 2013. The final survey was compiled and presented online through an electronic survey website. A link to this survey was mailed to every property owner and voter on the island; owners of multiple properties received a single mailed link, but owners who were also registered voters received two links. (Owners who requested a printed version were given appropriate contact information and a paper survey was mailed to them.) Results (including text answers to open-ended questions and requests for comments) were compiled and presented to the panel and public at a public meeting, and these results were also posted online at the panel's website.

Summary of results of Visioning Exercise, Community Survey, Workshops, and Public Meetings Conducted by the Captiva Community Panel.

Historic Preservation—

Survey respondents expressed strong support for historic preservation, particularly for historic houses, but differed as to whether voluntary compliance or regulatory action would be more effective.

Lighting—

Survey respondents value dark skies and are generally satisfied with existing levels of lighting on the island, although there is substantial support for regulation which discourages the upward lighting. They advocate continued enforcement of existing regulations.

Commercial Core/ The Village—

Survey respondents are generally satisfied with the existing mix of commercial and residential uses on the island, although they find that traffic continues to be a source of conflict. While many residents would like to see a better variety of shopping opportunities, most respondents regard this as unlikely. At the workshops, the Commercial Core/ Andy Rosse Lane/ pedestrian/ cyclist interface was a major topic of discussion.

Bicycle/ Pedestrian Safety—

Among survey respondents there was a sharp division between those who were satisfied with cycling and pedestrian opportunities on the island and those who found these activities dangerous. Again, this was a topic of lengthy and animated discussion at the Workshops.

II. Draft Amendments to Lee Plan

Proposed Lee Plan Language

Transmitted to Lee County by Captiva Community Panel April 14, 2015

☞For existing Captiva Community Plan Goal, Objectives & Policies, see Appendix 1

GOAL 13: CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.
- Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Prevention District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources.* Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district.

POLICY 13.1.2: *Building heights***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land

Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area.

POLICY 13.1.3: [Intentionally left blank]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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.

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan.

POLICY 13.1.6: *County information clearinghouse.* 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.

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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.

POLICY 13.1.8: *Public participation.* 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.

POLICY 13.1.9: *Consistent siting of structures and historical character.* 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.

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

POLICY 13.1.11: *Criteria for variance approval.* 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.

[Policies 13.1.12 and 13.1.13 intentionally left blank]

POLICY 13.1.14: *Telecommunications tower***.** 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.

POLICY 13.1.15: *Dark skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development

regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will support through advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities.* Underground utilities will continue to be considered if supported by the affected property owners.

OBJECTIVE 13.2: 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.

POLICY 13.2.1: *Mixed use developments***.** Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development.

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island.

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

POLICY 13.4.1: *Short-term rental of residential units.* Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive.* Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2: *Invasive vegetation and nuisance pests.* The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest Plant Council of Florida or its successor bodies. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage trees.* Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New land developments.* New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

POLICY 13.5.5: *Mangroves.* Mangroves on Captiva Island will be protected to the greatest extent possible.

Appendix 1: Existing Captiva Community Plan Goal, Objectives, and Policies

☞*These are the goal, objectives, and policies as they currently appear in the Lee Plan.*

GOAL 13: 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)

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

POLICY 13.1.1: No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the least restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: 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)

POLICY 13.1.4: Lee County will 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)

POLICY 13.1.5: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: 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)

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)

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).

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).

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)

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)

POLICY 13.1.12: Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)

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)

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)

OBJECTIVE 13.2: 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)

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

Appendix 2: Existing Land Development Code Section 33 (Captiva-specific)

ARTICLE IX. CAPTIVA

DIVISION 1. IN GENERAL

Sec. 33-1611. Applicability.

(a) *Scope.* The provisions of article IX apply to development located on Captiva Island not specifically exempted under section 33-1613, "Existing development" below, as defined in Goal 13 of the Lee County Comprehensive Plan, but excluding Upper Captiva, Cayo Costa, Useppa, Buck Key, and Cabbage Key. This Article applies to development and redevelopment located on Captiva Island unless specifically stated otherwise.

(b) *Zoning.* This article applies to requests to rezone property on Captiva Island.

(c) *Development orders.* This article applies to development orders and limited review development orders described in sections 10-174(1), 10-174(2) and 10-174(4)a. that are requested on Captiva Island.

(d) *Demonstrating compliance.* Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required.

(e) Unless specifically provided herein, development within the area defined as South Seas Resort is exempt from this article, so long as the development complies with the Administrative Interpretation, ADD2002-00098, adopted by the Board of County Commissioners in 2002.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Sec. 33-1612. Community review.

(a) ***Applications requiring review.*** The owner or agent applying for the following county approvals must conduct at least one public information meeting on Captiva Island prior to obtaining a finding of sufficiency:

(1) Development orders.
(2) Planned development zoning actions, including administrative deviations amending the approved master concept plan or other provisions of the applicable zoning resolution.
(3) Special exception and variance requests.
(4) Conventional rezoning actions.
(5) Administrative actions.

(b) ***Meeting requirements.*** The applicant submitting the application requiring review under this section must conduct at least one public informational meeting in conjunction with a publicly advertised meeting, including public notification in community-based media outlets. The applicant must provide a general overview of the project for interested citizens. The applicant is responsible for providing the meeting space

and 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 the issues raised. The meeting must be advertised no later than five days prior to the date of the meeting.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Sec. 33-1613. Existing development and planned developments.

Existing, approved master concept plans may be voluntarily brought into compliance with the Captiva Community Plan or any regulation contained in this Article through the administrative amendment process. No public hearing will be required if the sole intention is for existing planned developments to comply with these regulations. All other requests to change the zoning designation of a parcel must comply with the notice and hearing requirements under F.S. § 125.66.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1614. Definitions.

The following definitions are in addition to those set forth in other chapters of this LDC and are applicable to the provisions set forth in this article only. If, when construing the specific provisions contained in this article, these definitions conflict with definitions found elsewhere in this LDC, then the definitions set forth below will take precedence.

Caretaker: A person employed to look after a public building or a house in the owner's absence.

Cupola: A covered tower or vault, without a separate source of heating or air-conditioning, which may contain an underlying floor, which rises from a roof ridge, and is typically enclosed by opaque walls. (See "Lantern.")

Domestic employee: A person who works within the employer's household providing a variety of household services for an individual or a family.

Dormer: A projection from a sloping roof that includes a window.

Dwelling unit, accessory: A single-family dwelling unit, intended for use by guests or domestic employees, which is located on a lot or parcel containing one principal dwelling unit, and which is smaller than, and detached from, the principal dwelling unit. For purposes of this definition, guests shall mean persons staying on the property at the invitation of the property owner or lessee.

Dwelling unit, principal: The largest single-family dwelling unit, measured in square feet of enclosed living area, located on a lot or parcel containing more than one single-family dwelling unit. (See "Dwelling unit, accessory.")

Façade articulation*:* An extrusive architectural element or decorative feature which provides visual relief from an exterior wall, e.g. a buttress, pilaster, bay window, or oriel.

Family: One or more persons occupying a dwelling unit and living as a single nonprofit housekeeping unit, provided that a group of three or more adults who are not related by blood, marriage or adoption shall not be deemed to constitute a family, and further provided that domestic employees may be housed on the premises without being counted as a separate or additional family. The term "family" shall not be construed to mean a fraternity, sorority, club, monastery, convent or institutional group.

Guest: See "Dwelling unit, accessory."

Lantern: A covered tower or vault, without heating or air-conditioning, rising from a roof ridge, which may contain an underlying floor and is typically enclosed by windows to admit light in order to function as a solarium, observatory, viewing area, or similar use. (See "Cupola.")

Lessee: A person renting property under a written lease from an owner (lessor).

Lock-off accommodations: A portion of a principal or accessory dwelling unit, typically without a kitchen, that is separated from the unit and made available for long-or short-term rental or other use. Where the floor area of a dwelling unit contains lock-off accommodations that can be occupied separately from the main living unit, the lock-off accommodations will be counted as a full dwelling unit when computing the allowable density as provided in section 34-1546. To be counted as a dwelling unit, the lock-off accommodations must contain at least one bedroom with a bathroom and be accessible from a separate door, entering from outside the dwelling unit or a common foyer.

On-site Treatment and Disposal System (OSTDS): Consistent with F.S. § 381.0065(2)(j), means a system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes items placed within, or intended to be used as a part of or in conjunction with, the system. This term does not include package sewage treatment facilities and other treatment works regulated under F.S. ch. 403.

Renter: One who pays rent for the use of another's property; a tenant.

Roofline articulation: An architectural element or decorative feature that provides visual relief from a horizontal roof ridge, e.g. a parapet, widow's walk, cupola, or lantern.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1615. Deviations and variances.

(a) Variances or deviations may be requested in accordance with chapter 34. If an applicant desires to deviate from the architectural, site design or landscaping guidelines in this article, an applicant may do so at the time of development order in accordance with section 10-104(b). A rendered drawing to scale, showing

the design, and clearly demonstrating the nature of the requested deviation or variance, must be submitted as part of the application.

(b) Variances and deviations will be allowed only where unnecessary hardship would occur; i.e. where the following findings, in addition to the findings required by section 34-145, are met:

(1) The hardship cannot be corrected by other means allowed in the code;

(2) Strict compliance of the regulations allows the property owner no reasonable use of the property, building or structure;

(3) 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, building or structure;

(4) The applicant did not cause the need for the variance;

(5) The variance to be granted is the minimum variance that will make possible the reasonable use of the property, building or structure; and

(6) The variance is not specifically prohibited in this article and not otherwise contrary to the spirit of the ordinance.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Secs. 33-1616—33-1620. Reserved.

DIVISION 2. ENVIRONMENTAL STANDARDS

Sec. 33-1621. Water quality.

Prior to the issuance of a development order, zoning, or building permits for a new building or an addition or remodeling to convert existing space to living area, for properties that contain existing OSTDS, the applicant must provide written documentation indicating the approximate date the System was constructed and the last date the OSTDS was serviced or received a pumpout by a licensed septic contractor.

(Ord. No. 12-19, § 2, 9-11-12)

Secs. 33-1622—33-1625. Reserved.

DIVISION 3. PROPERTY DEVELOPMENT REGULATIONS

Sec. 33-1626. Residential single-family estate district.

(a) Subdivisions of parcels that were zoned RSC-2 on January 1, 2002, regardless of the zoning designation thereafter, are prohibited unless the resulting lots comply with the minimum lot size and dimensional requirements in the RSC-2 district.

(b) RSC-2 zoning includes the following standards:

(1) Lot area: 43,560 square feet minimum.[1]

[1] The numeral (1) was omitted from the Municode version of this document and has been added for sake of clarity.

(2) Lot width: 100 feet minimum.
(3) Lot depth: 200 feet minimum.
(4) Setbacks:
a. Street: 50 feet minimum. In the instance that the property is bisected by the Coastal Construction Control Line, leaving a limited area for development or redevelopment, the Director may authorize a lesser street setback, but the setback may not be less than 20 feet from the public street right-of-way, and relief must be limited to that which provides a reasonable use of the property while not adversely affecting the aesthetics of the neighboring or adjoining lots.
b. Side yard: 10 feet minimum.
c. Rear yard: 20 feet minimum.
d. Gulf of Mexico: 50 feet minimum.
e. Other water bodies: 25 feet minimum.
(5) Maximum lot coverage: 25 percent.
(6) Allowed structures:
a. Principal dwelling unit.
b. Accessory dwelling units.

(c)

Two accessory dwelling units, which may include accommodations for guests, family members, or domestic employees and their families, as well as permitted accessory structures, may be permitted on each lot zoned RSC-2, subject to the following:

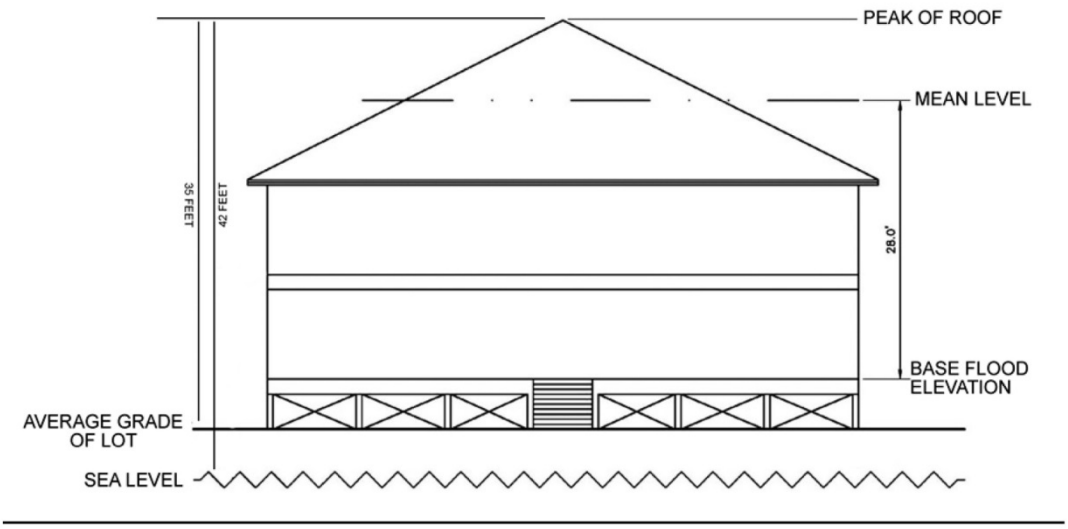
(1) The accessory units are in addition to a principal single-family detached dwelling unit.
(2) All units and accessory structures will comply with applicable setback requirements.
(3) Property owners may not rent or lease for periods of less than seven days any combination of principal or accessory dwelling units on a single RSC-2 zoned lot, and may not rent or lease units under more than one lease at a time.

(d) The use of tents, lean-tos, motor vehicles, and similar accommodations, as temporary residences for employees and other persons are prohibited. For purposes of this section, employees include temporary workers and construction and landscape crews, but do not include family members or house guests.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1627. Height restrictions on Captiva Island.

(a) Consistent with Policy 13.1.2 of the Lee Plan, the height of buildings and structures may not exceed the least restrictive of the two following options:
(1) Thirty-five feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or
(2) Twenty-eight feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.



If the lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation. Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four feet above the roof peak or eight feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20 percent or less of the total roof area.

(b) The existing telecommunications tower facility located in the maintenance and engineering area of South Seas Resort may be replaced to a height not to exceed 170 feet, provided the new facility makes space available to the county for emergency communications service coverage for Captiva, as well as co-location capability for wireless carriers desirous of serving Captiva. Destruction of mangroves to build or operate a tower or related tower facilities is prohibited. The telecommunication tower will be a monopole, unless public safety is compromised.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1628. Rezoning and density.

(a) *Conflicting provisions*. A conflict between this chapter and the balance of this Code will be resolved in accordance with Sections 33-4 and 34-1543.

(b) *Nonconforming uses*. A structure or the use of a structure where the use of the land was lawfully existing on December 13, 1982, but does not conform to the provisions of this subdivision, will be considered an existing nonconforming use. Existing nonconforming uses may be continued after December 13, 1982; provided, however, no existing nonconforming use may be expanded, changed, enlarged or altered in a way that increases its nonconformity. The redevelopment of nonconforming hotels and motels may not result in an increase in the number of rental units. The average unit size of units offered for rent in redeveloped structures may not exceed 550 square feet.

(c) *Density limitations*. Except as may be specifically permitted by the Lee Plan, no building or development permits will be issued for development on Captiva Island at a density greater than the following:

(1) Three units per acre for dwelling units, including condominiums and apartments; or

(2) Three units per acre for motels or hotels;

(3) Lock-off units will be counted as a full dwelling unit when computing the allowable density. To be counted as a dwelling unit, lock-off accommodations may contain at least one bedroom with a bathroom and be accessible from a separate door, entering from outside the dwelling unit.

(d) *Exceptions.* Zoning Resolution No. Z-70-78, adopted on June 2, 1970, remains in force and is binding on present and future property owners. Zoning maps and records will reflect that the property subject to Resolution No. Z-70-78 to be estate zoning requiring each lot or parcel to contain a minimum square footage of 43,560 square feet for the issuance of a building or development permit or order. Parcels or lots containing a minimum of 43,560 square feet and located within the RSC-2 zoning district, may also obtain a permit for no more than two accessory dwelling units in addition to the primary dwelling unit as provided in section 33-1626(c).

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1629. Temporary use permits.

(a) Temporary use permits under section 34-3042, "Carnivals, fairs, circuses and amusement devices," are prohibited on Captiva Island. This section will not be construed to prohibit civic events or not-for-profit fundraising events, sponsored by 501(c) corporations designated by the U.S. Internal Revenue Service, or registered as a not-for-profit entity with the State of Florida. Such events include bazaars, fundraising events, seasonal or holiday observances, or activities (e.g. bounce houses) for which the public may have access.

(b) Temporary use permits for temporary parking lots under section 34-2022, "Temporary parking lots," are prohibited for Captiva Island. This section will not be construed to prohibit temporary parking on a golf course or other unpaved surface when authorized by the owner or manager of a property where an event is taking place.

(Ord. No. 12-19, § 2, 9-11-12)

Secs. 33-1630—33-1634. Reserved.

DIVISION 4. DESIGN STANDARDS; SIGNS

Sec. 33-1640. Applicability.

This division is adopted as a supplement to the general sign ordinance of the County set out in articles I through IV of chapter 30. The sign ordinance remains in force as to Captiva Island. In case of conflicts between provisions of the general sign ordinance and this article, the more restrictive provision will control.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1641. Definitions.

The following words, terms and phrases, when used in this article, are in addition to the definitions appearing in section 30-2, and will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animated sign: Signs or any part thereof that revolve or moves in any fashion whatsoever, and signs that contain or use for illustration lights or lighting devices that change color, flash or alternate, show

movement or motion, or change the appearance of the sign or any part thereof automatically, including wind-operated devices. Animated signs may include flashing signs and a beacon light.

Banner sign: A sign possessing characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, with or without frames, including awning signs.

Directional sign: Signs used for public information or directions, such as "one way," "entrance," or "exit."

Illuminated sign: See "Lighted sign" in this section.

Lighted sign: A sign with characters, letters, figures, designs or outlines illuminated by electric lights, light emitting diodes (LEDs) or luminous tubes as part of the sign proper.

Residential identification sign: A sign intended to distinguish a particular residential property or estate, using the name of the owner or owners, the street address, or some form of artwork, lettering, fanciful naming, or other device.

Tenant's wall area: The outside wall area of a renter's or lessee's unit in a multi-unit commercial complex, excluding any wall space in the complex's common areas.

Wall sign: An outdoor advertising display sign affixed to or painted on the wall of a building, where the sign projects not more than 12 inches from the building.

(Ord. No. 12-19, § 2, 9-11-12)

Cross reference— *Definitions and rules of construction generally, § 1-2.*

Sec. 33-1642. Prohibited signs.

The following types of signs are prohibited, except as exempted in section 33-1645(b), "Signs not requiring a permit":

(1) Banner signs as defined in this section, pennants, or other flying paraphernalia.
(2) Sandwich signs.
(3) Billboards.
(4) Animated signs as defined in this section.
(5) Neon signs or signs of similar effect.
(6) "Sold" signs.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1643. Removal of prohibited signs.

Prohibited signs must be removed upon direction of the County code enforcement officer and may not be replaced.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1644. Temporary signs.

Temporary sign permits for prohibited signs will not be issued.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1645. Signs not requiring a permit.

(a) *Residential identification sign.* Identification signs not exceeding 2.0 square feet in area on lots with total frontage of less than 100 feet and 4.0 square feet in area on lots with frontage of 100 feet or more. The height of identification signs may not exceed four feet above grade and may be placed in rights-of-way and subject to the following standards and restrictions:

(1) Identification signs must comply with sections 14-76 and 34-625 and may be illuminated only in accordance with the following standards:

a. The area occupied by the luminaire and its supports will not be included when calculating the square footage of the sign.

b. Sign lighting must be designed and located so as not to cause confusion with traffic control devices.

c. Full cutoff fixtures with black non-reflective interior surfaces must be used. Uplighting is prohibited. No sign may have internal illumination.

d. If exterior lighting is used to illuminate the sign, the lights must be down lights with shields and louvers to pinpoint the light.

e. Illumination must be with white light only, using fluorescent lamps or bulbs, except if visible from the beach then they must be amber LED bulbs used in properly shielded fixtures. Mercury vapor and metal halide lighting is prohibited. LED bulbs are recommended. Fluorescent fixtures must be of the enclosed type with a gasketed lens and a wet location label.

f. A maximum of one fixture is allowed per sign face.

g.The maximum wattage may not exceed 36 watts per sign face.

h. Approval for electric hookup to illuminate the sign must be obtained from the Lee County Department of Transportation.

(2) The identification sign must include the street number of the property with numerals four inches high.

(3) The sign support must be of a suitable breakaway or yielding design. Identification signs placed in an unsafe or hazardous location, as determined by the Department of Transportation, must be relocated or removed at the owner's expense.

(4) Identification signs in existence at the time of the adoption of the ordinance from which this article is derived that exceed the square footage or height requirements, but are not deemed to be located in an unsafe or hazardous location, will be considered nonconforming uses for purposes of this paragraph and may remain in place until removed or destroyed.

(b) Bulletin boards for public, charitable, or religious institutions, to be located on the same premises as the institution and not exceeding 32 square feet in area.

(c) Signs denoting the contractor, subcontractor, or design professional on the premises of work under construction and not exceeding four square feet in area; provided, however, those signs may not remain on the premises for more than 30 days after the issuance of the certificate of occupancy.
(d) Occupational signs denoting only the name, street number or occupation of an occupant in a commercial building, a public or institutional building, or a dwelling house (except dwelling houses in C-1, CS-1, and CT districts), and not exceeding four square feet in area.
(e) Memorial signs or tablets, names of buildings and dates of erection when cut into masonry surfaces or when constructed of bronze or other noncombustible materials.
(f) Traffic or other municipal, county, state or federal signs, legal notices, and other such temporary emergency or non-advertising signs.
(g) Temporary real estate signs, which for the purposes of this section include "for sale," "open house," "open for inspection," "by appointment only," "model home," and similar signs, must be located in a front yard and a minimum of two feet from the property line, parallel to the frontage and conforming to the following restrictions:

(1) They must be located only on the property advertised.
(2) In all districts not of residential character signs may not exceed four square feet in area, and may not exceed two square feet in areas zoned as RSC-2, RS-1, TFC-2 and RM-2. The bottom edge of the signs may not be greater than 12 inches above average grade of the sign's location. The signs must be limited to one sign per parcel; if the parcel includes water access, a second temporary real estate sign not exceeding two square feet in area is allowed either on a permanent dock structure or a minimum of ten feet landward of the property boundary adjacent to the water access or away from the landward edge of the mangrove fringe.
(3) Temporary real estate signs must be sturdily constructed, neat in appearance, ground signs only, with prongs not exceeding one-half inch in diameter and designed to be inserted and, removed without tools.
(4) Temporary real estate signs must be removed no more than five days after the property is no longer for sale.

(h) Signs that do not exceed 12 inches when measured vertically or horizontally, upon business premises, which are informational or directory in nature, and neither contain the name of the business nor advertise products or services.
(i) Temporary banners, sandwich signs and other temporary ground signs promoting a specific event, to be located in the vicinity of the event promoted and not exceeding 32 square feet in area for banners and ten square feet for sandwich signs and ground signs. Signs cannot be erected more than seven days prior to the event, and must be removed no later than the day following the event.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1646. Nonconforming signs.

With the exception of nonconforming identification signs as provided in section 33-1645, every lawfully existing sign of every type located on Captiva Island that does not comply with this article will be deemed nonconforming upon the effective date of the ordinance from which this article is derived.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1647. Maintenance of nonconforming signs.

(a) A nonconforming sign may be maintained in its condition as of the time it becomes nonconforming, but may not be structurally or mechanically extended or altered except to make it conform more closely to the provisions of this article.

(b) Nonconforming sign may be re-erected according to the standards articulated in section 33-1645

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1648. Permanent signs in commercial areas.

Ground-mounted or wall mounted signs located in the C-1, CS-1, CT or RM-2 zoning categories must comply with sections 14-76 and 34-625.

(a) Ground-mounted identification signs are subject to the following limitations:

(1) No signs may be erected closer than 30 feet to the boundary line dividing the zoning district of the property on which the sign is erected from a zoning district in which they are prohibited.

(2) Sign area is limited to 32 square feet.

(3) Signs cannot exceed a maximum of ten feet in height or ten feet in width.

(4) The sign must display the street number/s of the property on the face of the sign. Each numeral must measure four to six inches in height. The copy area of the street number will not be counted toward the allowable sign copy area.

(b) Wall-mounted signs: Wall signs are limited to ten percent of a tenant's wall area, with a maximum size of 32 square feet.

(c) Illuminated, ground-mounted, and wall signs: Environmental Sciences (ES) staff must review the lighting proposed to ensure compliance with sea turtle regulations in section 14-76 and the outdoor lighting standards in section 34-625 prior to the issuance of the sign permit. The sign must be inspected after dark by ES staff, with all exterior lighting turned on, to determine compliance with an approved lighting plan and this division prior to final inspection.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1649. Number of signs.

Business establishments located upon Captiva Island may not erect more than one permanent ground-mounted commercial advertising sign per driveway and point of access by water. Temporary "for sale" or "for rent" signs will not count against this limit.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1650. Reserved.

Appendix 3: Survey Questions 2013

Captiva Community Panel at Workshops,
Members Discussing Issues & Public Audience

Lee County is in the process of updating its land use and zoning policies, which are a part of the county's overall plan. To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by Nov. 15, 2013. Results will be discussed at the Dec. 10 panel meeting and at subsequent public meetings.

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Remember: This is not a vote, but is a chance for your input on issues that affect our island.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

2. Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

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.

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

Future landscape regulations, for example, could either target the prohibition or removal of unwanted species (such as Australian pine or Brazilian pepper) and encourage the planting of native, low-water species that would thrive in the island climate. The Panel welcomes your thoughts on what level of regulation -— if any -— is needed, and what level of enforcement is practical.

1. What should a landscaping plan for Captiva include? (Rank in the order of importance to you, with 1 being most important and 6 being least.)

- Encouraging use of native or low-water species
- Removal of non-native, invasive species
- Restoring the canopy along Captiva Drive where possible
- Creating a vegetative buffer between homes where possible
- Using vegetation to enhance beach management
- Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive
- I have no opinion on this issue

Comments

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2. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

- If we offer landscaping guidelines, private owners will mostly follow them
- We will need greater enforcement to achieve any impact
- A public education campaign will convince owners of the benefits of any new rules
- People will plant what they want, regardless of what county rules say
- I have no opinion on this issue

Comments

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3. Historic preservation

Although most people don't think of Captiva Island as a famous place in U.S. history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are two Captiva sites on the National Register of Historic Places -– the Tween Waters cottages and the Chapel by the Sea (pending). (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. We would like to know how you define "historic," in a Captiva context, if there are any specific sites that are particularly important, and whether there are any new measures that Lee County should take to promote historic preservation on the island.

1. Do you support preserving historic buildings and other resources on the island?

- Yes.
- No.
- Not sure, I need more information.
- I have no opinion on this issue

Comments

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6

2. What do you consider criteria for a designation as a historic property? (Check all that apply)

- Age or longevity
- Historical significance
- Cultural/social significance
- Archeological significance
- Not sure, need more information.
- I have no opinion on this issue

Comments

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3. What site(s) on the island do you think warrant preservation by a "historic" designation?

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4. Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642 (5)), although identification signs — popular on the island's front yards — are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. We would like to know if you prefer to see more or fewer restrictions on lighting on the island, and in what areas and under what conditions. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

1. Which statement best matches your opinion of lighting on the island? (Check all that apply)

- We need more lighting on the roadways to make it safer and easier to see at night.
- We need more lights at individual driveways to make it easier to see house numbers.
- We need more light in the Village area only at night to make it safer and easier to see.
- We need less or better directed light on the island at night to minimize light pollution.
- The lighting we now have works pretty well for me.
- I have no opinion on this issue

Comments

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2. Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?

- Yes.
- No.
- Not sure, I need more information.
- I have no opinion on this issue

Comments

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5. The Village

The next few questions pertain to “the Village,” the area north of the Jensen S-curve and south of South Seas Island Resort.

1. Are you concerned about maintaining the commercial core of the island in the Village?

- Yes, we need to keep essential businesses in the Village
- Yes, but the commercial core will survive without regulatory intervention
- No, there are too many businesses there now
- Not sure, need more information.
- I don’t care about the business community on the island.
- I have no opinion on this issue

Comments

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2. Which of the following statements do you agree with? (Check all that apply)

- I like the current mix of commercial and residential uses in the Village.
- I think there should be more businesses and fewer residences in the Village.
- I think there should be more residences and fewer businesses in the Village.
- There needs to be more of a buffer between businesses and residences in the Village.
- The Village needs more parking to make it easier to drive there.
- The Village needs less parking to encourage people to walk or bike.
- I have no opinion on this issue

Other (please specify)

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3. What’s the one new business Captiva really needs?

5

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4. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- Residents
- Tourists and other businesses
- A combination of the two

Comments

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6. Pedestrian & bicycle safety

The addition of a safety shoulder along Captiva Drive has encouraged more walking and biking on the island, but how is the interaction between walkers/bikers and motorized traffic working out?

1. Do you feel safe walking or biking on Captiva's streets?

- Yes.
- No.
- Not sure, need more information.
- I have no opinion on this issue

Comments

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2. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

- Yes, but I won't because (give reason below).
- No, I'm happy with the current situation.
- Not sure, need more information.
- I have no opinion on this issue

I won't bike/walk more on Captiva because...

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3. Which of the following issues should be part of a community discussion about walking and biking on the island? (Check all that apply)

- Slower traffic speeds in selected zones
- Faster traffic speeds in selected zones
- Separated bike/walk paths away from traffic
- Wider bike/walk shoulders in the Village
- More enforcement of traffic/speed laws
- More enforcement of bike/walk laws
- More parking to help eliminate cruising traffic
- Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
- I have no opinion on this issue

Comments

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7. Parking

The availability of parking and beach access has always been an issue on Captiva. For example, due to the recent loss of government funding for beach nourishment tied to beach access and parking, island property owners may have to pay more of the project costs now and in the future.

1. Which of these statements reflects your opinion?

- I support more public parking and beach access on Captiva in general.
- I support more public parking and beach access only if it would guarantee more government funding for beach management.
- I do not support more public parking and beach access on Captiva.
- I have no opinion on this issue.

Comments

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8. Other issues

1. Do you feel the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

- Establishing standards to maintain a Village “look”
- Putting island power lines underground
- Bringing sanitary sewer service to the island
- Creating wider bike/walk lanes on Captiva Drive
- Creating a bike/shared-use path separated from the road
- Having uniform rental rules for the entire island
- Enforcing leash laws on the beach
- Reducing stormwater runoff to improve water quality

Comments

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2. What other issue(s) should the Captiva Community Panel be focusing on for the future planning and land use of the island?

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3. Prior to receiving this survey, were you aware of the Captiva Community Panel?

- Yes
- No

Comments

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4. If "yes," what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

- 1 -- Very negative
- 2
- 3
- 4
- 5 -- Neutral
- 6
- 7
- 8
- 9
- 10 -- Very positive
- I have no opinion on this issue.

Comments

5. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

- Yes
- No

Comments

6. Other questions or comments?

9. Tell us about yourself

A few final questions to help us analyze the survey results.

1. Where do you live on the island?

- Gold Coast
- Tween Waters stretch
- The Village
- South Seas Island Resort

2. Where do you own property on the island? (Check all that apply)

- Gold Coast
- Tween Waters stretch
- The Village
- South Seas Island Resort

Comments

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6

3. Do you own multiple properties on the island?

- Yes
- No

4. Which best describes you? (Check all that apply)

- Full-time (9 months or more) resident & property owner
- Full-time (9 months or more) renter
- Part-time (3-9 months) resident & property owner
- Property owner, but on island less than 3 months per year
- Timeshare owner
- Business owner
- Employee

Comments

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5. OPTIONAL: Give us your name, mailing address and/or email if we need to follow up on your responses.

Name

Address

Email

6. If you are not currently receiving email updates from the Panel, would you like to be added to our email list? (We limit how many messages we send, and you can opt out at any time.)

Yes

No

What is your email address?

Thanks for taking the time to complete this survey, and be sure to attend an upcoming Community Panel meeting to hear the results. They will also be posted online at www.captivacommunitypanel.com.

Appendix 4: Survey Results

COMMUNITY SURVEY
CAPTIVA COMMUNITY PANEL
2013 Revisions to Community Plan

Topic: Landscape

Question: ***What should a landscaping plan for Captiva include?*** The survey offered six possible responses, plus a seventh option ("I have no opinion on this issue.") The options were:

1. Encouraging use of native or low-water species. **(Ranked #1 for positive responses 65.7% favored; 134 responses)**
2. Removal of non-native, invasive species. **(#4 ; 52.9% favored; 108 positive responses)**
3. Restoring the canopy along Captiva Drive where possible. **(#3 ; 58.3% favored; 119 positive responses)**
4. Creating a vegetative buffer between homes where possible. **(#6; 37.3% favored; 76 positive responses)**
5. Using vegetation to enhance beach management. **(#2; 64.7% favored; 132 positive responses)**
6. Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive. **(#5; 45.6% favored; 93 positive responses)**
7. I have no opinion on this issue. **(#7; 2.5% favored; 5 responses)**

Ranking of responses:

Summary of Public Comments: Of the 240 responses to the Survey, **204** answered the question. 48 respondents offered written comments. A sample of comments:

- I am interested in vegetation to enhance beach management…
- Replanted areas should strive to be "natural" in appearance so the island does not look like a giant planned community.
- Please leave existing Australian pines alone!
- Include toxic chemical control.
- As to the Tweenies' stretch, isn't a lot of that the result of improving the dune following H. Charley? That was good and should not be undone.

References to the restoration of canopy following the devastation of Hurricane Charley are numerous and sometimes make reference to the popular, but invasive, Australian palm. It appears that there is a lack of knowledge of the connection between vegetation and "beach management."

Possible *long-term* actions identified in Survey:

Options 1-6 are all long-term in nature.

Possible *short-term* actions identified in Survey

The survey proposed no short-term actions, unless 'removal of non-native, invasive species' can be considered a short-term approach. Short-term approaches could include one-time public awareness efforts (e.g. symposia) or articles in the Panel website or local media. None of these are likely to be impacted by the comprehensive planning process.

Item for further review and consideration

Why is landscaping so important on Captiva? Is privacy the main consideration, or is it species habitat, erosion control, dark skies, separation of land use, enhancement of property value? Why do Captivans take the issue so seriously?

Topic:Historic Preservation

Question #1: ***Do you support preserving historic buildings and other resources on the island?***
The survey offered four possible responses. The options were:

1. Yes**. (Ranked #1 for positive responses 69.6% agreed; N=158)**
2. No. **(#3; 9.7% agreed; N=22)**
3. Not sure, I need more information. **(#2; 19.4%% agreed; N=44)**
4. I have no opinion on this issue. **(#4; 1.3%; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **227** answered the question. 22 respondents offered written comments. Generally speaking, Captiva residents advocate some form of historic preservation, as indicated in these comments:

- They add to the charm.
- Cultural history is the only link we have to our past. Our legacies (good and bad) shouldn't be discarded or reinvented.
- The unique character, including the intimate and natural feeling of the island, is worth preserving.
- Captiva is losing itself. The older houses and buildings have something worth saving.

Some respondents question whether there are sufficient resources to preserve and whether aesthetic measures may be more effective:

- Houses north of Tween Waters are already gone, Andy Rosse houses are gone, South Seas historic cottage is now on Sanibel, so there is nothing left that is worth the effort. Island is scenic, minimally historic.
- More important to preserve the historic look of Captiva rather than specific structures.

Some respondents oppose any additional regulations aimed at historic preservation:

- I do not support this! We do not need some board or historical society telling Private Property owners what they can and cannot do with their PRIVATE property!!
- There is too much talk of restrictions which holds back the island from being a premier destination. Lack of restaurants, services, etc.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1 Do Captiva residents advocate specific regulations to preserved historic properties?
2 Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

Topic:Historic Preservation

Question #2: ***What do you consider criteria for a designation as a historic property?*** The survey offered six possible responses. Their responses were as follows:

1. Age or longevity**. (Ranked #4; 39.4% agreed; N=89)**
2. Historical significance. **(#1; 86.3% agreed; N=195)**
3. Cultural/social significance. **(#3; 49.1% agreed; N=111)**
4. Archaeological significance**. (#2; 50.0% agreed; N=113)**
5. Not sure; I need more information. **(#5; 9.3% agreed; N=21)**
6. I have no opinion on this issue. **(#6; 3.5%; N=8)**

Summary of public comments: Of the 240 responses to the Survey, **226** answered the question. 13 respondents offered written comments. Their comments tend to repeat the responses to the earlier question, but they raised some new points in response to this question as found in this sampling:

- All of these elements could represent a significant factor, but a decision would eventually rest on the specifics of the case, including the broader context of the property under construction.
- The problem with granting historic preservation to structures that do not meet flood zone requirements, will selectively allow such owners special privilege under current zoning laws. Because of our barrier island and storm surge issues, no buildings should be given historic status unless they are elevated to meet current zoning requirements.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1. Do Captiva residents advocate specific regulations to preserved historic properties?
2. Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

Topic: Lighting

Question #1: ***Which statement best matches your opinion of lighting on the island?*** The survey offered six possible responses and respondents were allowed to check all that applied. Their responses were as follows:

1. We need more lighting on the roadways to make it safer and easier to see at night**. (Ranked #3; 14.4% agreed; N=33)**
2. We need more lights at individual driveways to make it easier to see house numbers. **(#5; 8.3% agreed; N=19)**
3. We need more light in the Village area only at night to make it safer and easier to see. **(#4; 10.5% agreed; N=24)**
4. We need less or better directed light on the island at night to minimize light pollution**. (#2; 32.8% agreed; N=75)**
5. The lighting we have now works pretty well for me. **(#1; 53.3% agreed; N=122)**
6. I have no opinion on this issue. **(#6; .9%; N=2)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 26 respondents offered written comments. Some of their themes can be characterized as follows:

New regulations are unnecessary:

- Enforce what is on the books. We don't need more regulation.
- If you are going to walk and it is dark, carry a flash light or glow stick.
- Upward directed lighting needs enforcement. The current regulations work well.
- We don't have a light problem—we have a driving problem, especially around Andy Rosse Ln and SSIR.

Existing lighting may not be enough to assure public safety:

- It is very hard at night to see people walking on the street.
- Where roads are narrow and pedestrians may be walking or bikers riding, more lighting would be beneficial.

More lighting would reduce the island's atmosphere:

- Captiva should adopt a "dark skies" policy and enforce a Sanibel-style lighting policy. No to more light in Village…
- I love the peace, quiet, and nature. 25w bulbs are all we need outside.

Take advantage of new technologies:

- Try to increase road safety, especially for pedestrians and bikers, by using directed LED lighting. Avoid overhead street lamps. Power with solar panels. The nearly universal use of GPS…makes seeing numbers almost irrelevant.

- If lighting is added it should be low glare, high efficiency fixtures. Losing the "star filled night sky" takes away from the island experience.

Items for further review and consideration:

1. Are there specific areas that need more lighting for public safety?
2. Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?
3. What lighting technologies should be considered to improve public safety on the island?

Topic: Lighting

Question #2: ***Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?*** The survey offered four possible responses. Their responses were as follows:

1. Yes**. (Ranked #1; 63.8% agreed; N=146)**
2. No. **(#2; 19.7% agreed; N=45)**
3. Not sure, I need more information. **(#3; 15.3% agreed; N=35)**
4. I have no opinion on this issue**. (#4; 1.3% agreed; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 18 respondents offered written comments which supplement the responses to Lighting question #1. Some of their themes can be characterized as follows:

Wildlife protection should be a high priority:

- The value of the island ultimately depends on preserving its wonderful, natural character. Producing another suburb can be undertaken anywhere, but why do that to a property as unique as Captiva?
- Sanibel is a wonderful illustration of how lighting, when properly done, can provide needed illumination while preserving the nighttime skies, improving ambience and protecting sea turtles.

Wildlife protection can be overdone; additional regulations are not needed:

- The beach is dark so I don't understand how there could be too much light for the turtles, besides I think sometimes we get carried away with the preservation of animals.
- Sanibel is ruined due to all the regulations; we do not need any more for Captiva.

Existing regulations are sufficient:

- Voluntary rules now work well.
- Enforce existing rules.

Items for further review and consideration:

1. Are there specific areas that need more lighting for public safety?
2. Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?
3. What lighting technologies should be considered to improve public safety on the island?

Topic: Commercial Core/The Village

Question #1: ***Are you concerned about maintaining the commercial core of the island in the Village?*** The survey offered six possible responses. Their responses were as follows:

1. Yes, we need to keep essential businesses in the Village**. (Ranked #1; 57.0% agreed; N=127)**
2. Yes, but the commercial core will survive without regulatory intervention. **(#2; 32.7% agreed; N=73)**
3. No, there are too many businesses there now. **(#3; 5.4% agreed; N=12)**
4. Not sure, need more information**. (#4; 3.1% agreed; N=7)**
5. I don't care about the business community on the island. **(#6; 0% agreed; N=0)**
6. I have no opinion on this issue. **(#5; 1.8%; N=4)**

Summary of public comments: Of the 240 responses to the Survey, **223** answered the question. 26 respondents offered written comments. Some of their themes can be characterized as follows:

Businesses provide benefits:

- The Village flourished after Charley. A business needs to survive on its own to ensure quality, fairness, and longevity.
- Tax revenue for all.
- I believe we need to encourage business possibly looking at additional options with regards to mixed use.

Businesses should focus on tourists and seasonal residents:

- A few basic businesses belong on the island, others could be placed elsewhere. Biking, sailing, and kayaking rentals should not be moved. Restaurants and grocery stores should also stay. Others like clothing, gifts, and art may or may not have a place.
- We need to keep the businesses we have in the Village—no more and no less. If we lose the businesses we have in the Village people will have to leave the island to get supplies and food.
- …For me, it is a good grocery store like we have; and ATM and a variety of good restaurants. A competitively priced gas station would probably be too much to ask for.
- We need a core, but small and solid business community in the Village. Most important to keep business consistent with the look, feel, and essence of historic, old Captiva…

Existing businesses provide limited benefits:

- The businesses here are almost exclusively for the tourists and provide little benefit to residents of the island.
- I love the peace, quiet, and nature. 25w bulbs are all we need outside.

Additional regulations are not needed:

- Keep your regulations out of Captiva and let the free market work. What is wrong with you people? When has increased regulations ever helped business or reduced cost? Look at what is going on in DC, are you blind?
- …do not want the Panel to regulate commerce. It seems to be in balance.

Additional businesses are needed:

- Would like to see more businesses necessary for residents' needs, e.g. grocery, gas station, pharmacy.

None Identified

Possible long-term actions identified in the survey:

None Identified

Possible short-term actions identified in the survey:

None Identified

Items for further review and consideration:

1. What does 'mixed use' mean in the Village? (First floor parking; second floor commercial; third floor residential?)
2. Are mixed uses best fostered through conventional zoning, or are there other approaches worth considering?
3. Are there non brick-and-mortar businesses (e.g. delivery businesses) which could provide improved availability of goods and services for island residents and visitors? What impact would they have on existing businesses?

Topic:Commercial Core/The Village

Question #2: ***Which of the following statements do you agree with?*** The survey offered seven possible responses, and invited respondents to answer all that applied. Their responses were as follows:

1. I like the current mix of commercial and residential uses in the Village**. (Ranked #1; 70.1% agreed; N=155)**
2. I think there should be more businesses and fewer residences in the Village. **(#4; 12.7% agreed; N=28)**
3. I think there should be more residences and fewer businesses in the Village. **(#6; 5.4% agreed; N=12)**
4. There needs to be more of a buffer between businesses and residences in the Village**. (#5; 11.8% agreed; N=26)**
5. The Village needs more parking to make it easier to drive there. **(#2; 22.6% agreed; N=50)**
6. The Village needs less parking to encourage people to walk or bike. **(#3; 16.7%; N=37)**
7. I have no opinion on this issue. **(#7; 4.5%; N=10)**

Summary of public comments: Of the 240 responses to the Survey, **221** answered the question. 21 respondents offered written comments. Some of their themes can be characterized as follows:

It's complicated:

- Parking is a chronic, vexing issue….Not sure how to solve parking for those visiting Captiva for the day to shop and eat. Maybe some additional parking at CCA, charge small fee.
- Ah!! Therein is a big problem…Captiva is not a big island…People will just have to live with what we have….As a property owner and half year resident, I honestly feel…the rental situation is the elephant in the room. Regulate that and so many of the problems will not be there.

Alternatives to parking (and automobiles) are needed:

- Biking, walking and busing (South Seas Resort) need to be encouraged. Additional parking development should be discouraged.
- In season, the comment is we will not go to Captiva as it is grid lock, yet the businesses say they need the business. More convenient transportation, less traffic.
- Maintaining the natural environment should be the number 1 priority as opposed to attracting more businesses/traffic.

Additional parking is not needed:

- I would like the idea of less parking and more walking, but my [spouse] has [chronic illness] and therefore parking can be an issue, so more parking would be ideal.
- If you only want to serve residents and visitors who are local…then encourage only walking and biking.

Additional parking is needed:

- I would encourage businesses to develop in the Village and realize that may require a bit more parking space…
- Parking is needed. However, more bike racks and foot paths will encourage people to drive less. I support both.

More effective code enforcement (or law enforcement) are needed:

NOTE: This viewpoint has appeared in responses to other questions.

- How about actually working with Lee County to enforce parking, seating, noise, truck delivery regulations?
- The Village can serve the Captiva residents and visitors without more parking….Parking, garbage, dumpster and septic regulations should be strictly enforced in the Village….Day trippers should not be encouraged.

Additional regulations are not needed:

- Leave the Village as is? Why not leave Captiva the way it is? Why are you so anxious to change what is working?

Items for further review and consideration:

1. What could be achieved through additional regulation of rental properties?
2. Do short term renters in fact use automobiles more than other renters or residents?
3. What forms of transit and Paratransit would be acceptable for Captiva residents, their guests, and their employees?

Topic: Commercial

Question #3: ***What's the one new business Captiva really needs?*** The survey offered no specific responses.

Summary of public comments: Of the 240 responses to the Survey, **117** answered the question. Some of their themes can be characterized as follows:

Services:

- Dog kennel
- Car wash
- Medical facility/doctor's offices
- A mailing store
- Our own chamber of commerce
- An anti-regulatory business or committee. To keep the government out of our personal and business lives.
- A parking garage.
- Lee County Code Enforcement Annex

Retail businesses:

- Drug store or garage
- Grocery store (larger than existing, or open later hours)
- …gift shops/clothing
- Office and computer supplies
- Enterprises that help guests and owners to appreciate the place of Captiva Island in the ecosystem and world…
- Hardware store
- Clothing/ shoes

Restaurants, food and beverage establishments/ entertainment:

- Pizza
- A good Italian restaurant
- Bakery/deli/sandwich shop
- Sushi
- McDonald's
- Discotheque
- A discount liquor store

No new establishments are needed:

- We have a nice variety
- I believe Captiva has all that is needed!

Items for further review and consideration:

None Identified

Topic: Bicycle and pedestrian safety

Question #1: ***Do you feel safe walking or biking on Captiva's streets?*** The survey offered four possible responses. The options were:

1. Yes. **(Ranked #1; 60.6% favored; N=134)**
2. No. **(#2 ; 35.7% favored; N=79)**
3. Not sure. I need more information **(#4 ; .9% favored; N=2)**
4. I have no opinion on this issue. **(#3; 2.7% favored; 6 responses)**

Summary of Public Comments: Of the 240 responses to the Survey, **221** answered the question. 55 respondents offered written comments. A sample of comments:

Streets are generally safe:

- Walking yes; biking no.
- Yes, but sometimes the traffic is too heavy and too fast.
- I find most people drive cautiously, even at night.
- Except during the highest tourist seasons when there is a sharp increase in the number of drivers who drive too fast.

Streets are generally unsafe:

- Cars still going too fast and bikers are not always in the safety shoulder.
- Some of the curves are blind and I feel uncomfortable when biking them.
- You take your life in your hands. We really need a bike path.

Advice for improved safety:

- Time of day makes a difference. Clearly there is responsibility whether it be bikers, walkers, or drivers to be alert and focus on safety.
- The shoulder should be widened.
- …the Village would benefit from having a proper sidewalk between Andy Rosse Lane and SSIR to encourage guests of the resort to go spend money at the Village.
- Low lighting on San-Cap Road in Village area needed.
- …The island has its own limitations that regulations are not going to solve.

Not enough knowledge to say:

- Rarely do either.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic: Bicycle and pedestrian safety

Question #2: ***Would you like to do more biking or walking on Captiva? If so, what's holding you back?*** The survey offered four possible responses. The options were:

1. Yes, but I won't because [reason below.] **(Ranked #2; 38.5% agreed; N=80)**
2. No, I'm happy with the current situation. **(#1 ; 49.0% agreed; N=102)**
3. Not sure. I need more information **(#4 ; 2.9% agreed; N=6)**
4. I have no opinion on this issue. **(#3; 9.6% agreed; N=20)**

Ranking of responses:

Summary of Public Comments: Of the 240 responses to the Survey, **208** answered the question. 107 respondents offered written comments. A sample of comments:

No bike paths:

- There is not a safe path.
- Need bike paths—TOO dangerous now.

Street layout/design:

- Layout of Captiva not set up for walking (only beach)…
- Safety shoulder is inadequate.

Not enough rental opportunities:

- Bikes are somewhat difficult to rent during popular times…
- More access to affordable bike rentals.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic: Walking and Biking

Question: ***Which of the following issues should be a part of a community discussion about walking and biking on the island?*** The survey offered four possible responses. The options were:

1. Yes, but I won't because [reason below.] **(Ranked #2; 38.5% agreed; N=80)**
2. No, I'm happy with the current situation. **(#1 ; 49.0% agreed; N=102)**
3. Not sure. I need more information **(#4 ; 2.9% agreed; N=6)**
4. I have no opinion on this issue. **(#3; 9.6% agreed; N=20)**

Ranking of responses:

Summary of Public Comments: Of the 240 responses to the Survey, **208** answered the question. 107 respondents offered written comments. A sample of comments:

No bike paths:

- There is not a safe path.
- Need bike paths—TOO dangerous now.

Street layout/design:

- Layout of Captiva not set up for walking (only beach)…
- Safety shoulder is inadequate.

Not enough rental opportunities:

- Bikes are somewhat difficult to rent during popular times…
- More access to affordable bike rentals.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic:Vegetation (Question #3)

Question: ***Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with?*** The survey offered four possible responses, plus a fifth option ("I have no opinion on this issue.") The options were:

1. If we offer landscaping guidelines, private owners will mostly follow them**. (Ranked #2 for positive responses 53.1% agreed; N=119)**
2. We will need greater enforcement to achieve any impact. **(#3; 28.6% agreed; N=64)**
3. A public education campaign will convince owners of the benefits of any new rules. **(#1; 53.6% agreed; N=120)**
4. People will plant what they want, regardless of what county rules say. **(#4; 25.0%; N=56)**
5. I have no opinion on this issue. **(#5; 4.9% agreed; N=11)**

Summary of public comments: Of the 240 responses to the Survey, **224** answered the question. 28 respondents offered written comments. Several themes emerged in their comments:

Regarding **individual property rights**, there was a spectrum of opinion, as demonstrated in the following comments which range from the highly *laissez faire* to pro-regulatory:

- We don't need vegetation rules.
- I am not in favor of a "Big Brother" approach.
- People should be able to plant what they want within reason.
- Panel will have to use care in deciding which landscape policies are important enough to override individual property rights.
- Educate, regulate and enforce. Stress self-interest to achieve compliance, introduce new laws only in situations where environmental damage is measurable.

Some did not advocate more regulation of landscaping/vegetation on grounds that current, **perceived lax enforcement** on the county's part is not likely to improve, or which would be too costly to implement:

- The county will not enforce regulations just as they do not enforce zoning regulations NOW.
- It will be very tough to enforce. We need the plant police, which will cost taxpayers more money.

Some advocate heavy reliance on **public education**, **voluntary compliance** with guidelines, and **working closely with landscape companies**:

- I believe that "rules" should only apply to invasive species. Freedom of choice otherwise but with an education campaign to at least inform what is recommended.
- I think working with the landscape companies who could then encourage the homeowner…
- I think guidelines, public education and enforcement are all necessary.
- …Landscapers play an important role.

When regulation is called for, it is to eliminate noxious and invasive species:

- I do not favor regulation of plant species…except to the extent of controlling noxious weeds or invasive species.
- …[i]nvasives…should be removed.

Possible *long-term* actions identified in Survey: There are two long-term actions identified in this survey—(1) drafting and implementing new regulations and (2) public education.

Possible *short-term* actions identified in Survey:

None specific.

Items for further review and consideration:

1. Is County enforcement really lax?
2. Are the voluntary bodies or non-regulatory agencies which could help Captiva improve the high quality of its vegetation?
3. Are there any events that could be repurposed to promote improved landscaping and native plants?
4. Do Captivans have a strong preference for native trees and plants vs. non-invasive exotics?

Appendix 5: Table Notes from Public Workshops

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Further public input: Public workshops were advertised and scheduled on the following dates and topics, which were gleaned from the survey results. These workshops were scheduled during the height of the winter season to ensure maximum opportunity for participation.

Date	Topic	Meeting Place
3-06-14	Character, Design & Quality of Life	South Seas Resort
3-11-14	Transportation	South Seas Resort
3-27-14	Economic Development	South Seas Resort
4-08-14	Water Quality	South Seas Resort

These workshops were held in small-group sessions, with each table of participants given the same questions for discussion and to answer in a facilitated setting. Notes of the discussions and subsequent reports were taken (See Appendix 5) and discussed by the panel at subsequent meetings as a starting point for thoughts on possible Captiva Plan new or amended policies. After numerous meeting options and directions were discussed. Panel planner Max Forgey was tasked with developing an initial draft of new or amended policies over the summer of 2014 so they would be ready for discussion in the late fall when seasonal residents were beginning to return to the island.

This draft was presented to the panel at its public meeting in November 2014, with revisions and an overview of the entice Captiva Plan, the subject of discussion at the December and January meetings (including a special workshop with the panel and public to review the entire proposed plan so that it would be in context for those who had not been engaged in the process during previous iterations). This resulted in a final draft that was presented and reviewed at public workshops in February, March and April 2015. With little revisions necessary, the final draft was approved by the panel for submittal to Lee County review and adoptions at the panel's April 14, 2015, meeting.

Discussion continues on issues that could not be appropriately addressed in Lee Plan language but were identified as of significance to a considerate percentage of the Captivians surveyed. This discussion may not result in plan amendments in the future, so is not covered under the scope of the current contract.

Appendix 5-1: Character, Design, and Quality of Life

Captiva Community Plan Workshop
Character, Design & Quality of Life
Thursday, March 6, 2014
South Seas Resort @10:00 a.m.

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators:

Max:	**Max Forgey, AICP**
Patrick:	**Patrick C. White**
Wayne:	**Wayne E. Daltry, FAICP**

Key Elements

Max's Table

- Great beach
- Low building height, density
- Beautiful natural vegetation
- Small, **remote—**but not isolated, community feeling
- A tranquil island environment (except during season)
- Transitioning to a more-rental community
- Getting noisier as the transition takes place
- High seasonal population—new community every Saturday
- Great weather

Patrick's Table

- Small Town
- Old Florida
- Neighborly
- Heavily landscaped
- Dark, no street lights
- LA light pollution [?]
- Similar to Island Beach Preserve
- Travel & [tourism]

Wayne's Table

- People (Corporate and Human) include:
    - Investors
    - Inhabitants
    - Transients

- Sacred spaces & Holy Sites
- Beach
- One road in; one road out; it's the same road
- Built-out village
- Dark skies
- Structures transition to and from rentals and ownership
- The 'Clean Slate' of hurricane is game changer
- Randomness of vegetation adds character because (due to the youth of the island [i.e. as a land mass] everything is invasive, but in character.)
- [If Central Park is Manhattan's sacred place] Captiva Island itself is Captiva's sacred place.

Design & Architecture

Max's Table

- The last change in building height (2011-12) was generally good
- Unfortunately, new construction is not taking advantage of the sloped-roof option.
- Insufficient attention to how a building fits on the site, especially in the Village
- People are building to the limit.
- Buildings are square and blocky on Wightman (in particular) and block the sun.
- Not enough light
- Admitting light, especially in upper stories, is key to good design
- Economics are at work here—it's too expensive to maintain a seasonal single family unit in the Village—[you have to rent it out part of the year to pay taxes and maintain the property, therefore you must build the biggest building possible to generate income.]
- SSR and Gold Coast are generally OK
- Good design on most of the island, [but Village needs some attention]
- SSR employee lots are a future concern. Anticipate management may replace them eventually
- Consider upper limits on number of bedrooms and mandatory upper story setbacks for light
- Owners try to shoehorn as much house as they can on to their lots—height, setback, all stories
- Need planning designs that fit community standards
- Bulk, façade, massing of elements, landscaped area, tree preservation on lot
- Landscape program
- Village building design and landscape
- Recess second floor [to let in the light]
- Consider designs other communities have used—Sanibel is a good example but there are others
- Homes with character
- Consider 30 day rental minimum periods in village

- Or 2-weeks
    - The above will be hard to implement
- Wightman, Rosse are the core of the village
- Building Code-Septic. [State could help us by imposing stricter rules
- Realtors advertise downstairs rooms [that shouldn't be occupied to begin with]
- Sanibel---Tougher code enforcement. [That's possible when you have your own municipality.]
- We cannot be Laissez-Faire any more
- Yes, we can
- Consider different building heights in Village
- Consider returning to **old** height standard in Village
- Village stretches to South Side of South Seas (including the Boyle property)

Patrick's Table

- Enforcement of Landscaping Code of Captiva Plan
- Intended consequence of roof height and code encouraging?
- Roof code needs graphic design, drawing explanation
- Cheaper to pay fine than relocate trees
- Nothing on regular
- 42 foot height limit
- Types of roof lines needs graphic clarification
- Potential minimum building lot width
- Oversized rental homes
- Contradiction in standards
- Multijurisdictional issues
- INDIVIDUAL RIGHTS
- Setbacks and heights
- Property appraisers (taxes)

Wayne's Table

- Individualism is encouraged, but each site should respect its setting and that of its neighbors through size [restrictions.]
- No Naples-ization!
- Achieve through influence, not (unenforced) regulation
- Promote awards for success in development and redevelopment, that exceed [the expectations of] Code Enforcement
- Promote education for encouraging **the eclectic, the creative, the native, and the natural.**
- But there is a need for a [re]source center/site for the information and point a [long?] look for the 'ties that bind' the community together through sacred spaces/holy sites.

Environmental & Landscape Practices

Max's Table

- The mangrove problem
- Septics—on the 3rd week of March, the smell can be quite ripe. Not good for business.
- Mike K: We struggled with that the last time around. When property changes hands, you can require pumpage and certification, but you can't enforce it on an annual basis
- Difficult to enforce
- Panel could make recommendations for stricter rules to state. No guarantees.
- Panel could notify Code Enforcement of the need[this time of year when it is most acute]
- Panel could speak to neighbors through realtors—that may be the most effective approach
- Sanctuary gumbo limbo trees are instructive example [Jack C]
- Tendency to finesse [enforcement] post-Charley.
- People reluctant [to pursue the 2002 comp plan commitment to have a landscape code for Captiva]
- Would be great to have a booklet [which will educate residents and newcomers about native vegetation]
    - Max advised Jack C that he will send the table from the Lee LDCs.
    - Max advised that he knows of someone who might be interested in that project and will advise Ken

Patrick's Table

- Invasive are not equal exotic
- Brazilian Pepper spreading—Big Problem
- Tropical landscaping "Recommended Plantings of Captiva"--- education issue.
- Mangrove Preservation--- not enforced
- Restrict invasive species
- People buy homes thinking suburban landscape design as oppose to Tropical or Caribbean style

Wayne's Table

- Maintain beaches as complete [?]
- Plant native species—or let natives self-start
- Vegetation is key for design
- [Issues are] indistinguishable from Environmental issues.
- Maintain screening with its covering of utilities
- Award the [cropped?] lawns

Lighting

Max's Table

- San moving to [tougher regulations]
- Safety issue—from Green Flash to SSR
- Problem Captiva Drive to Andy Rosse around to South Seas
- Danger –Don't want to hit a kid

Patrick's Table

- No lampposts, streetlights
- Down lighting on signs **not enforced**. Potential for regulation.
- Frequent deliveries, EMS, trades
- Sign regs, no big neon sign.

Wayne's Table

- To be consistent with dark skies, lower and directed lights for pedestrians rather than lighting signs.

Appendix 5-2: Transportation

Captiva Community Plan Workshop
Transportation
Tuesday, March 11, 2014
South Seas Resort @10:00 a.m.

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Key Elements
Overall Mobility

Facilitators

Max:	**Max Forgey, AICP**
Julia:	**Julia B. Davis, AICP**
Tony:	**Tony Palermo, AICP**
Sharon:	**Sharon Jenkins-Owen, AICP**

Max's Table

- If you try to get anywhere [this time of year, all the way to South Seas you will] encounter trucks
- Smaller delivery trucks would help
- Walking is helpful; [it's good for you]
- Bicycles, people, and motor scooters cause problems for deliveries
- Safety strips [and remember they aren't sidewalks or bikepaths; they don't meet the minimum requirements for those designations] over-run
- Don't have two lanes in reality when delivery vehicles are parked in the ROW
- Can't walk on safety strip
- Bike/Pedestrian--almost blind on bridge---issue for bikes
- Bicyclists become a threat; "spandies" don't respect rules.
- Cyclists don't stop at STOP signs
- They don't use horns or bells
- Bicycle groups—[they travel in pelotons of 20 or more cyclists and pay little heed to others on the road]
- Shared Bike/Ped on safety strip
- They freak out when they see oncoming vehicles
- It's contrary to the established rule but it may be safer to walk **with** traffic
- Driving on Rosse interferes with pedestrians
- Also motor bikes
- Rosse became a pedestrian street—sidewalks ignored
- Wightman—sometimes problem with golf carts
- 3-wheel motorbikes; no reverse—problem all over the island

Julia's Table

- Bikes, Walking, Golf Carts, Cars
- Cars=not a lot of issues getting around island, but getting on/off a problem.
- Not a lot of traffic
- One stop sign
- Table was in Agreement on this point about Cars.
- Cars in Village--intermittent parking problem. More so in high season
- Build more > more problems
- Parking enforcement issues
- Mexican Restaurant parking on street
- Not "need more parking" but people put parking wherever they choose
- How's Sandy's trolley doing?
    - To Dave's observation, it is empty in daytime but full at night
    - In operation past few weeks SSR to A Rosse
    - Do enough people know about it?
- SSR has [few] restaurants, [so visitors] go to A Rosse
    - Danger of walking down Captiva road at night
- Back to panel mission
    - Need mode [of transport] between Tween Waters and SSR
    - Support for some type of trolley
- Haphazard parking
- Mediating number of cars
- Who would fund the trolley?
    - Between Tween Waters and South Seas Resort
- Tween Waters has parking issue at peak
- SSR used to run trolley at peak times
    - Turnaround locations
    - Fumes
    - Noise

Tony's Table

- Beautiful island
- Can walk it
- Solutions
    - Pedestrian wide path
    - Cut through R. Park, A. Rosse
    - Beach path (to Andy Rosse)
    - Park & Ride
- Do it right or don't do it
- Traffic
    - 9-12 AM 3-6 PM weekly
    - Season & summer (Tarpon)

Sharon's Table

- S-Curve safety
- Golf carts
    - Allowing them to go farther—especially along Tween Waters stretch

    - Can accommodate more golf carts than cars—parking, etc.
- Connectivity
- S Car Go—expand to other businesses
- Evening vs day traffic---plus day trippers
- There are five dangerous 90°curves causing safety --- Safety issues. Cars going into pathways
- Green Flash to South Seas
    - Lighting—very dark, can't see pedestrians
- Opposed to additional lighting—some like it "dark"
    - Maybe reflective clothing or surfaces
    - Down lighting
- Balance between safety and lighting is tricky
- Rental bikes should have front/back lights

Pedestrian Pathways & Bikeways

Max's Table

- It is a concern because there are lots of people on road—kids, golf carts…
- Potential for acquisition of new ROW via eminent domain only. It may be worth it.
- [Some ROW could be acquired via] voluntary means
- Old tree cut down at Jensen's curve. DOT was not flexible
- Captiva Drive is on private property in places
- People encroaching on Captiva Drive with pavers have been tolerated [but now that they are grandfathered, their neighbors don't get the same privilege]
- Mile long strip between S-Curve—can it be moved?
- It is unusable private property
- Wider strip would be ideal
- Dune path would be costly—move boulders and riprap
- People walk in the dark [wearing dark clothing]
- Meandering pathway through dunes would be great!
- Consider lowering speed limit at night (similar to Collier County with the panthers)
- Consider allowing golf carts island wide
- Consider 25 MPH island wide all the time
- Some traffic calming options:
    - Brick strips
    - Do not want speed bumps or washboards
    - Would consider experimenting with rubber bumps
- Really important between Village and Green Flash
- On Blind Pass Bridge keep cyclists on one side
- Captiva Plan [could consider eliminate overhead electric lines]—would room to expand, esp southernmost ½ mile
- Other options:
    - Consider Intelligent bike paths
    - Consider boardwalks on beach, understanding that feral cat and rodent problems seem to go along with boardwalks
        - Meandering pathway
        - Seaward of private property to protect turtles
    - Find ways to encourage bicyclists to behave better

Julia's Table

- Where do the cars come from?
- Are most cars at restaurants going from sunsets to restaurants? From Gold Coast to town?
- Trolley would help
- Places with parking lots/shared use/Paul's Marina [Park & Ride]
- **Need traffic count**
- Jay says majority are SSR & renters
- Pedestrians
  - From SSR [southward a concern]—not much issue at SSR
  - But they need to be registered [?]
  - SSR entrance to S-curve to A. Rosse down to Green Flash
- Walking, particularly at twilight—Eyes don't see as well
- What fixes?
    - Lighting
    - Trolley
    - Solar footlights –not up lights
    - Discussions with Sanibel as to what they are doing
    - Could we consider widening ped path?
    - Is that a waste of time to try?
    - Now ROW—only side to walk due to drains on other side
    - Put structure on top of drains
    - Trim overgrown brush
    - Help from fire dept.
    - Maybe talk with Rauschenberg Property?
    - Have they been approached?
    - Panel should say "there is a pedestrian safety issue from SSR to Green Flash
    - How about white line, flap sticks, go to Rauschenberg property
    - Bikes. Same as peds/but harder for bikes
        - Bikes can use roadway
        - Can you have bike only path?
        - Gold coast
        - S-curve
        - Tween Waters. In these places you couldn't get ROW to put in bike path inland, separated by grass. We asked—was any incentive offered?
    - Vegetation is special. People put time into that.
    - Village—nothing to do, except encourage bikers to use road
    - Bikes---kids!
    - Bikes are rentals (Do they supply helmets and is use of helmets enforced?)
    - Little lights will help (downlights)
    - Approach as safety issue. 25 MPH limit
        - Remind everyone "Bikes Share Roadway"
        - 15 MPH through town
    - Bikes should use roads [not safety strip]
        - Establish safety shoulder (1 ½ ft.) each side
    - The path is wide enough for bikes, as long as cars do not drift
    - Storm drains—No accidents so far
    - People look at Sanibel—We could have a bike path

- Speed Limit—don't change it again!

Sharon's Table

- Pedestrian concerns (survey)
  - Bikeways
  - Pathways
- Pedestrian—S Curve dangerous
  - Southside
  - 1st. Curve east side
  - Bike & walkers interface
- Expanding existing path to 5 ft.
- Ideally—stand-alone bike and walk paths
- Blind Pass to South Seas (all 5 miles)—bike/walk path along side of dunes to protect shorelines
- Concerns—maintenance of path, storms, etc.
- Put path along shorelines
- Bike/walk separated by greenbelt
- Doesn't like expanded path--safety
- Cannot require bikes to use pathway
- Pathways
  - If pathway along shoreline limit lighting or buffer to protect turtles

Vehicular Access

Max's Table

- Double lines on roadway
- Allow golf carts island wide
- Consider trolleys
- Water taxi a possibility but concerns with dolphins an issue
- Pedi cab advertising a possibility
- Jitneys, but keep in mind Long Island example

Julia's Table

- **Dead issue—no more beach parking!**

Sharon's Table

- Parking—**no new parking or additional beach access**
- Post office parking lot—wanted to put in parking spaces there.
- Revisit question with owners—if it was a shared meter revenue
- Infrastructure
  - Humps/bumps resurfacing needed at Tween Waters
  - Bike safety
  - Corners need to be safer

Transit/Alternatives

Max's Table

- Valet Parking—Village and South Seas Plantation
- Shirley lot potential
- If you offer more parking, you get more people --OR--
- If you offer more parking, you may have fewer violations.
- Beach parking should accommodate golf carts—several will fit in one car space.
- *Seasonal* speed limit

Julia's Table

- Ferry boat
    - Or something that connects to buses if public would deliver
    - Car ferry from community to community
    - Where would it land?

- Back to [Sandy S's] trolley
    - How is it funded?
    - Is Sandy keeping data?
    - What happened to SSR trolley?
        - Noisy—different routing, no "jingling bells"
        - Smelly
        - Turning (annoys owners)
    - Electric—quiet
    - Quiet trolley –10 minute [length of island trip]
- Possible stops
    - SSR, Green Flash, Tween Waters
    - Educate, "Use our Trolley"
    - Bars/Tween Waters
- Walkers and Bikers—little lights
- Need to use reflective clothes
- Golf Carts
    - Need to have lights that work
    - Kids need to be using seat belts
    - 6 year old drivers?
- Highway legal GC—why is run limited? Because they are **slow**
        - People live in Villages (Ocala) —so they don't need a car
- The more folks who use non-cars, the better for all
- Why were people upset with trolley?
    - Fumes, noise, "neighborhood tours," mostly empty, resort was losing money (it could not charge for it), turnarounds
    - Not a lot of incidents because people feel it isn't safe

Sharon's Table

Alternatives

- Dedicate part of Ding Darling lot for trolley service (owned by Dept of Interior)
- (Mobility plan requires places for cars to park)

- Trolley service to Captiva
- Off-island trolley service (e.g. Punta Rassa, Summerlin Square)

Off-Island Circulation

Max's Table

- Captiva does not want day trippers
- Consider one or two buses a day
- **Here's the Big Question: Do we encourage or discourage day trippers?** [When you answer that question, a lot of subsequent questions are easy to answer.]
- Businesses, especially SSR, do OK with employee parking; some restaurants not so much.
- Don't have a free shuttle to/from outside if you don't want day trippers.

Julia's Table

- February Sanibel Day tripper Bottleneck
- Go Early; Go Late
- Does Sanibel want to control day trippers—they just turned down "Packed Van" coming over
- There was a Ding Darling study of where to drop off people

Sharon's Table

- Off Island parking & transportation
- Day trippers/vacationers---beach etc
- (if parking & congestion problems are solved it would equal more people)
- Not sure if that is what we want
- Water taxis form Punta Rassa to Mucky Duck. Need new docks
- Circulation
    - Getting where you need to go from Captiva to mainland
    - No to bus service (would not be used)
- Causeway-2 lanes in/out based on traffic needs
- Public parking for boats

Appendix 5-3: Economic Development

Captiva Community Plan Workshop
Economic Development
Thursday, March 27, 2014
South Seas Resort @10:00 a.m.

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators

Ken:	**Ken Gooderham**
Max:	**Max Forgey, AICP**
Sharon:	**Sharon Jenkins-Owen, AICP**

Ken's Table

- Residences run as a business
- Zoning vs Use→residential with commerce core
- Maintain mix over time
- Replacements, not new businesses
    - More renters/rentals with more turnovers
- Renewals-→enforcement
- Encourage resident owners or longer rentals for ownership in community
- Rentals→Economic reality
    - Homes designed for multi-family rentals
    - No ownership necessary→stake in community
    - Septic impact & solid waste overload
    - Noise issues
- Rental vs Business
- 7-Day Code enforcement. Codify [islandwide] and make it longer?
- How to enforce?
- Change in market? Could they get younger and louder?
- Ambiguity in rental practices
- Marketing Captiva:
    - Agents→Sell as businesses, not residences
- Encourage owners not to rent
- Mixed uses:
    - Contain mixed use to commercial zoning
    - Rentals tied to business
        - Employees
        - Not Multi-Units
    - No incentives necessary
- Structures:
    - Wightman Ave→House Mass Issue
    - Look at Floor Area Ratio (FAR) enforcement

    - Height→Design for max business use/rental space
        - Flat roofs
    - How many rules are needed?
    - How are rules enforced?
    - Clarify building heights (and revisit?)
    - Legal issues with platted lands
        - Bert Harris [Act] – How solid is it?
        - Vested Units
        - Septic Issues & permitting; # of people allowed
- Biz Climate
    - [There are] issues, [but there is] no conflict between business [and residents]
        - Garbage
        - Parking biggest issue
            - Cannot build enough
            - Seasonal maximum
            - No off island shuttles
            - Do not expand golf cart area
- Lower impact area an asset
- Preserve Captiva→Keep it attractive to all!
- Enforcement →How much of it is needed?
    - Formal vs informal action
- How to pressure existing businesses?
- Can rental homes be considered commercial use?
- Better understanding laws & zoning overlay

Max's Table (Mike M, Paul, Dave J)

- [Business and residential]—It's a mix
- Mostly residential
- Agree with 80% [of survey respondents]—it's a good mix
- A bit shabby
- New house-50' possible [frontage] on Wightman—People get jammed
- Regs—setbacks; make it more more European, with vertical intergrating, more exciting foot traffic
- Don't want regulations to push it either way
- Can be more restrictive
- Building heights restriction –island wide or RSC-2? [Max confirmed—it is only specified by ordinance in RSC-2, although County appears to regard it as applying countywide as a standard.]
- Need to go street by street
    - Rosse different from Wightman & Laika & Chapin
- 75' on Chapin; 50' on Laika & Wightman
- Deed restrictions in Village—must allow walking
- 10 Years from now—Rental rules should apply county wide
- Infrastructure
    - Delivery trucks too big
        - Not likely to change
    - Need sewer—septic systems overloaded
- Rentals & Intensity

    - Gold Coast rules [re short term rentals] should apply island wide
    - 1 person can sign lease
    - As always, who will enforce?
    - At 1-2 acre density [ie RSC-2] , there is buffer
    - Restrict number **of people**
    - Too many people in multifamily units
    - Easy to regulate→2 families rent 2 units on same property
    - Enforce **through realtors**!
- Ideal renters—ones who spend lots of money
    - Family oriented

Mixed Use

- Post Office
    - could do home delivery—3 days a week
    - Interaction good [with USPS; good meeting place for community]
    - Would do better if centrally located
- Goals, incentives work; Cannot restrict or mandate business types
- Some community expansion likely especially in vicinity of the Boyle property
- Like Village walkability
- Turn CBD lot into valet parking
- Noise—too many kids [in large family groups; not referring to small family groups]
- 4-5 families [on one property] not good
- Kind of commercial
    - Not a many dining choices
- What would stop DQ, P. Hut? [Two things—design standards; economics-- Not profitable enough doesn't match business model.]
- Awnings, signage, walkability, aesthetics important
- Want high-end retail with high-end residences
- [If you have] kids want [dining to be] cheap
- European village with liner buildings [at SSR entrance]
- [It would be] nice to have a town center

Tourism, the 'Captiva brand'

- What about Rauschenberg property?
- Take what we have, make it nicer.
- Go after a [non-rowdy] audience---not [looking for the] wet T-shirt experience
- **Don't** need large groups
- We have a brand
    - Don't [let it] get trashy
- Restaurants not as good as old days
- Doesn't have to be Ritz Carlton [kind of clientele]
- Character
- Rental rules are diminishing crowds?
- Ideal
    - People who used to own 2nd homes
    - 50 to 60 years old with 2-3 kids, no pets
    - Six figure income
- Target—off season

- From major urban centers
- [Looking for] quality experience and good meals
- Exclusivity which results from pricing
- Not rowdy
- **Creative, fun, friendly, natural**
- [Looking for their own] Paradise
- Some come from Sanibel [for quieter experience]
- Caribbean Island on mainland with emergency services
- Some fall in love with village
- Escape
- Quality vs Quantity
- Better 10 good than 100 lousy visitors
- 1 week with family
- 1 month with old folks
- They fly in and rent cars
- Special time with kids
- Memories
- With other families
- Compete on quality
- Where New England Village meets Caribbean
- Sanibel island may be better for biking
- Captiva better for walking
- Not crowded, mostly
- It is getting that way at Christmas, though
- **High retention! Return business, year after year**
- **Tweak, protect!**
- 7-11 would kill it
- **One week on Captiva is a Reward! You've earned it.**

- Some people don't know that they have building height options, so they choose the boxy option.

Sharon's Table

Village—located between Jensen's and South Seas Resort

- More residential than commercial
- Acreage measurement?
    - Mucky Duck
    - Galleries
    - Dress shops
    - Real Estate offices
    - Key lime
    - La-Te-Da Coffee and ice cream shop
    - Etc..
- Would like zoning map to identify which areas are zoned commercial
- Rentals—commercial-like, but do not want [to be considered] that way
- Do not want to be a bedroom community for Fort Myers

- Keep and protect commercial zoning
    - Mixed use maybe OK
        - Was not an option at the time (had to live there—not rental)
- Only way to have residential in village is to have mixed-use
- S Car Go—brings business awareness
- Hard to make living retail here (come and go)
- South Seas Subsidizes
- Parking issue-would like-pay to park (night); use parking from businesses that are closed at night
- Some like balance as is; another wants more retail and to retain what we have now.
- Want more retail or maintain what we have now
- Future example Mucky Duck could be mixed use

Rentals & Intensity

- American Realty—140-plus rentals on Captiva
- Condo docs restriction to weekly rental
- Some 2 week min
- South Seas—daily
    - No to daily throughout Captiva
- Becoming a rental island
- Impact different
- Air BNB—mini B&Bs (Google it) airbnb.com
    - No meals
    - International trend
    - Rent bed and bath
- State license and restriction
- Charging $2000 without paying bed tax
- Density issue if you rent
    - 1-2 rooms of home
    - Impact
    - B & B happening now without paying taxes, etc.
- Appeal to families
    - Important to keep
- Tighten up rental restrictions
    - Start out as 3 bedroom and then cut them into more
- Infrastructural demands
    - Sewer etc
- Mixed use Development
    - Devise control—protect and maintain commercial use kept for commercial
    - Use residential as part of development
    - Maintain existing commercial
        - No additional commercial unless mixed use
    - Future: Make it mixed use

    - The residential should be allowed to be rental in mixed use or even vacant

Residential

- Yes limits to house size
- Height limit important
- Too boxy—shadows cast by larger buildings
    - Need set back increased?
- Some height aesthetics—one thing to allow for nice roofline
- Vegetation buffer
- Existing Zoning & Property Rights
    - 10’ setback required---20’ better
    - Village flood restrictions inconsistent
    - # of stories vs # height
    - Intent was to preserve 2 stories of living—but now not happy with height
    - Key points: Setbacks, shadows, replacing vegetation, septic limitations

Business Climate

- Brand that is Captiva
    - Exclusive
    - Happy
    - Family-oriented
    - Beach community
    - Nature/beach
    - Quaint
    - Family friendly
    - Small
    - Limited new things (no big development)
    - Not a place you go for a day
    - Come for a week/not day trip
    - Unlikely to change
    - Want to see “same”

Conflict Residents/Business

- Residents peaceful but accepting of tourist season
- “holiday Village” work together
- Chapel-historic/business help
- Historic-tourism attracts/distractors
- Should be tax benefit for historic building
- Store is historic designated

Tourism

- Historic structures
- Activities
- Boats/marina at South Seas/Tween Waters
- Kayaks
- Holiday Village
- Kayak & nature symposium etc.
- Natural beauty

- Eco tourism
- Trams
- Negative
    - Parking
    - Access for bikes and pedestrians
    - “Tight”
    - More beach parking
    - Potholes

Appendix 5-4: Water Quality

Captiva Community Plan Workshop
Water Quality
Tuesday, April 8, 2014
South Seas Resort @10:00 a.m.

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators

Julia:	**Julia B. Davis, AICP**
Tony:	**Tony Palermo, AICP**

Tony's Table

Water Quality

- Any Proof? (Septics?)
- The Cape Coral sewer system model is a good way to fund sewer expansion
- SCSF→Excess water; Sanibel has capacity; can create incentive
- SCSF→Sewer vs Septic
- New sewers are expensive
- Majority would or might accept sewer
- Bubble Room has install aeration system and has had outstanding success.
- What are we supposed to do? Public ignorance
- Absentee owners—that's sometime true. Communicate.
- Not sure whether there is a water quality problem

- Issue #1
  - Bay/Beaches (closure?)
  - Algae Bloom/Red Tide
  - Lake Discharge
  - Storm Runoff→Off Island
  - Bad Septic?—need proof
- Is it over-rated?
- Not functions—testing Package Plant
- ID Problem→Odor Pollution
- Solution
  - Sewer = Growth? At a Cost
  - Better Septic Incentives
- Sewer/Septic (not sewer)
  - Incentives to upgrade septic?
  - More Inspection?
  - We don't know [what the direct impacts of Greywater
  - Need more information about costs
  - Need some group to explain

    - Economics of sewers—need workshop
    - They must know the costs—how to mitigate? What is it?
    - How to assure no overdevelopment as a result of sewer building
    - Alternative issues—identify the nuisances [and get them fixed]

- Enforce new & old septic [rules]
- Will Incentives work? Or education info?
- For sewer or Package Plant
- Landscape/fertilizer standards
    - Give landscapers 5-star ratings, and do the same for rental agents
    - Flora/fauna—no Brazilian pepper!
    - Exotics in general
    - Need rule re maximally invasive species
- Political influence when we choose to exercise it. So use it!
- Inter-local cooperation
    - OK with Sanibel
    - Get costs for sewer study
    - "Study Group" (sewer issue)—costs, how to.
    - Smart Growth Commission
    - Lift stations in Cape Coral are a big issue (outside)

- Rental Rep on Package Panel
- Storm water
    - Poor/Flooding/Pollution
    - Roads Flood/What system?
    - It has to go somewhere
    - There are drains—partial system, not consistent
    - Do they fill up? Yes
    - Bridge higher than road
    - Catch basins

- Ad Hoc
    - County Needs System (roads)
    - Quantity/Quality
    - Rate Landscapers→fertilizer standard
        - What regs to use?
- Environment
    - Don't forget exotics
    - Invasive species i.e. Brazilian Pepper
    - Turtles (OK)
- Highly populated beach, but no authority
    - Could be CEPD
    - Possible use for bed tax funds
    - Beach maintenance
    - Shouldn't be law enforcement responsibility
    - Pets—no dogs on beach!
    - [Want higher standards than FM Beach]
    - No containers

- Wrap up

- Incentives
- Enforceability
- Role of rental agencies—rent consistent with # of rooms
- Drains don't accept sufficient water

Table 2 (Julia's)

- Need Data; need "proof" in order to make decision
- Septic Study was done 2-3 years ago
- Water Quality
  - Language in code and change to ownership→ then septic system evaluation, function & size
- Lake O is biggest issue that is generated off the island
  - What can be done—discuss, awareness
  - Nothing can be done in our lifetime
  - Lady notes that there is signage at the Lighthouse, advising that the discoloration of water is caused by runoff from Sugar; that is educational and helpful
  - Maybe there are individual steps at Lake O.
  - Incremental, small steps
    - "don't buy Sugar"
- Water Quality
  - Different waters [are impacted], not just Lake O, but [Caloosahatchee] River, Gulf, & Bay/[Charlotte Harbor]
  - Fertilizer (use less)
  - More education [is needed] here
  - Residents (snowbirds vs year-rounders) overloading septic
  - Septic need to be sized to building and use (they get pumped out often)
  - This is something we can fix
  - Is this a State or county issue?
  - It's a State issue
- On the Island
  - Septic should fit development
  - In St Louis County [MO] they have mandatory inspection and pumpage.
  - At my lake house in Minnesota, there's inspection, even if you're only adding a stairway; any change to building sets off a new permit.
  - Tie into development/building permit (no sewer problem?)
  - Sewers can be worse that septic. [If one septic tank overflows, that's bad, but it can be fixed; if a sewer is breached, that is really bad.]
  - "It's stupid to live here on a sandbar, which nature tries to convert [to something else] on a daily basis, but we do." ☺
  - Re Treatment Plants-- would love to have sewers rather than septics & pumping trucks on the road every day
  - By the way where are they dumping the sludge and where does it go when it rains?
  - Questions [effectiveness of] South Seas package plant
  - [Sewers require] tearing up R.O.W. to install
  - Sewer plant works for Sanibel but is costly
  - Prove that septics harm the environment!
  - Is it too late to hook up to Sanibel Wulfert Plant?
  - "Sewer in the answer" for the management of waste, but what cost?

    - It costs more than Beach Renourishment→this is an ongoing project
    - Tearing up ROW will be [complicated]
    - Tear up road once & you are done
    - Argument—Sewer facilitates development [and higher densities, which is what we are trying to avoid]
    - Mayor Kevin liked idea of sewer study—can talk to John Manning. What will it cost?

- Most Over-rated issue→ that "water quality is poor" [Is it really?]
- When Blind Pass is closed, it reduces water quality
    - Try keeping it open
- Misunderstanding with investors—that the changes they make have an impact to island as whole
- Wastewater:
    - Greywater/water reuse—on South Seas use other people use irrig wells
        - To do this island wide, it would be part of sewer upgrade
    - But Captiva does not have "water shortage." Water comes fresh comes from **Aquifers**
- Encourage native landscape
    - Reduce lawns, sell your lawnmower
- But people want to be left alone-- don't regulate me!
- Yet, we could educate people
- People move here and love the island look then they miss lawns and 'Spring'
- **Inter-local Cooperation**
    - Do Sanibel & Captiva work well together on various issues?
    - There is no cooperation
    - We could talk to them about what they are doing
        - Sanibel has a mayor and Captiva is incorporated
        - SCCF is a common resource
        - Captiva is part of unincorporated County,
    - We (C) don't know what (S) is doing and they don't know what (C) is doing
    - COI—Committee of Islands---nongovernmental, They deal with issues
        - eg. Fireworks ok on Captiva, but not on Sanibel
        - Very interested in Dark Skies
        - Captiva could implement what Sanibel is doing
    - S & C do work together on Big Water issues SCCF
    - Planting & vegetation: SCCF helps Captiva with this, nursery
    - There is informal cooperation on Water Quality issues (not working on it, formally")
- **Biggest problem** is Blind Pass & re-nourishment (Captiva sand runs down to Sanibel and only comes back is trucks)
- They should at least let Captiva to hookup to Sanibel treatment plant for all the sand
- Plenty of organizations In place
- Not enough of year-rounders to keep momentum going
- Sanibel does more than Captiva does on fertilizer reduction
- Captiva does it without rules-- Sanibel is very restrictive
- People move to Captiva because lack of rules/reg
- People from Captiva move to Sanibel because Captiva is changing—too much like FM Beach)
- How long will the island look stay?

    - As long as the little cottages stay.
    - Because when they go away, Development (lots of units) will come in its place
- It is only three months out of the year
- Ferry to Cape Coral?—facetiously—they **do not** want this!
- More people are finding out about Captiva
- Storm Water Management?
    - Minimally, "French Drain" in Village→to Bay
    - No way to treat that mostly-rainwater but fertilizer
    - Now a lot of lawns in those areas
    - **Swales—best way to slow Storm water; and more native landscape and less grass**
    - If your neighbors build "hills up", you can request that they add swales
    - Permeable membranes?
    - Less grass, too. Where to put swales in Village?
- Environment
    - Sea Turtles, Mangroves, Birds all equally important
    - "Landscape" important to have natural landscape
    - Dark Skies important
- Why do they come here? **Because it is beautiful, but that is hard to maintain**. Good things:
    - Native vegetation
    - Water quality
    - Nice beach
    - Birdlife
    - Fish, dolphins
    - To see the night sky; down lighting helps
- They don't want to see--invasive
    - Coyotes
    - Burmese pythons (not sure about bobcats)
- Those cottages—how many are left in the Villages
    - When they go away, they get converted to cubes of condos
- Rauschenberg….. did it nice; we need another Rauschenberg
- Art communities are wonderful, low impact business
- Captiva should do all it can to support this-to help artists help Captiva
- Rauschenberg estate & how it looks
- Jungle Road…..
- "The Good Old Days" How Captiva used to be. Come down here & **CHANGE IT!**

Proposed Captiva Community Plan Goal, Objectives, and Policies
Staff Comments
September 23, 2015

The following are staff's comments regarding the Captiva Island proposed Lee Plan amendment that was electronically submitted to the County on August 18, 2015. The document below is the Community's strike-out and underlined version of the proposed amendments (in black). Staff's comments have been added to the associated policy under the policy or provided in blue within the text as appropriate.

Captiva Community Plan Goal, Objectives, and Policies
This version shows the change between existing Lee Plan language related to Captiva Island and proposed language which is shown in ~~strikethrough~~ and underline format.

GOAL 13: ~~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)~~

CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle **(Low density is not a lifestyle; please consider changing it to development pattern)** and economic base, augmented by commercial activities which serve residents and tourists**.** ~~**who are drawn toward a tranquil, unhurried experience in a natural setting.**~~ As an island community, Captiva's natural ~~**environment**~~ **resources**-- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

~~**Through its efforts and support, the Captiva community has shown that it values the following:**~~

- ~~**A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.**~~
- ~~**The island's history as an informal resort destination.**~~
- ~~**The island's future as a community that maintains high aesthetic and environmental standards.**~~
- ~~**The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a**~~
- ~~**respect for the privacy and property rights of the island's permanent and seasonal residents.**~~
- ~~**Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.**~~
- ~~**Recognition of its fragility as a coastal high hazard area.**~~

- ~~To achieve these ends, Captivans must work together and with Lee County for:~~
- ~~Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.~~
- ~~Shoreline and natural resources management to preserve habitat, recreation and sustainability.~~
- ~~Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.~~
- ~~Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.~~
- ~~Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.~~
- ~~Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.~~
- ~~Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.~~
- ~~The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Prevention District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.~~

The text is too lengthy. This belongs in the community plan as backup to support the amendments or incorporated as policies if not already.

OBJECTIVE 13.1: *Protection of community resources*. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels*. No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

This provision is confusing. If a property is rezoned to RPD, is the minimum lot size the one found under RSC-2; or, does this size limitation only apply to RSC-2 district lots? Are variances or deviations for lot size permitted?

POLICY 13.1.2: *Building height*. Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured

to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods **(the location of the Village, Gold Coast, Tween Waters, South Seas have not been defined)** wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

This provision is internally inconsistent. Please delete "~~If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners~~"

These are maximum heights. If a property owner in one of these communities wants to build lower, they are free to do so without additional regulations. Also note, development approvals will not be subject to receiving a clear majority of the affected property owners.

POLICY 13.1.3: ~~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)~~ [Intentionally left blank.]

Do not leave 13.1.3 blank. Renumber the following policies.

POLICY 13.1.4: *Beach and shore preservation*. Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

Please delete this policy.

The first sentence of this provision is unnecessary. County Staff, the Board of County Commissioners and residents may investigate and recommend measures to improve water quality at anytime. The second sentence appears to create a regulation that precludes the size of septic systems and sewers. However, it's not clear what the second sentence is intended to accomplish. As written, it appears to limit the size of septic systems and sewers to a size that limits development. Septic systems are designed to accommodate the proposed development. Central sewer systems are designed to accommodate future growth in addition to current demand. You wouldn't create a sewer system that is built to limit development.

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

The County has maintained that public information meetings are not required to be presented to any particular group. This provision should be kept consistent with other community planning meeting requirements.

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Consistent siting of structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village **(Village is not defined)** if they would result in increases in density or intensity of use.

Please delete "~~No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use~~"

The second sentence is unnecessary in light of the first sentence. In addition, the regulation in the second sentence goes too far. For example, if someone owned 10 acres, you would preclude a lot split, even if the density remained consistent with the Lee Plan. This would effectively further reduce their property rights and create a Bert Harris cause of action or an inverse condemnation lawsuit. Also, the sentence would preclude a property owner from acquiring multiple lots and combining them to create a parcel with lower density. This should not be prohibited.

POLICY 13.1.11: *Criteria for variance approval*. 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)

Do these criteria apply to deviations? Also consider deleting the provision in its entirety or refer to the requirements of LDC 34-145.

POLICY 13.1.12: ~~Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)~~ [Policy intentionally left blank.]

Do not leave the Policy blank. Renumber the subsequent policies.

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)~~ [Policy intentionally left blank.]

Do not leave the Policy blank. Renumber the subsequent policies.

POLICY 13.1.14: *Telecommunications tower*. 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)

POLICY 13.1.15: *Dark skies*. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

Please delete ~~"If those efforts prove ineffective~~". There's no measure of effectiveness to determine when the application of this language would be required. Revise as suggested (see below) and consider adoption of regulations similar to Upper Captiva. Alternatively, delete the entire provision and wait. Once the public education and voluntary efforts are no longer effective, then regulations can be recommended.

> **POLICY 13.1.15**: *Dark skies*. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety**. ~~Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective~~, Lee County will ~~support the Captiva community's efforts to craft and~~** codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary

actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will promote the preservation of native upland vegetation and wildlife habitat.

Please describe how Policy 13.1.16 will be implemented to promote the preservation of native upland vegetation and wildlife habitat on single family lots?

POLICY 13.1.17: *Blind Pass*. Lee County will support through advocacy at the federal, state, and regional level, efforts ~~**by the Captiva community**~~ to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance. **("Toward Blind Pass maintenance" is not clear. See below)**

POLICY 13.1.17 does not reflect the current roles or responsibilities related to Blind Pass. Please consider the following revisions:

> **POLICY 13.1.17: Blind Pass. Lee County will support through advocacy at the federal, state, ~~and~~ regional and local level, efforts by ~~the Captiva community~~ to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will ~~support efforts by the~~ cooperate with the Captiva Erosion Prevention District ~~to work with the~~ City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance. ~~and the City of Sanibel to study Blind Pass and define long term maintenance alternatives.~~ (Delete Second Sentence based on CEPD position)**

The formal response from CEPD also recognizes the need to change the proposed language.

POLICY 13.1.18: *Underground utilities*. Underground utilities will continue to be considered if supported by the affected property owners.

This provision is not recommended.
As written, it is unclear who decides the amount of support needed, and who are the "affected property owners." Also note that utility projects are not subject to a popular vote by "affected property owners."

Instead, consider exploring the opportunity to establish a MSBU/MSTU if desired by the majority of the community.

OBJECTIVE 13.2: 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)

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be

allowed one or more 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 Planned Development **or Mixed Use Planned Development.** Added by Ordinance No. 07-09)

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island.

Public transportation infrastructure (i.e. roads, bridges, parking/transit facilities) should adequately support current and future development needs for all modes of transportation in accord with the approved Captiva Community Plan. Infrastructure should allow for safe and efficient emergency response, and timely evacuation during times of emergency.

Please consider the following revisions:

> OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts **to ~~limit automotive traffic~~ reduce automobile dependence** on **~~the~~ Captiva Island.**

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

The first sentence is confusing and needs to be revised. By default, development that includes pedestrian, bicycle, and trolley service would reduce "automobile dependence or increased parking," however, all development increases the need for parking and automobile dependence to get to and from the development. Consider the revisions suggested below. Also consider Land Development Code amendments to incentivize property owners to provide these types of facilities.

> **POLICY 13.3.1:** *Alternate transportation*. **~~On Captiva,~~** Lee County will encourage **new development to incorporate pedestrian- and bicycle~~-friendly development~~ facilities. Reduced parking requirements may be approved when development facilitates the use of sidewalks, bicycle paths,** and trolley service **~~that does not increase automobile dependence or increased parking.~~** The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

Please consider the following revisions:

> **OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva~~,~~ The Captiva Island Community will work with Lee County Visitor and Convention Bureau to balance the benefits of tourism with the limited services and infrastructure available on the island. ~~but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony~~**

~~between permanent residents, seasonal residents and shorter-term visitors.~~

~~**POLICY 13.4.1: *Short-term rental of residential units*. Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.**~~

Please delete this policy. Due to the inability to enforce and property rights issues, this provision is not recommended.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive*. Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

Are these trees within the right-of-way or on single family lots? Will the trees conflict with existing utilities? What non-invasive species would be appropriate to install and will only need minimal irrigation. Also, as written this policy is not enforceable since it is only "encouraged." Regulatory language should be considered in the Land Development Code.

Please consider the following revisions and adding to the Land Development Code:

> **POLICY 13.5.1**: ~~***Trees along Captiva Drive*. *Indigenous or native trees*.~~ Indigenous or native trees and other non-invasive species ~~**should**~~ **must** be planted and maintained **in all required plantings and buffers.** ~~**along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.**~~

POLICY 13.5.2: *Invasive vegetation and nuisance pests.* The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest Plant Council of Florida or its successor bodies. Incentives, disincentives and regulations may be developed to accomplish this policy.

Please delete the reference to the Exotic Pest Plant Council of Florida. The County is prohibited by state statute from enforcing this list.

POLICY 13.5.3: *Heritage trees*. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate

open space.

Please delete this policy. This is a development regulation that needs to be moved to the Land Development Code.

POLICY 13.5.4: *New land developments*. New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

Please consider the revisions below and adding to the Land Development Code.

> **POLICY 13.5.4:** *New land developments*. New construction ~~**on Captiva Island should**~~ **must** be designed to ~~**maintain**~~ **retain** ~~**or be compatible with**~~ the native and indigenous natural ~~**environment,**~~ **vegetation**. ~~especially when significant tree canopies or unique natural habitats exist on the parcel.~~

Please describe how this policy applies to single family homes.
Please define "significant tree canopies" and "unique natural habitats"

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible.

Does this Policy apply to single family dwelling units? If so, how will this be implemented? The Mangrove Act of Florida prohibits the county from regulating mangroves; therefore referencing a setback to protect mangroves and establishing a setback in the Land Development Code may be more appropriate. Please consider the following revision:

POLICY 13.5.5: Mangroves. A setback will be required from the mangrove fringe along Captiva Island to protect the shoreline and structures.

The Captiva Plan ■ Analysis

March 2016

NOTE: This file will review some of the iterations of the Captiva Plan Update as submitted to provide context as to the work which lead to the final draft. In addition, after this discussion a copy of the county staff comments from September 2015 are included to show the previous iteration and the staff discussion which contributed to some of the changes.

~~**GOAL 13: 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).~~

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Captiva residents, property owners and businesses value the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's residents.
- A community that provides a level of commercial services that reflects the balance between tourism, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, organizations representing Captiva residents, property owners and businesses must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limit noise, light, water and air pollution.

- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.

- Building standards that maintain existing densities and building heights, and development regulations designed to preserve the Captiva Community Vision.

- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as present and future residents and organizations on Captiva work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

- **NOTE**: The existing goal is proposed to be replaced by more extensive language originally proposed in Spring 2012 as part of the Evaluation Appraisal Report Lee Plan update (which was never enacted). The Captiva community continued to support this language (with some revision) at workshops and meetings for this plan update.

- **NOTE**: Subheads have been added to every policy, whether existing or proposed. When added to existing policies, no further explanation will be included, and reference can be made to the Workshops or Minutes files for more detail as to any discussion of them.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01).

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. Subdividing ~~No subdivisions of~~ parcels that were zoned RSC-2 (Captiva Estate) ~~on~~ as of January 1, 2002~~, regardless of their zoning at any time thereafter, may be permitted~~ is prohibited unless all ~~of the~~ resulting lots comply with ~~all of~~ the minimum lot size and dimensional requirements set forth in the Land Development Code for the RSC-2 zoned lots in Captiva ~~district~~. (Added by Ordinance No. 03-01).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

POLICY 13.1.2: Building Heights on Captiva Island. The height of buildings and structures on Captiva is related to conditions such as elevation of the site above sea level and mandatory

flood elevation requirements. In response to these natural and regulatory forces, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation, the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

~~**POLICY 13.1.3:** 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)~~

- **NOTE**: Relocated elsewhere (Objective 13.5) in this draft) in the plan.

POLICY 13.1.34: Beach and Shore Preservation. Lee County will 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).

POLICY 13.1.45: Quality of Adjacent Waters. Lee County will encourage and support efforts by ~~the~~ Captiva ~~community~~ to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva ~~Island~~. Such measures may include regulation of the maintenance of septic systems or other onsite sewage treatment and disposal systems, and the introduction of sewers only if sized to limit development

to that permitted by the Captiva Plan and Land Development Code ~~this plan~~. (Added by Ordinance No. 03-01).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update allows for more specific intent to be contained within the regulating policy.

POLICY 13.1.5~~6~~: County Information Clearinghouse. The Captiva ~~Island~~ Community Panel will establish a document clearing house on Captiva or will publicize the appropriate internet access, 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).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update reflects technological changes since the original language was drafted.

POLICY 13.1.6~~7~~: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct the public informational session on Captiva at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel shall apply.

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).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update ensured that any public workshop not conducted in conjunction with a panel meeting can be publicized by the panel's existing email contact network to encourage public participation.

POLICY 13.1.7~~8~~: Public Participation. 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).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update reflects the apparent demise of the EAR process as it was established when the original language was drafted..

POLICY 13.1.8~~9~~: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by Captiva residents and organizations ~~Captivans~~ to develop and submit ordinances that will encourage the siting and ~~building~~ design of structures consistent with the historical character of the island. (Added by Ordinance No. 03-01).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

POLICY 13.1.9~~10~~: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by ~~density on said property above~~ current zoning standards will not be permitted. (Added by Ordinance No. 05-19).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update is intended to provide greater specificity of intent and regulatory scope.

POLICY 13.1.10~~12~~: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva. ~~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)~~

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update references the LDC language at the request of county staff.

~~**POLICY 13.1.13:**~~ **[Moved to Policy 13.5.5 Mangroves]**

~~**POLICY 13.1.14:**~~ **[Moved to Policy 13.5.1 Trees Along Captiva Drive]**

POLICY 13.1.11~~15~~: Telecommunications Tower. 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 ~~capability~~ 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. 15-19).

- **NOTE**: Most of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

POLICY 13.1.12: Dark Skies. The location of Captiva provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Land development regulations applicable to exterior residential and commercial lighting must limit light pollution and light trespass, and protect wildlife from any detrimental effects.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This establishes the desire for dark-sky protection, defines its scope and references future regulatory language to be developed for the LDC.

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations and policies affecting Captiva will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to recognize the need to protect estuarine and wetland areas on Captiva with future regulatory language to be developed for the LDC.

POLICY 13.1.14: Blind Pass. Lee County will support through advocacy at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, and state and federal agencies toward Blind Pass maintenance.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to recognize the need for collaborative support and justification for ongoing efforts to keep Blind Pass open.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit Captiva residents, property owners and businesses.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to establish the terms under which underground utilities might be considered for the island.

OBJECTIVE 13.2: 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09).

- **NOTE**: These changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of January 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed-use Planned Development. (Added by Ordinance No. 07-09).

- **NOTE**: These changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein.

OBJECTIVE 13.3: Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile

dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to establish the justification to support and define efforts toward transportation alternatives on the island.

OBJECTIVE 13.4: Tourism. Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. Captiva will work with the Lee County Visitor and Convention Bureau to implement this policy.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to establish the value of tourism to the island economy while acknowledging the need to balance its benefits with any harmful impacts it may bring.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, residential units on Captiva (excluding those in South Seas Island Resort and in other licensed resorts, hotels or motels) may not be rented for a period of less than seven (7) consecutive days, and may not be rented or leased under more than one lease at a time.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update seeks to codify the existing acceptance that rentals outside of existing resorts should not exceed once every seven days, as is already established in the RSC-2 zoned estate parcels on the south end of the island. While this is implied in the existing county definition of dwelling units, the panel wants to make that understanding very clear in its planning documents.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy. Lee County will encourage and support efforts by Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and policies affecting Captiva will permit no further degradation of estuarine and wetland resources and no loss of native upland vegetation and wildlife habitat.

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This updated objective and the subsequent policies seek to clarify vegetation uses on the island in ways that could enhance both storm survivability and reduced water use in recognition of the fragile ecosystem of a coastal barrier island.

POLICY 13.5.1: **Trees along Captiva Drive.** The restoration of the historic tree canopy and vegetation buffers along Captiva Drive between Blind Pass and the north end of Captiva Drive is encouraged. For all new tree plantings on Captiva Drive, only trees that are indigenous, native or non-invasive may be planted. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is also encouraged on Captiva.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. Captiva and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site, then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva ~~Island~~ will be protected to the greatest extent possible. The Land Development Code will include setbacks from the mangrove fringe along Captiva to protect the shoreline and structures. (Added by Ordinance No. 05-19). (Formerly 13.1.13).

- **NOTE**: Many of these changes were suggested in consultation with county legal staff, in search of clarity and simplicity in the language as well as stating a purpose for the regulation therein. This update of an existing policy seeks to reference future regulatory language to be developed for the LDC.

Captiva Plan update timeline

January 2013: Draft of proposed Captiva Plan update presented.

February 2013: Panel discussion on scope and aspects of grant proposal.

March 2013: Presentation by Gloria Sjago on historic preservation, one of the update issues.

April 2013: Discussion of staff input on proposal.

May 2013: Staff presentation on LDC and EAR changes and processes.

June 2013: No discussion.

July 2013: Discussion on grant deliverables, draft of community survey authorized.

August 2013: First draft of survey reviewed by panel.

September 2013: Panel told of county approval of update grant. Survey discussed

October 2013: Community survey reviewed for final draft and process was explained: Online survey to go live Oct. 15 with links being mailed in a postcard to all Captiva property owners and in an email to CCP and CEPD lists. Results would be collected through Nov. 15, with a report to the panel at its December meeting.

November 2013: Workshop schedule and process discussed: Workshops in January, February and March, beginning with a general topics session followed by workshops on specific topics identified by the community survey as warranting further input. Would conclude with a summary workshop. Facilitators would be used to encourage participation and capture comments.

December 2013: Further discussion of workshop schedule. Survey results presented and discussed, with plan to work through responses more extensively at January meeting.

January 2014: Survey responses presented at length, with report, analysis and discussion. Workshops schedule set:

- Jan. 14: Panel meeting 9 a.m., discussion of plans and workshops
- Feb. 11: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Overview of plan update, review of survey results.
- March 6: Public workshop not connected to panel meeting (date and time to be determined). Focus on lighting and bike/ped issues.
- March 11: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Focus on landscaping and historic preservation.

• April 8: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Other issues and summary of workshop discussions.

• May 13: Panel meeting 9 a.m. Review of possible actions and timetable to develop any desired Plan language for community review.

February 2014: First public workshop held, overview of plan update and survey results. Workshops schedule revised to add another March session.

March 2014: Second workshop held March 6, on lighting and bike/ped. Third workshop held after panel meeting March 11, on transportation and bike/ped issues. Fourth workshops held March 27, on density/intensity, land use and commercial issues.

April 2014: Fifth workshops held after panel meeting, on water quality and septic systems.

May 2014: Panel reviewed workshop input, discussed schedule and next steps.

June 2014: First draft of possible Captiva Plan changes presented and discussed.

July 2014: Further discussion on proposed Plan changes, with revisions suggested.

August 2014: Draft plan language options reviewed and revised.

September 2014: Rental workshop (including island agents) held as part of panel meeting, second draft of language discussed.

October 2014: Presentation on proposed South Seas redevelopment plan.

November 2014: Draft of Captiva Plan update presented and circulated publicly for comment. Revisions solicited for update in December. Captiva Drive rezoning issue presented.

December 2014: Plan revisions discussed, January panel workshop set for more extensive presentation.

January 2015: Extensive presentation on proposed South Seas redevelopment. Afternoon workshop on proposed Captiva Plan update language, showing community input, suggested changes and potential issues.

February 2015: Follow-up presentation on South Seas redevelopment held. Plan language update workshop held after panel meeting, public meeting schedule discussed.

March 2015: Follow-up presentation on South Seas redevelopment held. Captiva Plan update language input solicited.

April 2015: Draft language accepted by panel, further discussion on South Seas proposal and update on improving bike/ped safety in Village on Captiva drive. Priority issues discussed, committees and leads floated as approach.

May 2015: Priorities list established, committee assignment begun. Discussion on priorities.

June 2015: FGUA plant and wastewater treatment discussion with count staff. Input solicited on Captiva Plan update.

July 2015: Summary of plan process begin, priority committees begin monthly reports on progress.

August 2015: Plan language revisions presented, reviewed by panel. Priority committees report. Meeting with and questions for Florida DEP and FGUA representatives discussed.

September 2015: Florida Dep presentation on regulations and presentation on Folino Palmflower Lane permit requests sparks discussion of county plan policies and effectiveness.

October 2015: County staff comments on Captiva Plan language reviewed and discussed, options explored and workshop scheduled for discussion. Priority committee reports.

November 2015: Workshop held to review and revise plan based on county comments, sought to identify areas needing further discussion with county attorney. Priority committee reports.

December 2015: Further discussion on county comments on plan language. Meeting with county attorney sought to discuss, suggested revisions reviewed. Priority committee reports. FGUA presentation on wastewater treatment issues in the afternoon.

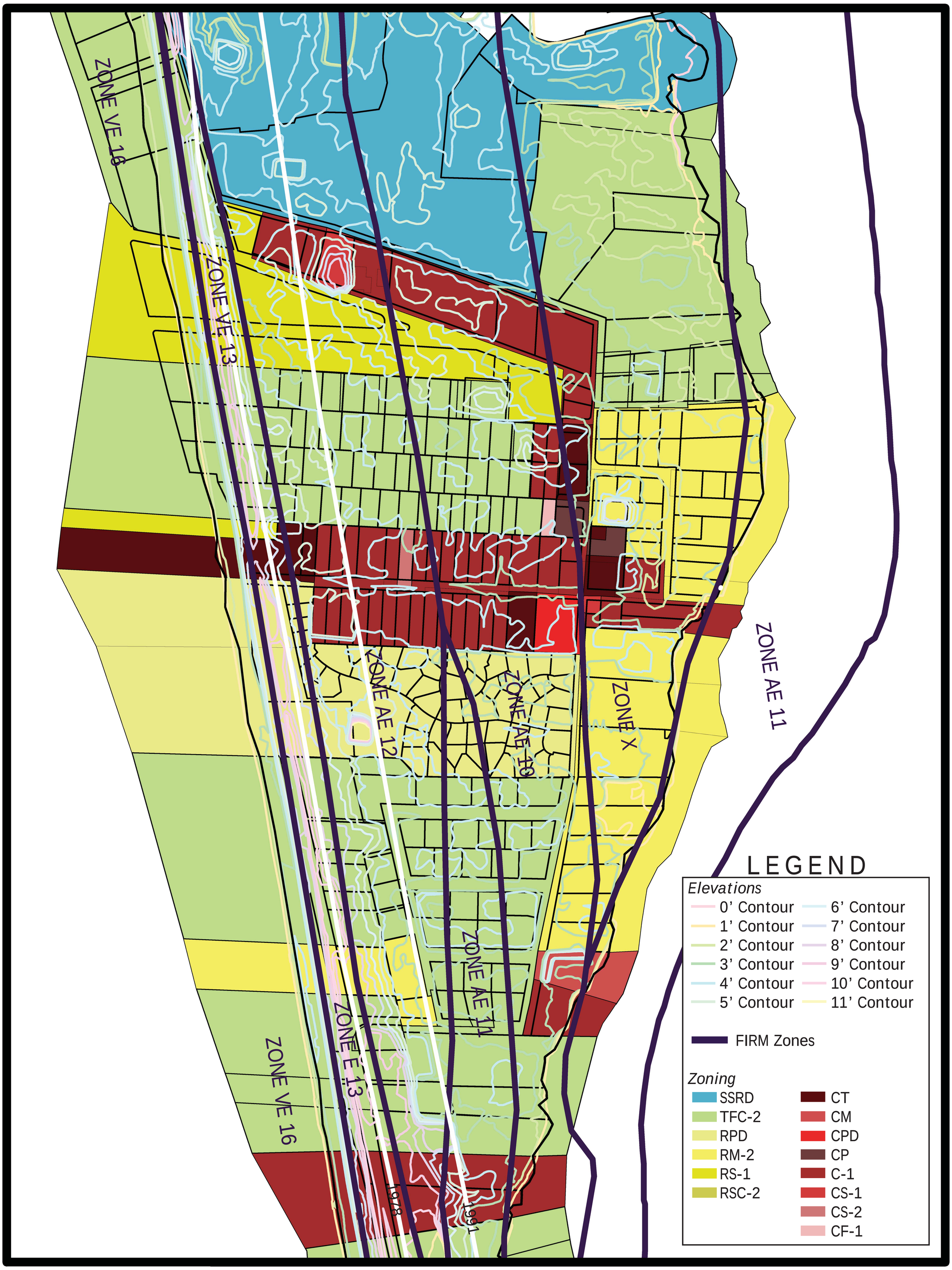
January 2016: Discussion with Michael Jacob on plan language reviewed, revisions proposed and discussed. Priority committee reports.

February 2016: Final revisions to plan language reviewed, revisions offered and approved.

March 2016: Discussion of plan approval process and panel/community input.

CPA2015-00009

MAPS/CHARTS



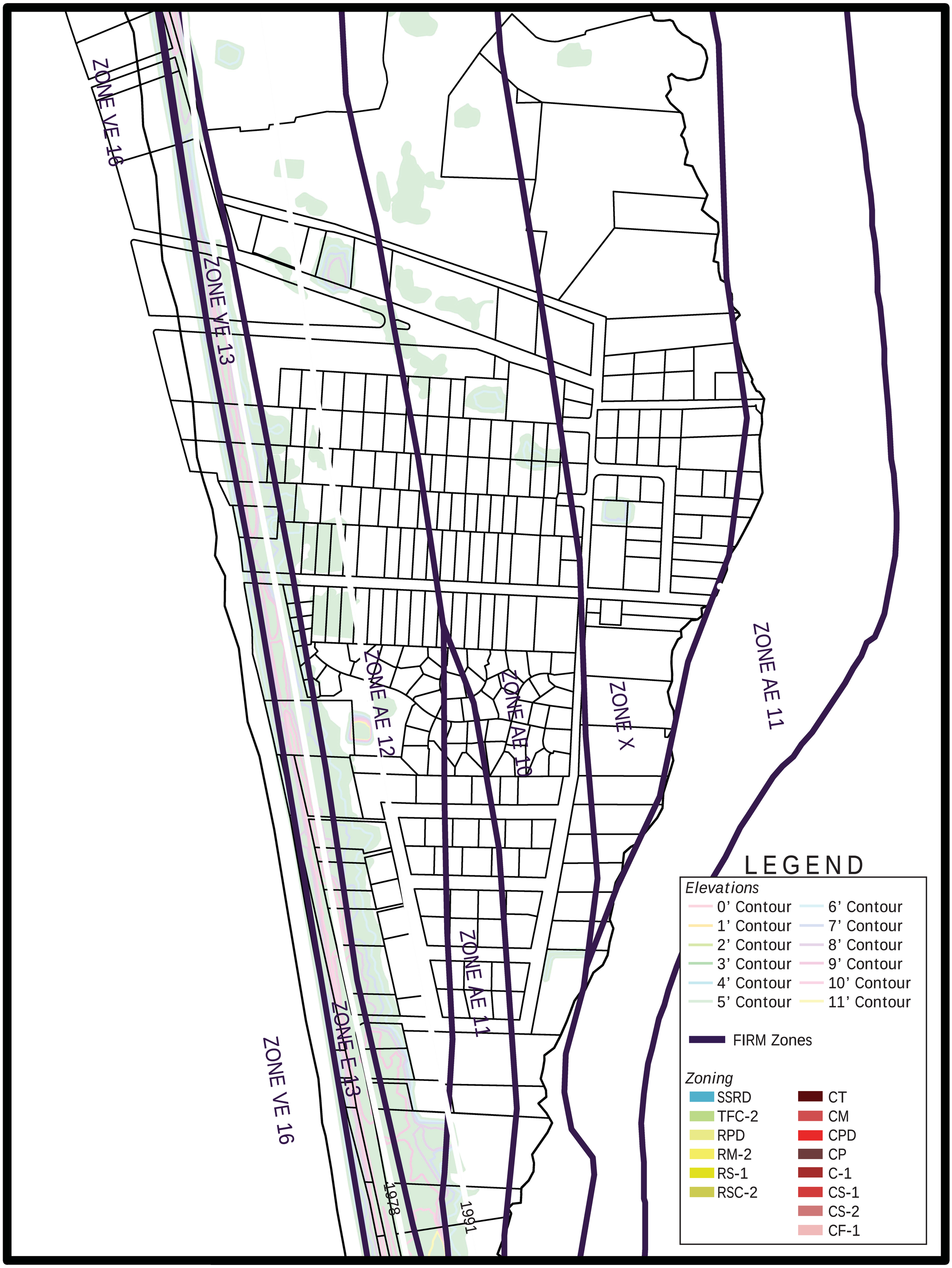
CAPTIVA CODE REVISIONS

‘The Village’

February 2010

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

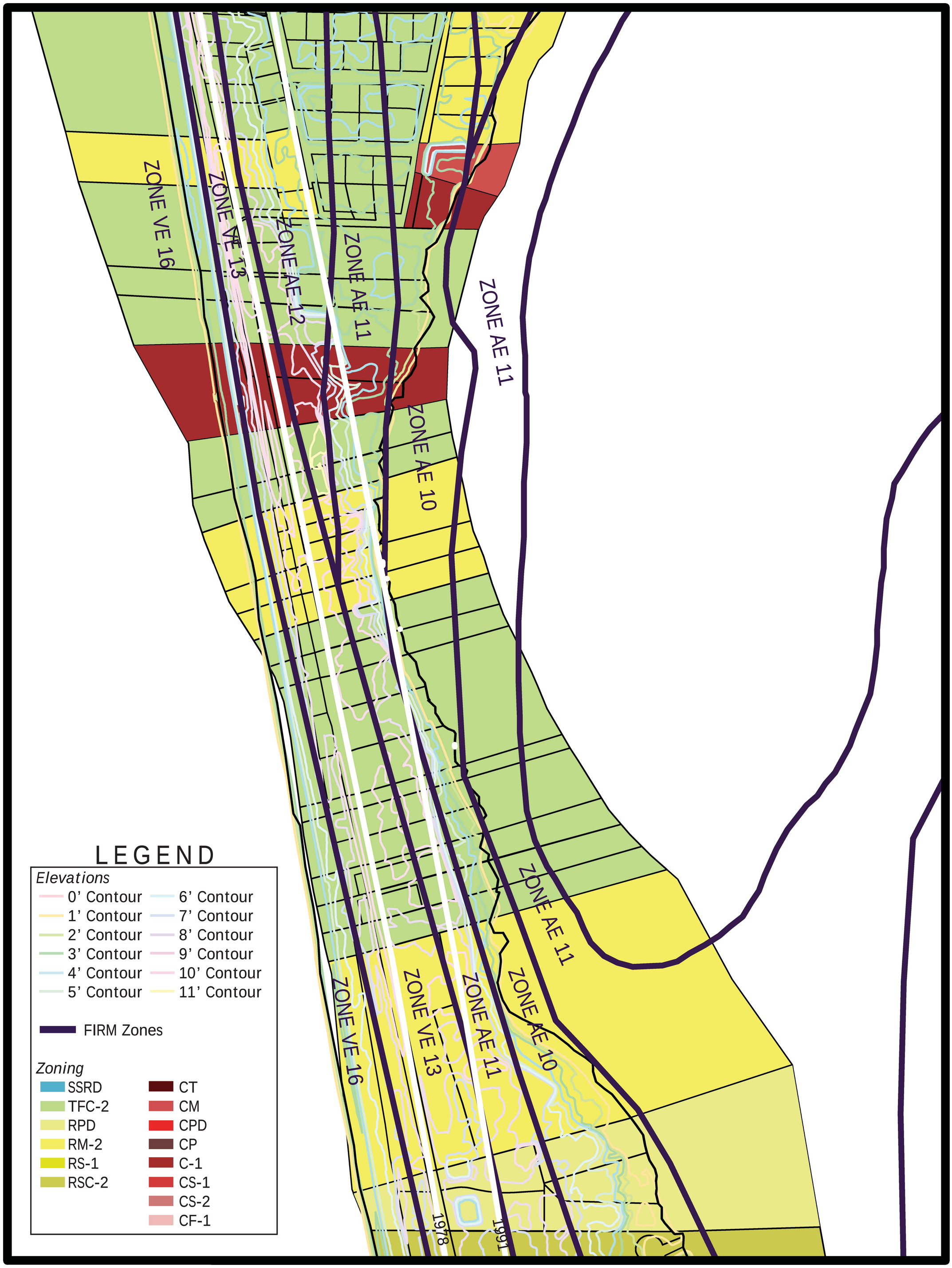


CAPTIVA CODE REVISIONS

‘The Village’ Height Exhibit

February 2010

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330



LEGEND

Elevations

- 0’ Contour
- 1’ Contour
- 2’ Contour
- 3’ Contour
- 4’ Contour
- 5’ Contour
- 6’ Contour
- 7’ Contour
- 8’ Contour
- 9’ Contour
- 10’ Contour
- 11’ Contour

FIRM Zones

Zoning

- SSRD
- TFC-2
- RPD
- RM-2
- RS-1
- RSC-2
- CT
- CM
- CPD
- CP
- C-1
- CS-1
- CS-2
- CF-1

CAPTIVA CODE REVISIONS

‘Tween Waters’

February 2010

MORRIS DEPEW

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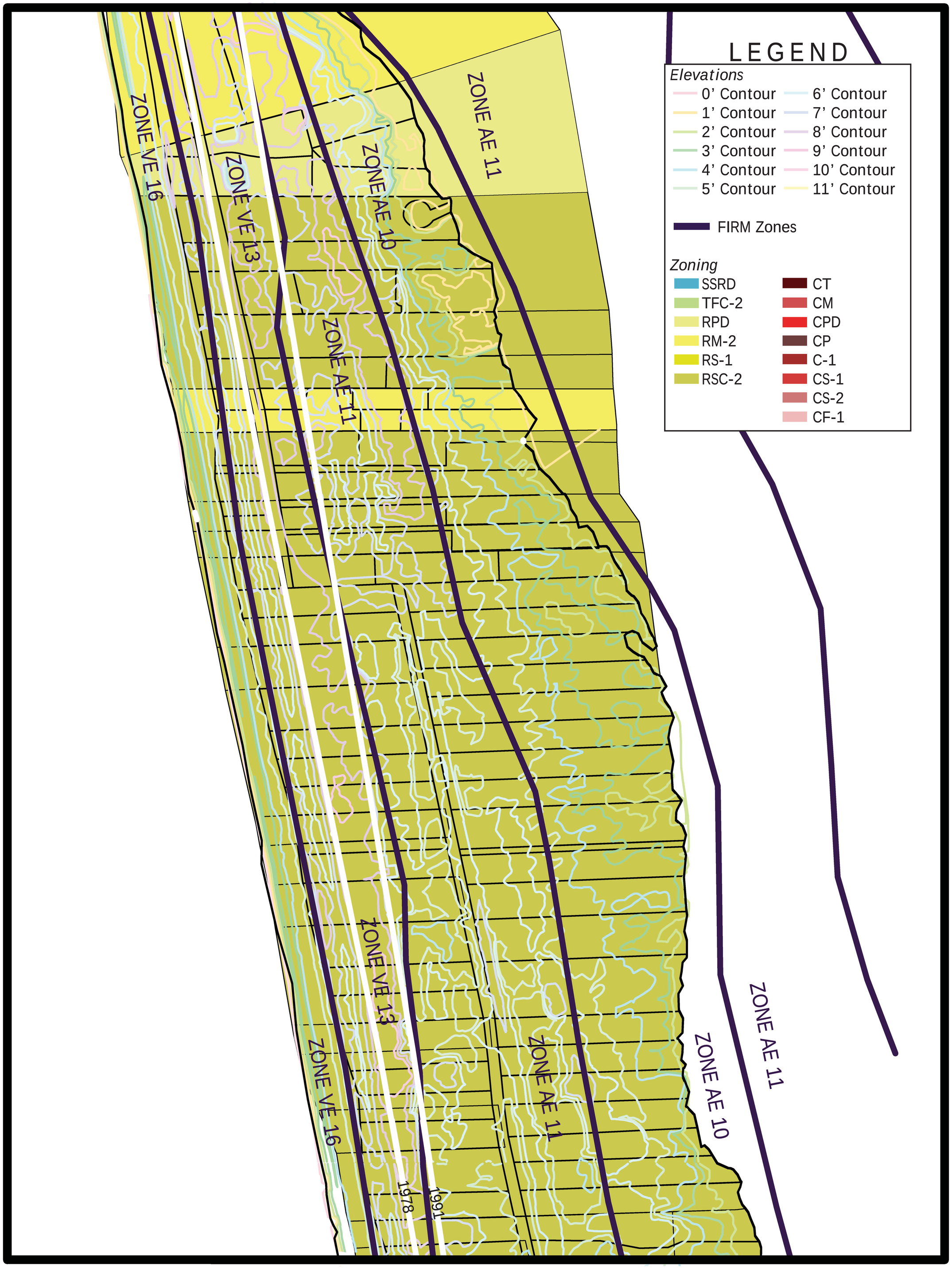

CAPTIVA CODE REVISIONS

‘The Estates’

February 2010

MORRIS DEPEW

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LANDSCAPE ARCHITECTS
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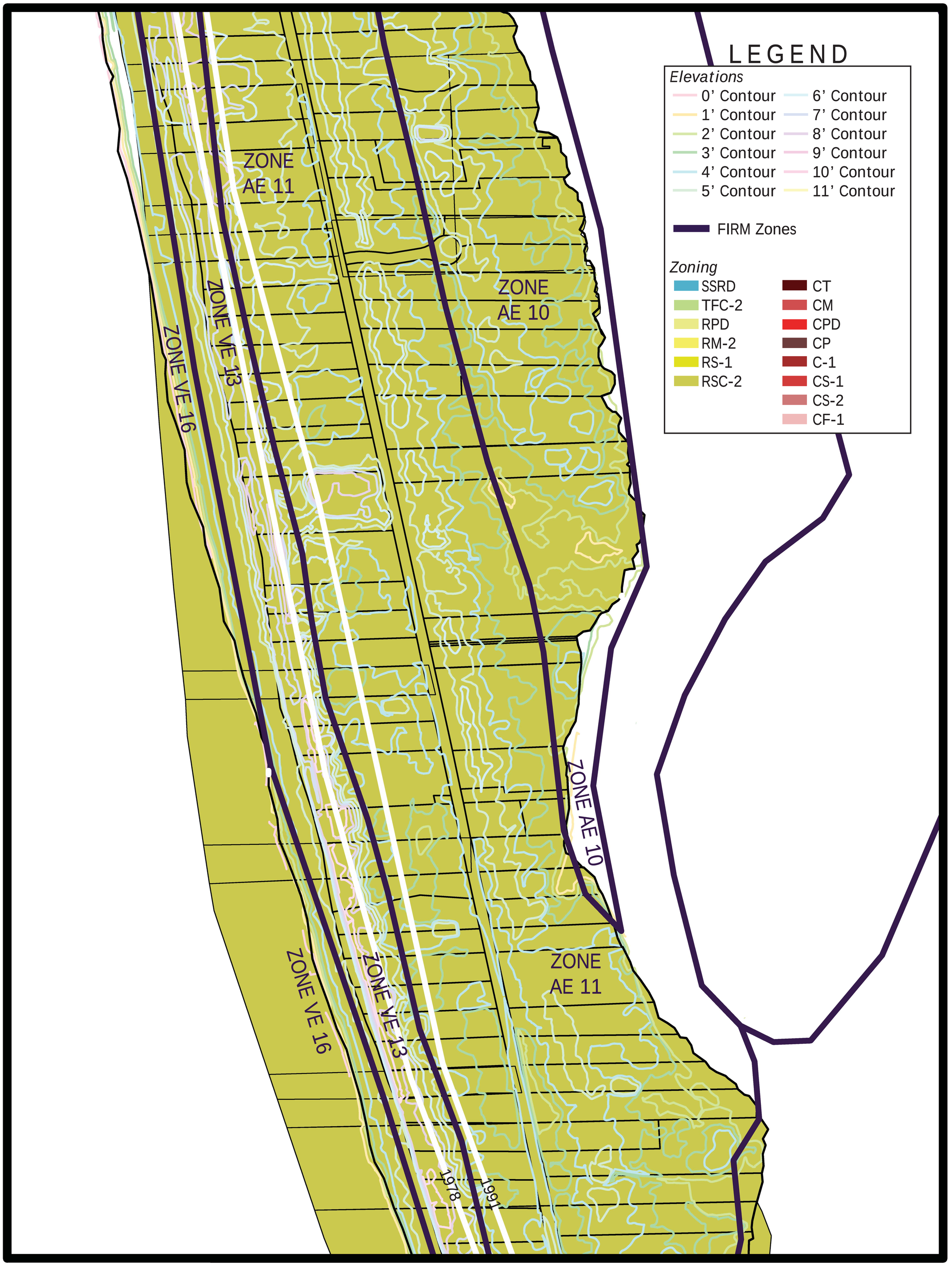

CAPTIVA CODE REVISIONS

‘The Estates’

February 2010

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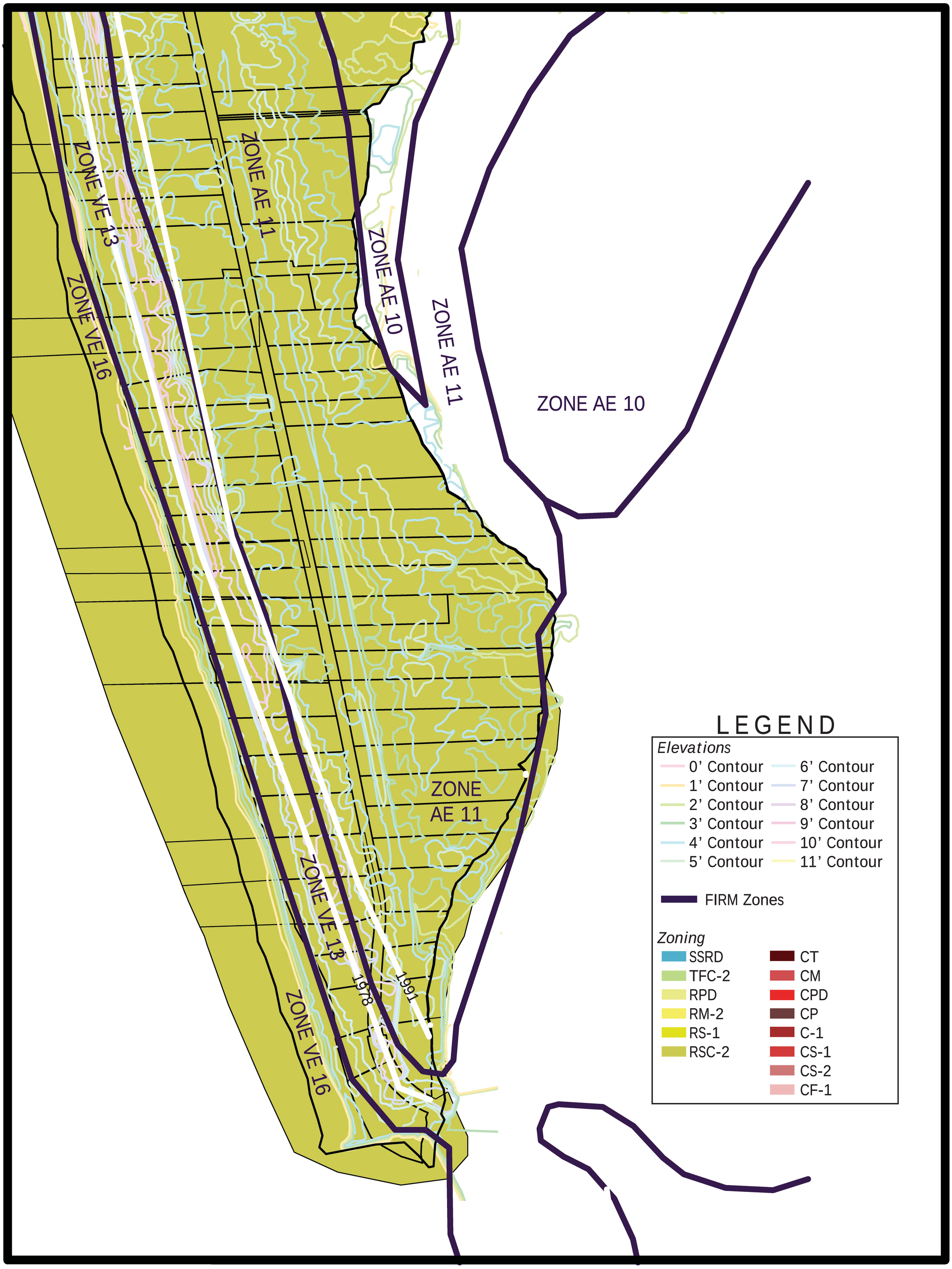

CAPTIVA CODE REVISIONS

‘The Estates’

February 2010

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

Planning District

	Captiva	Allocation	Existing	Remaining
Residential Acreage By Future Land Use Category	Intensive Development	0	0	0
	Central Urban	0	0	0
	Urban Community	0	0	0
	Suburban	0	0	0
	Outlying Suburban	500	389	111
	Sub-Outlying Suburban	0	0	0
	Commercial	0	0	0
	Industrial Development	0	0	0
	Public Facilities	1	1	0
	University Community	0	0	0
	Destination Resort	0	0	0
	Burnt Store Marina Village	0	0	0
	Industrial Interchange	0	0	0
	General Interchange	0	0	0
	General/Commercial Interchange	0	0	0
	Industrial/Commercial Interchange	0	0	0
	Unversity Village Interchange	0	0	0
	New Community	0	0	0
	Airport	0	0	0
	Tradeport	0	0	0
	Rural	0	0	0
	Rural Community Preserve	0	0	0
	Coastal Rural	0	0	0
	Outer Islands	150	128	22
	Open Lands	0	0	0
	Density Reduction/Groundwater Resourse	0	0	0
	Conservation Lands Upland	0	0	0
	Wetlands	0	0	0
	Conservation Lands Wetland	0	0	0
Total Residential		651	518	133
Commercial		125	104	21
Industrial		0	0	0
Non Regulatory Allocations				
Public		1,961	1,684	277
Active Agriculture		0	0	0
Passive Agriculture		0	0	0
Conservation (wetlands)		1,603	1,603	0
Vacant		0	431	(431)
Total		4,340	4,340	0
Population Distribution		530	472	58

Lee County
Southwest Florida

Current Future Land Use Map

CAPTIVA

N

0 0.5 1 2 3
Miles

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

INTERCHANGE AREAS
- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetland

- Incorporated Area

Map Generated: 7/15/2014

CPA2015-00009
2013
MINUTES

Captiva Community Panel

MINUTES

Jan. 8, 2013

Attending: David Rohn, Jerry McClure, Susan Stuart, Mike Kelly, Jack Cunningham, Mike Mullins, Jay Brown

Audience: 12 – including Agnes Davis, David Minsch, Lisa Riordan, Bill ???, Ann Bradley, Terry McClure, Kim Herres

The meeting convened at 9:05 a.m. with a roll call and introductions. Stuart noted that a memorial service for David Nelson was planned for Jan. 19 at 1 p.m. at Chapel by the Sea. Minutes from the Dec. 11, 2012, meeting were unanimously approved.

CFD update: Chief Rich Dickerson and Lt. Jeff Powell attending. Discussion of response time in season, delays and backup. Construction of the new station: Sweets Sparkman will be the architect. Lodge Construction is the builder (they did Sanibel Station No. 1). Finding temporary quarters a challenge, talking to South Seas about a possible remodeling of the LCSO offices. Temporary site will be needed for a year. Powell introduced himself, noting he worked for Pulte Homes before and thus has a construction background. Dickerson expected it to take 9 months for permitting. In terms of helicopter evac options, he said AeroMed was still serving the county, and the service would go to bid in the coming months.

Introduction of Bob Walter, new managing director at South Seas Island Resort. He offered brief remarks, noting that he was familiar with the area as a visitor for many years. Mullins welcomed him on behalf of the panel, noting that his predecessor, Rick Hayduk, was a strong supporter, and thanking the resort for its involvement.

CEPD update: Administrator Kathy Rooker: CEPD meetings moving to 1 p.m. at Tween Waters Inn. District representatives have been working in Washington on funding for the next beach project, and an appropriations bill was expected to be brought up in January with an uncertain scope of funding. If you have DC contacts, let them know not to leave Florida out of any recovery bill. Captiva is No. 1 in Corps recommendations to any federal bill; if Congress narrows a bill to Sandy damage only, Florida would suffer. Discussion of bill contents followed. Rooker said they hope for a decision by the end of January. Meeting with committee staffers this week, will know more next month. Mullins said the project going forward regardless of funding; it's important to what we'll pay, but that will not impede progress. Rooker said the project was out for bid right now, and there would be discussion at tomorrow’s meeting about the bid opening, which will give you a better idea of the project window after that. Aiming for the latter part of the summer, trying to sequence with Collier and Manatee counties to bring down cost for all projects and make dredging more competitive. She said dredging on Blind Pass would likely begin at the end of January.

Hurricane preparation: Doris Holzheimer: Finished with hurricane season, just worried about winter storms now. Next committee meeting is Tuesday, Jan. 15. On March 13, Daniel Noah will offer another SkyWarn training at Tween Waters; basic session at 10 a.m., advanced at 11 a.m. An educational meeting is planned in May. Send in authorization letters to the Captiva Fire District if one is not already on file. Structural Safety Inspection volunteers are always needed.

Public input: A request was made to move soliciting public input on the panel's agenda earlier on the agenda. Agnes Davis spoke about the ongoing issue with the Scotts concerning the driveway and access to their new lot, which has been going on for about 20 years. Discussion of process to acquire right-of-way. She asked for time at the next meeting to present our side. Cunningham asked whether the Davises should come to the panel if the panel is not going to take a position. Mullins said the issue was not germane to the list of priorities, suggested it wait until next time.

Cindy Brown said a vision for Captiva will lead to goals. What is the panel's purpose and is this within your mission? Big list is good, but mission and purpose matter. Jay Brown said the panel needed a vision of the island for the future. County planner Kathie Ebaugh offered a discussion of the grant process, that it can include vision as part of that. She explained the Land Development Code amendments needed to be complete before the county could entertain the next phase, and that it has some funds for another grant as part of a five-year planning cycle. Plan, policies and objectives come first and are passed as law, then LDC language is developed to implement that plan. Brown felt the panel abandoned work on a vision to finish LDC, but it was now ready to work on broad vision again. Ebaugh said sometime a vision is on its own, others have goals, objectives and policies included as articulation of vision. A philosophic look at what Captiva is.

Panel planner Max Forgey said the plan is adopted by ordinance, and is enforceable in court. Consists of goals, objectives, policies, standards and guidelines. Captiva is the only part of the county that regulates building height as part of its comp plan, because it's so important to Captiva. However, it's dangerous if you put too many small things in the comp plan when they should be in the LDC. Visioning is part of public input portion of plan formulation. There is a robust tradition on Captiva of visioning. If visioning is the first part, let's put in this proposal. Mullins offered an explanation of the process to develop proposal. Gooderham noted that the original comp plan work was not based on a vision, but a desire to address more immediate needs at that time. Now is the time for visioning. Ebaugh said the county needs an application to be approved by the Board of County Commissioners by this summer. The proposal sets a framework for you to develop your community plan, to include vision with goals, objectives and policies. We heard from the community that they wanted to get that done next, to draft a vision plan for your community going forward. Kelly said after ten years, things need another look. Some pieces may be legitimate, some may need change. We need to encourage the county to treat our communities as an island group, recognize our unique needs. Get people who are interested in discussing out needs and issues. Gooderham reminded them that nothing currently in the plan changes unless you want it to, so you can take the approach of what's good vs. what needs to be changed. Ebaugh said that ten years ago the island started from nothing to create a plan; today, you have something to start from.

Forgey suggested four action areas: A plan for the Village; landscaping; historic preservation; and county services, how to provide appropriate government services to the island – virtual government approach. Kelly stressed communication with county staff in particular. Forgey said the proposal needed to include deliverables, such as input, inventory and actions. Do not judge the effectiveness of any final product by its length – it may not be 20 pages but 2-3 pages that really say something. Ebaugh said the panel could update existing LDC as part of this proposal as well if warranted. Gordon Hullar said the panel stopped work on plan policies because we were exhausted, not because we thought we were done with developing policies. Ebaugh said all work has to be done in the sunshine, even subcommittees. If you're talking about things not related to planning, you can do that outside the tenets of the Sunshine Law; operations issues can be addressed outside of noticed meetings. Mullins said that making sausage is exhausting, lots of meetings and new angles to be addressed when they arise. Panel

here to facilitate, but other islanders can get involved. It's an opportunity to play a role on creating an island vision from the beginning. Brown felt the panel had been struggling to figure out our purpose since we finished the LDC amendments. This seems to be the real work of the community panel. Hope we're not doing this just because someone is willing to pay for it. Kelly said the panel was set up to advise the county and look at variances and land uses changes; that has become less and less, so it's a good time to look back at our planning process to find us something useful to do as a group. Discussion of county give and take throughout the last plan process.

Cunningham said it was time to decide; what else do we need to know to proceed. Brown asked how does this effort relate to CCA and its mission. Cunningham said the CCA perhaps did not participate as much as possible the last time. Now, as long as I'm involved, you'll see CCA participation … but we will need to go before our board to get its approval as well. Ebaugh said that community participation is part of the application. A motion was made to pursue funding and work with county staff to develop application using the document presented at this meeting as a core (Brown/Stuart). Kelly said the panel should proceed with an update of the island's vision plan, this becomes the duty of this group. Not just the application, but that we do the work. Kelly made an amendment to the motion as such (Brown second), to unanimous approval. Rohn asked to confirm that the panel was not voting on the document, but a work in progress that we will see again. Approval was unanimous. Ebaugh noted that any contract is with the panel, not with individuals; deliverables were part of application.

Panel officers: A slate was presented for 2013 officers:

- President – Mike Mullins
- Vice president – Susan Stuart
- Secretary – Jerry McClure
- Treasurer – Mike Kelly

Approval was unanimous.

Budget: Gooderham offered an explanation of changes so far, but that some expenses were dependent on how fund-raising would be pursued. He is working to revise numbers in time for the February meeting.

Sunshine Law: Brown offered an explanation of his questions about continuing to operate under the Sunshine Law, acknowledging that it the panel is to pursue more county funding the question becomes moot. Having to comply with open meetings and advertised session can be very nonproductive, a lot of things don't happen that could happen. A lot more can get done in impromptu meetings. Ebaugh reiterates that operational discussions can occur outside of sunshine. Gooderham said the panel has historically encouraged a tradition of sunshine whenever possible to foster a tradition of openness and discourage concern over backroom deals. Ebaugh said it was best if anything planning related was done in the sunshine, operations do not have to be in sunshine.

Other business: Confirmed date for February meeting. Holzheimer suggested planning staff bring definitions to planning meetings to help the less knowledgeable. Mullis noted that the Ding Darling Wildlife Society was entering a capital campaign to acquire the Woodring property and pursue other building enhancements, with a $1.8 million target.

The meeting adjourned at 11 a.m.

-- Ken Gooderham

Bylaws subcommittee meeting

Attending: Rohn, McClure, Stuart, Mullins, Cunningham, C. Brown, J. Brown, Holzheimer, Forgey, Gooderham

Recap of December meeting. Discussion of mission. *McClure*: Had to resolve structure of CCP before addressing bylaws details. *Mullins*: Bylaws don't structure organization, they define rules of operation. *Gooderham*: History of panel assignments. *Mullins*: Last bylaws discussion did address structural changes, panel decides to decide structure and asked committee to develop rules. If we have a proposal, bring it before the panel to decide. *Cunningham*: Get panel's position whether we should pursue changes to structure, how panel members are appointed. *CBrown*: Mission decides how you should be structured. *McClure*: If structure doesn't change, then you can proceed to mission. *CBrown*: Mission (citing Paul McCarthy's statement at January meeting) will define what structure needs to accomplish.

JBrown: Panel is the voice of Captiva to Lee County government. Most members are appointed by one organization, is this appropriate to represent interests of all Captiva? *Cunningham*: My December statement at subcommittee meeting did not present alternative. Panel needs to decide. *JBrown*: Cannot decide without knowledge of the alternatives. *Cunningham*: We need a panel, CCA will not argue that. I proposed 3 appointed from CPOA, 3 from CCA, 4 by one from each region. *Stuart*: How will they be chosen regionally? *CBrown*: Business is another constituency. *Gooderham*: Who will assume the risk and pay the bills? *Mullins*: Bigger problem on the island is shortage in the talent pool. Involvement in the panel meetings could give CCA more power rather than direct appointment. You can't regulate who comes from where on the island, we ran into problems with that as well. Panel needs representatives from the island who are trying to move in the right direction. Get involved to make a difference.

Cunningham: Asked for everyone to submit ideas for a mission statement. *CBrown*: Not one voice, a lot of voices going out on the island. Should there be some umbrella that incorporates all these? CCA and CCP overlaps, who's doing what? Total picture, and does our mission makes sense. *Cunningham*: CCA is concerned about the appointment process of the panel. Not the memberships, but how seats are allocated. *McClure*: All 10 seats by nominating committee – not assigned, but all open for nomination. Specify that have to have an interest in future of Captiva. Would CPOA agree to that? Mullins: Discussion of how nominating committee has worked in past. *Holzheimer*: Issue is representative, does anyone care what those of us who are not panel members think? Care less of how it's constructed than that it reaches out to the community for input. Operating in the Sunshine is crucial, for the opportunity for input. Are we reaching everybody? *Cunningham*: McClure's proposal an opportunity... how do we appoint members to a nominating committee? One from panel, one from CCA, one from CPOA? *Mullins*: CCA vote is actually the agenda of a small group the inner circle. *CBrown*: Widen scope of nominating committee.

Mission statement: *Cunningham*: Becoming like a town forum, a good function for the organization. *JBrown*: Voice of Captiva concerning anything the county does to govern us. *Mullins*: Interface should not be limited to the county. Representative of the community. McClure & Cunningham to develop proposal for discussion. *McClure*: How to come up with nominating committee that represents all four – citizens, prop owners, business and organizations of Captiva. *CBrown*: Not from those backgrounds, but criteria for selection. *Mullins*: Kelly was one of the biggest proponents of businesses on the island. Discussion of commercial history on island. *Cunningham*: Commercial is also pushing residents off the island, don't want to live next to businesses. *Mullins*: Nice to have a code enforcement agent on the island. *JBrown*: Have nominating committee appoint new panel members, a logical alternative.

Cunningham, McClure and CBrown will meet in the next week to flesh out nominating committee process. *McClure*: Present to panel to get buy-in. *CBrown*: Bylaws committee should work out its recommendations first, before going to panel. *Mullins*: With all the energy spent on this need to know now. *CBrown*: Doesn't take too much time to work this out. *Cunningham*: Develop nominating committee process. *Mullins*: Not consensus of committee, but logical alternative to be explored. *Holzheimer*: County looks forward to what from panel? Discussion.

CBrown: Tackle mission statement before next bylaws meeting? *Cunningham*: Certainly useful. Need to know where you're going and what your goal is. *Holzheimer*: Mission statement…reason for organization to exist? *Cunningham*: Next bylaws meeting to discuss nominating committee prior to taking to panel. *Mullins*: Get on agenda to panel to present on alternative nominating options and structure. Structure and changes. *JBrown*: New nominating process for panel to agree to pursue, or stay locked into the current method. *Cunningham*: Present that to the next panel meeting *Mullins*: Agree to buy in to changes so we don't waste out time on this. *McClure*: Saying "yes" means panel agrees to a bylaws change? Want to change structure of how people are nominated. *Holzheimer*: Advertise meeting that this will be happening at the meeting. *Mullins*: But it's the ten members who need to decide. *JBrown*: Logical to pursue alternative, not giving them a specific alternative. *Mullins*: Don't soft pedal requests that we waste our time on something they won't ultimately agree with. *McClure*: Only nominate the panel members at large, not the entire list? *JBrown*: Not asking for a change, just asking if there's enough merit to pursue this further. *McClure*: Want a more clear signal from panel.

Cunningham: Possible alternate how nominating committee would be selected... criteria and makeup and number. Proposal on how a nominating committee would be established. Present to panel for discussion about existing structure and that this may be a fairer way to improve representation. Yes, pursue this, or no, we want to stay with what we have. *McClure*: Rather get a more specific buy-in from panel now. *Cunningham*: If panel says proceed, we work on this.. If not, we work with small items. *Mullins*: How many panel members do you want to support this? It needs 7 people to agree to proceed. *JBrown*: Will learn something by making this presentation. *Cunningham*: "No go" is easy. "Go" means we discuss at the next bylaws meeting and present in final form at the March panel meeting. Meet to discuss next week, get input from all and email to McClure

Meeting adjourned at 12:45 p.m.

-- Ken Gooderham

Captiva Community Panel

MINUTES

Feb. 12, 2013

Attending: Baugh, Brown, Cunningham, Kelly, McCarthy, Mullins, Rohn, Stilwell, Stuart

Audience: 10

The meeting convened at 9:05 a.m. Introductions and roll call followed, and the Jan. 8 minutes were unanimously approved (Rohn/McCarthy).

Captiva Fire District: Chief Rich Dickerson followed up on a question from the last panel meeting, noting that the cost of EMS transport was $500 while helicopter transport was expected to be $8,500. He said the district had hired some new paramedics in last few years; they were losing one new paramedic to Army Reserve duty and they planned to hire a part-time EMT to replace him until he gets back. They were moving on construction for the new station, and had started the permit process. They had secured a permit for temporary quarters being leased from South Seas; landscape work was being done now and remodeling would start in 3-4 weeks. It was a small office right next to the LCSO substation; they planned to move in 4-5 months with one engine and a UTV for beach rescue and the other engine next door. The construction schedule looked like 6-9 months for permit and late summer or fall 2014 to break ground.

CEPD: Administrator Kathy Rooker said the TS Debbie project report to receive federal emergency funds was done and was working its way up the channel; the board was hoping for a positive outcome. Construction bidding for the next beach restoration project opened March 5, with an opening date for the bids received March 20. The board was meeting tomorrow at 1 p.m., with an update on federal funding expected.

Hurricane Committee: Doris Holzheimer reminded the audience that, on March 13, Daniel Noah will offer another SkyWarn training at Tween Waters Inn in the Ding Darling Room, starting at 10 a.m. with the advanced training at 11 a.m. On May 2, there will be an educational program with Gerald Campbell of Lee County EOC beginning at 3:30 p.m. at South Seas. We still need Structural Safety Inspectors, and there will be an in-season training date for all current and prospective inspectors on March 9 at 3 p.m. in the Auger Room. She also noted that the city of Sanibel will use 2012 hurricane passes for the 2013 season.

Ding Darling Wildlife Society: Executive Director Birgie Vertesch introduced herself to discuss the nonprofit arm of the refuge, whose goal is to augment federal funding for the main campus. They want to acquire the 6.5-acre Woodring property now on the market, but federal funding is limited especially for high-cost lands even though it's valuable land to acquire. The society is seeking right of first refusal, with the intent to protect area from five more additional homes and docks. They approached Conservation 2020 for acquisition funds, but maintenance is an issue on the islands. However, 2020 was very interested if the refuge would maintain the site. The Woodrings wanted a life estate on their home, which killed it for 2020. That agency is willing to buy the portion without the homestead, so the nonprofit society is raising funds to buy the homestead segment. Estimate is that $1.4 million will be needed for the life estate site at the same time that the 2020 offer is made in September. The society has launched a $1.8 million campaign, adding $400,000 for an educational center update. Cindy Brown asked if SCCF would assist in this campaign. Vertesch said they approached SCCF first. Ralph

Woodring can't afford taxes on the property, so he sold a portion to Porter Goss previously. She said the campaign was at $845,000, so we're making progress; the society will not take a loan without pledges in place. All told, 3.3 acres will be bought by 2020, and Society is buying the rest.

Lee DOT: Steve Jansen made a presentation on biking and walking, focusing on rules of the road and rules of common sense. *Pedestrians*: Be visible, be predictable. Walk against traffic. Don't text and walk. Be aware of your environment and what's going on around you. *Biking*: if you're on the road you're a vehicle; on sidewalk, you're a pedestrian. Wear a helmet, don't wear headphones (it's against the law). Watch out for car doors and parked cars. Take the whole lane if that is what it takes to be safe. Use lights at night. Obey the rules of the road. Expect the worst with cars and pedestrians. *Cars*: Share the road with cyclists, golf carts and Segways. Hang up and drive, your mind does not multitask. We sequentially task, not multitask.

Mike Frascati said we need a bike path on this island, you're taking your life in your hands to walk along the road here. It has no liability, and would be a benefit to the island. Cunningham said vegetation is overhanging the shoulders, can you encourage the county to come out to trim? Gordon Hullar asked is it was legal to ride in the safety shoulder. Jansen said it was not a designated bike lane, but nothing prohibits bike use. Discussion followed on bike paths and lanes. Rohn asked whether the lighting at the Rauschenberg curve could be improved. Jansen said the county does not have a program to provide corridor lighting. The island could form a Municipal Services Taxing/Benefit Unit to pay for lighting and other services. Mullins said the panel is providing a forum for input from the community, in hopes of getting it engaged in the appropriate action. Hullar asked who has responsibility for roadside vegetation? Jansen said the county would appreciate if you take care of it, but we will if you don't... it just won't look as good.

Land use: Planner Max Forgey gave a summary of his proposal for a new planning effort, which he is working with county planner Kathie Ebaugh on this. They are working on the scope of services which is more complicated, and he will bring to the panel next month. He said it needs a public input component to ask open-ended questions on the topics in the scope. Resource inventory and review. Report and recommended actions as outlined in scope. Lee Plan amendments, not LDC – although we may identify some code issues in this process. Jay Brown asked how this process could accomplish a bike path on the island. Forgey said it could result in a policy to encourage a bike path, if that is identified by the community and supported by public input. Ebaugh said a path could be included in the county bike/ped plan through the Metropolitan Planning Organization. Mullins asked how 2010 Census data could be incorporated. Forgey said that data is a fresh, unique demographic look at the island. Here's data we know, now where do we go from there? Discussion of Census info followed.

Cunningham asked about the status of the application, and the period of accomplishment. Forgey said the county needs a commitment of funds this fiscal year. Ebaugh said the commission needed to vote to allocate funds by Aug. 30. Forgey said the proposed timeline is a guideline, since the public loses attention so you want to stay focused. Stilwell said they need to look at property to see what you could offer to improve safety and access, perhaps signs to educate pedestrians. Mullins said the issue is with bicyclists more than pedestrians. Discussion followed. Ebaugh said more staff review needed, if this is workable we can discuss among staff before it comes back to the panel. Discussion of changes. Mullins asked about a timeline? Forgey and Ebaugh said it could come to the panel no later than the April meeting. Cunningham made a motion (Kelly second) to encourage county staff review, which was unanimously approved.

Cunningham suggested that the proposal use "the Village" rather than "community center." Cindy

Brown said they need to define the community center and the county services that Captiva gets. Ebaugh said such definitions are part of the planning process. Holzheimer asked whether the proposal should include surveys. Discussion of process, which will include surveys and a review of Census data. Mullins asked what would be the next step. Gooderham said the proposal would be finalized, would undergo staff review and come back to the panel by the April meeting. Mullins said panel members could send comments to Forgey. McCarthy asked how does one do an historic inventory. Discussion of process. Forgey suggested he could invite county planner Gloria Sajgo (who handles historic preservation for the county) to present at an upcoming panel meeting. Cindy Brown asked how the Historical Society would dovetail into this. Forgey said as part of public input. Mullins asked when detailed info will be ready, and was told for the April meeting. Hullar thanked Tween Waters Inn for putting its power lines underground, and said he had a fondt hope that everyone else would consider doing the same. He asked if there were plans to enforce the signage rules. Ebaugh suggested that the panel could invite Mary Zittel to come to explain new sign rules at a community meeting. Gooderham noted that he had been contacted by a number of businesses seeking the new rule language in an effort to comply over time.

Financial: The monthly update was presented.

Fund-raising: Cunningham asked about the Monday After The Masters event. Baugh said the resort was still planning to hold it, but they needed to figure out how to proceed. The tentative date would be April 15. McCarthy said $25,000 in fund-raising was not a high hurdle to clear. The Master tourney was a complicated event to raise not a lot of money. He preferred to call people up and ask them for the money. We should do the event because it’s fun, not to raise money. Mullins said the Masters event has value beyond the money. He suggested they leave that event off McCarthy's plate. Rohn noted that last year’s Masters tourney raised money from people off island. Mullins said is we raise $15,000 from the Masters event and $10,000 from the board, that hits our $25,000 target. Baugh said other events can far exceed $25,000 through a social event, which is good for the panel and the community. McCarthy said people are valuing panel efforts by giving their valuable money. Mullins said we need to do a mailing to explain what we do and ask for their assistance. Stilwell asked about CCA participation and support in its newsletter. Stuart suggested if we exceed fund-raising goal, we donate any excess to a foundation or other good causes. Kelly said that Census data shows we're becoming a seasonal island, which means a lot of people don't know what's going on in the community. The CEPD newsletter very good, I now have a clue of what CEPD is doing. Why can't we send something like that out? Say what the panel is, what we hope to do, this is the funding we need. Discussion of fund-raising followed. Kelly said it is good awareness, and a way to reach out to different businesses.

Panel structure: Discussion of setup. Mullins said Jerry McClure had contacted him at the last minute to say he had to go out of town and would be unavailable to present, so Mullins asked for the item to wait to the March meeting. He said it may be discussed in the bylaws meeting later.

Other business: Holzheimer asked what the panel voted on with plan. Mullins said it authorized Forgey and Gooderham to move forward to complete the planning outline for panel approval hopefully at the April meeting. Discussion of contract.

The regular meeting adjourned at 10:40 a.m.

CCP Bylaws Committee meeting

Feb. 12, 2013

Meeting convened 10:45 a.m.

Attending: Mike Mullins/Susan Stuart/Jay Brown/Cindy Brown/Doris Holzheimer/David Rohn/Jack Cunningham/ Mike Frascati/ Ken Gooderham

CB: Discussion of how this was reached. Nom Comm as representative of island... five orgs engaged. CPOA, CAC, CCP, SSIR, business representative. JB: How to get biz rep? JC: Informal outreach to biz comm. MM: Used to be commerce committee at CCA. Not much enthusiasm for panel commerce committee. MM: What does SanCap CC do for Captiva? They would appreciate time to present at panel meeting. Use chamber to designate Captiva members. DR: Biggest omission is not representative of SSIR owners. CB: Not part of CPOA? DR: Presidents group of owners. JB: % of doors on Captiva in SSIR? MM: 50%? 11 condo assn in SSIR, each has prez, each on prez group. MF: SSIR not rep of owners. MM: Would oppose separate rep for SSIR owners. Disinterest in island activities often in SSIR units. JB; Can't ignore highest % of owners. KG: Will they participate if given a chance? MF: Many are residents and interested in what goes on outside the gate.

SuS: Don't need nom comm as large as the panel itself. JC: Picked five nom comm to find five candidates. JC: Let's reach a position the committee feels is appropriate to present to the entire panel. DH: looking at nom comm for all panel positions? JC: Yes. JB: Still ends up back in front of the panel. MF: Represent interests of other orgs, not SSRI owners. MM: No, represents interests of island. Discussion of bylaws process. Need support of seven panel members to make any change to bylaws. JC: Vote to proceed or vote to adopt this? MM: Vote of confidence from the panel. Should require same two-thirds majority. Be more definitive on this. Considered opinion, not broad and vague. Something that can be agreed to effectively. JC: If panel says yes, we could come back with a specific recommendation at the following meeting. MM: Why not just do the work and come to the panel in April. JB: Want to see if panel will support this approach, then go to the specifics. MM: Wanted interim vote so we would not spend six months. Would have had that today, so let's use next month to make this our best effort. JC: Hold another committee meeting before 3/12. Try 3/5 10 a.m. in Cone Rooms.

DH: Provide panel with bylaws background. JB: What if current panel does not approve nominees? DH: All positions subject to nom comm. KG: How will orgs name nom com appointees, and how to make the transition? DH: Do they represent or vote their conscience? MM: Don't make the perfect the enemy of the good. MM: Stay focused on this issue only for the 3/5 meeting. Discussion about panel operations and representations. Perception has been promulgated about the panel. MF: SSIR adversarial to owners and outside the gates. MM: SSIR has not worked to advance its agenda through the panel. MF: Chris Van Der Baars and Rick Hayduk not part of the problem.

Meeting adjourned at 11:45 a.m.

Captiva Community Panel

MINUTES

March 12, 2013

Attending: Baugh, Brown, Cunningham, McCarthy, McClure, Mullins, Rohn, Stilwell, Stuart

Audience: 12

The meeting convened 9 a.m. with introductions and a roll call.

Mullins introduced Jason Maughn, a Sanibel-based attorney who specializes in BP settlement claims. Maughn offered background on the claims process, noting that 2009 numbers were used to determine any losses related to the BP oil spill. Using month-on-month donations, you pick three consecutive months compared to 2010 and you could be eligible to recover up to 1.5 times the actual loss. Those interested in further information can contact him at 472-2424 or Jason@sanibellaw.com.

Lee County Sheriff's Office: Deputy Mike Sawicki introduced himself, to discuss complaints about fishing on the Blind Pass Bridge. This really falls under the purview of the Lee DOT, since that agency controls fishing activity on bridges and can post "No Fishing: signs if they determine there is a public hazard. In the daytime, the issues have been pedestrian interface issues; at night, it's on bridge vs. on boat. Overall, the complaints have centered on trash and broken glass being left on the bridge; dead fish on bridge and road; issues of car/bike/stroller interaction on roadway. He urged people to contact him if they have any issues with fishing from bridge, and he will pass those along to DOT. Mullins noted that DOT is responsive on signage, and asked what we could add to help this situation? Sawicki said any signs and rules posted have to be enforceable. Brown asked whether this board had any ability to act. Mullins said they could approach commissioners to draft an ordinance if a specific action was targeted. Sawicki said the most timely action would be to declare the bridge off limits for fishing. The DOT guiding principle is safety. Mullins asked whether the county could designate one side for fishing and one side for walking. Rohn asked who controls the bridge. Sawicki said Lee County. Nathalie Pyle asked if the LCSO patrols the beach at night for fires. Sawicki said yes, but it had been a while since their ATV is being replaced. He noted there are two ordinances at work here: one covers open fires but not food, the other controls fires in parks, which is limited on island. Of course, any conduct forbidden by sign is prohibited, which meant they were actually sending a mixed message at Hagerup Park.

Captiva Fire District: Chief Rich Dickerson said the district had found a replacement for the reservist who was being called to duty – it was Zach Van Dyke, who had worked for the district before. He noted that the new EMT passed on his first attempt, which was rare; that gave the district six total paramedics in department. For a building update, Dickerson said the district would go to the county for the first rezoning meeting this upcoming Friday. (Stuart joined meeting.) The district would be moving to its temporary quarters next to LCSO next week, and that the temporary permit for new quarters would take 2-4 months to secure. They planned construction on the new building after the end of hurricane and rainy season. To clarify a question from a prior meeting, Dickerson said transport costs for the helicopter service was $8,500 now and would be $12,000-13,000 soon, depends on your insurance and how much it will pay.

CEPD: Administrator Kathy Rooker said the board had recent received a briefing on the beach project, including Chairman Jim Boyle's DC visit to lobby for federal funding. Boyle got an optimistic report from the Corps, with a good chance of getting emergency funding for the project. The district is

working with the Jacksonville District office of the Corps on plants and surveys. Notice for the emergency project is expected in March; the Corps will award a contract July 1, so things are moving forward very quickly. The Corps is fast-tracking to get work done this summer, with construction by Aug. 1 if possible. Mullins asked where sand would be placed with this project. Rooker said mainly on the north end where the worst erosion from Debbie occurred. Mullins asked if the district had received any clue of project funding. Rooker said $3.8 million, could compliment with funds from the Construction General fund to total $7.8 million. Once the district gets federal funding set, it will develop a schedule with the Corps. Check on the CEPD website on a weekly basis. Looking at a community meeting in June perhaps, once we get facts to give you. Work would finish sometime in December. Discussion of project funding followed.

Hurricane Committee: Doris Holzheimer reminded everyone that tomorrow Daniel Noah will offer his SkyWarn training at 10 a.m. (beginner) and 11 a.m. (advanced) at Tween Waters Inn in the Ding Darling Room. The Structural Safety Inspection training was now set for March 14 at South Seas in the Cone Room at 9 a.m. This was required to be an inspector. We still need SSI volunteers, call the Captiva Fire District to sign up. On May 2, there will be a general education program at South Seas at 3:30 p.m.

Community Center: Cunningham made a presentation of the planned changes at the center, mainly that the structure would be brought up to code and expanded to allow more space for events and catering. The expansion would also allow a new home for the Historical Society, with changes in the library to include a reading area and expanded offices. They would install better lighting for art shows, and would plan to bring the ABC event back to the center from the Sanctuary. The fund-raising would also re-roof the deputy's house and allow them to bring in a generator for emergency use. He noted the center had some roof problems, and that the last renovation was 20 years ago. They hope to make it a more attractive and inviting facility. He said there were also some footing and support problems. He felt this was important to the island, and that our generation needs to step forward and do this for the library, historical society and hall uses. The CCA is working to bring more and different activities to Captiva. In terms of status: Benchmark has been hired as contractor, and they are finalizing drawings. Permits will be next. They expect to start at the end of May, and be complete by December. Estimated cost is $800,000 and they are looking for donations from the community. Ann Bradley noted that while the library was looking forward to improvements, they were not being done because of the library. McCarthy noted there would be three projects under way at the same time: the new fire station, the Community Center and the beach project. He asked if a presentation had been made to the center's neighbors. Discussion followed on holding meeting for neighbors. McCarthy said it was great to inform us, but better to inform neighbors.

Communications: Stuart made a motion to send Tween Waters Inn a letter of commendation for the undergrounding of the power lines in front of the resort (McCarthy second). Approval was unanimous.

Financials: No questions.

Bylaws: McClure said the ongoing Bylaws Committee meetings had been discussing panel structure. Since he had also served on the last nominating committee, he said there could be the need for some changes as to how process works. A discussion of appointed positions followed, reminding everyone that on the panel the CPOA appointed five seats and the CCA appointed two seats – which meant the nominating committee really only had three positions to look at. He said there was a need to broaden this approach to reflect Captiva in the future. The committee drafted a straw man structure on how to

nominate panel members in the future, and was asking to see whether the panel feels it is on the right track. The committee did not want to proceed with this work only to find out later that the necessary super-majority of the panel is not supportive of bylaws changes. Mullins noted that in previous years the CPOA had offered the panel committee the option to fill its seats in the past. He observed that any change in bylaws requires a 2/3 vote to approve, as well as requiring 60 days' notice before any vote. He said the committee understood there were other things in the bylaws that need work as well, but it was looking only for a vote of confidence today to decide whether to keep working on this. Cunningham offered a discussion of the draft versions and an explanation of the proposal being presented. The nominating committee would be comprised of five people appointed by the panel, and they could serve two concurrent terms which would be staggered. They had to be a resident, property owner, business owner or full-time employee. Nominations for open panel seats would be made at the October meeting, and the panel would not be bound by the slate of nominees. If rejected, the committee would be asked to submit a new slate. All panel members will come from nominating committee selection, not designated organization seats. The panel would vote on the slate in November by a simple majority vote with a quorum present. Brown said the big change is that all panel members will come through committee, which he felt would make the panel more representative of the whole island.

McCarthy said this was a foolish proposal and asked if the Bylaws Committee was saying that the current process does not work. Brown said he felt there needed to be a change in perception relating to the panel. McCarthy said the process in place has served its purpose to represent the island, and asked who was missing? Brown said the main group he had heard about was owners at South Seas Island Resort. A discussion ensued of current panel members of who own at SSIR. McCarthy said no evident of a problem had been presented, just a solution that was complicated and ultimately meaningless. Mullins said the sole purpose for the CPOA is only this panel; otherwise it is a de minimus organization and has never thrown out nominees suggested to it for its seats. He said this proposal was trying to deal with perceptions. Brown said the perception was of two organizations at war. Diane Szambecki said there were a lot of repeated names serving on the panel, that seats do not see change. Mullins said there has been turnover of people after they termed out, and some had come back while others had not.

McCarthy said that bylaws change reality, but communications change perception. Stilwell asked how the nominating committee would be staffed. Mullins said there may not be a quorum at the May meeting, since seven votes are needed to amend, so this will end up being voted on in the fall anyway. He said the committee needed to do more work on the rationale for any changes prior to any vote in the fall. Brown said the Bylaws Committee needed an endorsement of strategic effort now. McClure said under the current procedure the CPOA could appoint half of the panel members all the time. McCarthy said that was a potential threat, not just a perception, which was a different issue. Rene Miville said as one of the founders, he understood the panel to be a trickle-up process, meaning if you come to meeting and interact we asked you to participate. He did not believe this was a flawed process, that there was not one case of people wanting to be on panel being refused. Discussion of how the panel expanded in the past ensured.

Miville said the focus needs to be on planning and the future. Mullins said there was no shame in questioning the process, but that this proposal was fixing theoretical problems instead of the reality. We're open to listening to people's concerns. He asked for a motion for a vote of confidence to allow the committee to continue its work. Brown said the group wanted to change the nominating process. McCarthy said he was open to positive change. Brown said there was not sufficient feedback now to move forward. Cunningham said the panel should not vote right now. McCarthy said he reacted to the presentation made, not the concept. Baugh said he liked the basics and did not want to spend extra

energy worrying about mumbo jumbo but wanted to get something done on this panel. End the divisiveness and get something done. Mullins said the committee needed to draft something that can pass the panel at large. Would like to get input to help the bylaws committee forge something better than we have today. Cunningham made a motion not to go forward, but allow the bylaws committee time to continue to work (??? second). This was approved by an 8-1 vote (McClure objected). McClure said he felt the committee won't come up with anything that will satisfy two-thirds of the panel. He said the panel violated its bylaws by asking Rick Hayduk to nominate someone form South Seas to replace him. Baugh said if the process is broken, fix it. Mullins said he felt they can get to seven votes; it's a communications issue right now. McCarthy said don't make the process meaningless. Mullins said that is how it works today. Miville said the community was active and then it was not. Trickle up works, and the panel needs to respect the people who wish to participate.

Historic preservation: Planner Max Forgey said that as part of the proposed funding for the next phase of community planning, historical preservation section would be part of that process. He introduced Gloria Sajgo, who is the historic preservation expert with Lee County, to discuss how it works and how we can work with the county. Sajgo said the county's historic preservation ordinance enables us to designate properties as historic. Such sites on Captiva already include places inside South Seas, on Binder and Andy Rosse Lanes, the Chapel By The Sea and cemetery, Jensens' Twin Palms, the Tween Waters Inn cottages, the Dickey house, the deputy's house, the old Belton Johnson house, and sites on Buck Key. Designation allows the property owner relief from current zoning regulations. Cindy Brown asked for a definition of "historic." Sajgo said it varied…: 50 years or older, or with historic or geologic significance. She said preservation was another layer of regulation, meaning properties have to come before the historic preservation board for permits or anything other than maintenance and repair. Discussion of process ensued.

Sajgo said one can designate historic preservation status against the owner's will, but the county has never done that. It's really a demand driven program. She said there had been talk about a Captiva historic district for a while, but it could be an issue in a coastal area due to FEMA base flood elevation regulations. You adopt design guidelines for nonhistoric properties to keep new construction in character with the district. Mullins asked if the designation applied to the building or the entire property. Sajgo said archeological significance is tied to the land, historic significance is tied to a building and it can be relocated while maintaining that designation. Cunningham asked who could request a Captiva historic district. Sajgo said the county committee could designate one based on community input.

Dave Jensen noted that any designation is all voluntary. There has been a list of potential properties done for the historical society, but this was just to make people aware of the option – not to prod someone to become part of it. Jeff Morgan asked what would define such a district. Sajgo said a boundary area would be established that would include both historic and nonhistoric properties, and design guidelines for properties within that district would be established. McCarthy asked if such a designation was permanent. Sajgo said mostly it was, but they would look at each property. The goal is preservation – the county wants to meet current lifestyles, but have changes reviewed by a board. McCarthy asked if you needed a donor site if you wanted to move a historic building. Sajgo said that with an old building, you'll bump into modern regulations which will restrict what you can do with it due to nonconformance. Discussion followed.

LDC: Forgey said the draft scope for the new planning effort was being reviewed by county staff, and that he expected it would be back to the panel for review at the April 9 meeting.

Fund-raising: Mullins said the “Masters After The Masters” event would be held on Monday, April 15. There would be some changes this year, and he asked people to help by sponsoring and volunteering. Baugh said they would target more tents; for $1,000 you get a tent, our food, sign, and foursome. A foursome along was $600. There would be unlimited hole sponsors at $300 each. Shotgun start time is 3 p.m., to finish by sunset. They planned to send a “save the date” email with a sponsorship PDF. We will need two volunteers per hole. Target to raise $20,000-$25,000. Mullins said the panel needed to pursue sponsorships as well. Cunningham asked if there would be limits on the people who could attend from off island. Baugh said no, and they planned to reach out to the Sanctuary and other area course. McCarthy said he also wanted to do a mailing to property owners about the panel’s service to our community. He was worried about donor fatigue when you keep going to the same businesses for support and sponsorship. Mullins said this would be a fun event as well as fund-raiser, and asked it be put on the April 9 agenda for more discussion. McCarthy said that with a general mailing, we need to address any animosity against the panel as well since that was brought up as a reason to revise the nomination process. Brown said the vast majority of the island doesn't know the panel exists. Jensen said that rental homeowners need to be engaged as well, ask rental agencies to send letters to their owners. Cindy Brown said this was an opportunity to increase awareness of the panel, but at a different time -- perhaps at the beginning of season. Stuart suggested a bullet-point sign at the Masters event covering what the panel has done. Cunningham said if you can't attend golf event, try to send a check anyway. He asked if any mailing could wait until CCA fund-raising drive is done, if possible.

Mullins asked people to remember the San-Cap Cares drive to raise funds for the new Children’s Hospital, which was a chance to be matched by a very generous Golisano donation. There would be an April 7 auction at the Sanctuary. Discussion followed.

The meeting adjourned at 11 a.m.

-- Ken Gooderham, administrator

Bylaws Committee meeting

Attending: Mike Mullins/Jack Cunningham/Jerry McClure/David Rohn/Cindy Brown/Jay Brown/Doris Holzheimer/ Ken Gooderham/ Max Forgey

Mullins: Next steps? Cunningham: Fix structure and everything else falls into place. JBrown: Not broke vs. more traditional governance. Holzheimer: Perceptions only... CPOA controls panel vs. why change what works? McClure: Make bylaws changes we feel need to be made. Mullins: This is the one controversial point, rest of it is moot. Gooderham: Have you looked at the rest of the bylaws? Mullins: Another perception issue. Discussion of CPOA-CCA panel issues and background. Double standard on what is required of governance. Cunningham: Almost no overlap between the two groups, should be working together. CBrown: When comparing CCP and CCA missions, it's confusing to an outside person why there are two groups. Cunningham: Impression of two competing organizations trying to control land use. Discussion of power line issue. Mullins: CCA is more supportive of its panel representatives now. Cunningham: Overlap on mission. Both organizations have an important place here. Issue of perception with CCA and weighting of panel seats. Mullins: Perception goes both ways, CCA not working with panel nor supporting its issues downtown undercuts island's effectiveness with county. Gooderham: Will this nomination change address perceptions issues? Cunningham: We're close to resolving this: 3 vs. 5 members, final authority to panel? Schedule another meeting on March 19 at 10 a.m. Work on drafts beforehand. Work from Mullins and Cunningham email versions.

Adjourned at noon

Captiva Community Panel

MINUTES

April 9, 2013

Attending: Mike Mullins, Mike Kelly, David Rohn, Jay Brown, Sandy Stilwell, Susan Stuart, Jerry McClure, Paul McCarthy, Robert Baugh

Audience: 8

The meeting convened 9 a.m. Introductions and roll call preceded unanimous approval of the March 12 minutes motion Stuart, second Brown).

Captiva Fire District: Chief Rich Dickerson said construction of the temporary quarters was coming along well, would be behind Starbucks with staff moving in 4-8 weeks. He noted that the old CFD building had too many problems to put money into. The district moved into temporary administrative offices next to the LCSO office last week. They would park an engine at that lot, and move the trolleys to the Shirley's lot temporarily. The district was holding an open house at 2 p.m. today, with the architect, engineer and builder for the new station on hand to discuss preliminary plans. The plan was to break ground September or October, after the rainy season and hurricane season ended. The permit for the new station will be turned in next Monday, expect 4-8 months to secure approval. They have had several meetings with county building and zoning, since this will include rezoning two lots. Once permits are in hand, expect it will take 10-12 months to complete construction.

CEPD: Mullins reminded those who may not have heard that the district received $7.7 million from the Corps for beach nourishment. Administrator Kathy Rooker said it took a team to secure this funding, and relied on a good relationship with Corps HQ and the Jacksonville District office. State and federal funding for the next project is now in place, still working with Lee County on its share. Negotiations continue, and we may need public's help to lobby commissioners when we get the final figure in place. Project funding now was $7.7 million federal, $3 million state, ?? from Lee County, and property owners for the balance. There would be a project meeting 5 p.m. tomorrow at Tween Waters Inn in the Wakefield Room, a time to answer questions and get into specifics. Right now, it looks much better in terms of the local owners share. Kelly asked if there was an estimate vs. what we paid last time. Rooker said if you looked at the preliminary assessment we send out with the referendum, that we're at the low end of that right now – very close to where you were last time. Mullins said it would be very dependent on property appraiser's valuation, which has a great impact on what you'll ultimately pay. District also paid from its own reserves last time post-Charley to help Captivans, but we've restored those funds in time for this project. Rooker said they hope to start putting sand on the beach Aug. 1. Mullins said the island will need a good show for the county, that's the funding question mark right now.

LCSO: Deputy Mike Sawicki noted that no new is good news, we've had a drama-free season. He urged property owners to update homeowners' authorization letters for hurricane season if any information had changed. Mullins asked about the status of Lt. Joe Poppolardo, can we get an official word from LCSO? Sawicki said Poppolardo was now working downtown, and is a lieutenant again. Deputies on the island report to Lt. Corkhill based on Boca Grande, who is now the immediate supervisor for the islands. Above that are Capt. Dobson and Major Riordan. Mullins offered Sawicki to extend an invitation for them to come introduce themselves to the island at an upcoming panel meeting. Rich Stegmann asked about how islanders could update hurricane passes. Dickerson said to send requests through the CFD, who also distributes the authorization letter? Stuart asked if the panel should

write a letter to Poppolardo to thank him for his service to the island and invited him to the upcoming golf tourney (Kelly second), which was unanimously approved.

Communications: Start said that as requested she had written a letter to Tween Waters to thank them for putting their power lines underground.

Planning: Planner Max Forgey offered some background and staff response on the current grant proposal for the next phase of Lee Plan work. He met with county planners Kathie Ebaugh and Matt Noble Monday to review their changes. They want to omit the reference to community services, but he expects it will come up during community meetings. Everyone wanted to make sure we left the public input meeting process open to reflect possible topics from the community. Proposal would include updating the Lee Plan, economic and demographic changes, the Village, landscaping, historic preservation and bike/ped safety, among other issues. Mullins said based on discussions over the past year there are numerous topics to be considered within this window of opportunity. Gooderham said that a Lee Plan update is the primary county focus, but we'll hear all topics when we solicit public comments and we need to save those to be implemented later. Mullins reminded everyone this was Round 2 of Lee Plan revisions, and it was in the very early stages with plenty of opportunities to get involved. Kelly asked where the county plan update stood, and if there was anything in it that could impact Captiva and the status of the barrier islands. Gooderham said planning staff would discuss the county update at the May meeting.

Financials: Gooderham introduced the monthly summary report, and said the final decision on the grant proposal and a county reimbursement schedule would necessitate a new cash flow analysis with income from “Monday After The Masters” and other fund-raising efforts also in place. The panel has been able to secure grants for trees, road, water quality and planning in the past, and we appreciate any help we can get to keep paying the bills.

Fund-raising: McCarthy said the panel represents the island, so we need to generate the political and financial support from the island, to reach out to the property owners for support. We have to introduce ourselves and show that this organization has value. We need funding that’s more membership than crisis-driven, funding from a broader base by reminding people that the panel was sought by the community to better interact with the county. Mullins reminded that the panel was a 501c3 tax exempt organization, so we are a charity. He asked how many have given previously. Gooderham estimated around 100. Brown said most island STRAP number holders are not aware of the panel, and that a vast education effort was needed. McCarthy said communication also needed. Mullins asked about reaching rental properties on island, to consider going to the rental agencies, HOAs, etc. Stuart said the panel needed a basic informational piece. Mullins said he thought there was one that needed to be updated. McClure asked if there would be a schedule for fund-raising solicitations by the next meeting. McCarthy said he wanted to send something in the fall, say October. Stuart and McCarthy agreed to develop a brochure, explaining this is what the panel does, this is what we've done, and this is why you should support us. Mullins said we get a good turnout to panel meetings which makes people more informed, but they may or may not get involved. Mullins said that the response to Monday After The Masters had been good so far this year. Baugh said nine foursomes were signed up, PFG is in as master sponsor and Nike will raffle off a set of golf clubs as well as being a sponsor. The April 15 event would have a shotgun start at 3 p.m., and they expect 20 tents around the ninth hole and will include an announcer. He thought that volunteers should show up by 1 p.m. Discussion of event. Mullins offered thanks to South Seas Island Resort again for doing the bulk of the work. He said golfers also welcomed, we have open foursomes.

Bylaws: McClure offered an explanation of the Bylaws Committee process, meetings and proposed changes. The committee has proposed eliminating a lot of what the Nominating Committee should be doing on its own. Mullins offered a discussion of the process that led to this proposal. He said a panel vote today starts the clock ticking to an actual vote sometime after June meeting, as required by the bylaws. The panel needed to decide when you want to bring it to a vote, and it will take 7 affirmative votes to approve changes. A discussion of how to proceed with voting and open positions at end of 2013 followed. Mullins summarized that October looked like the consensus month for a vote, as all panel members would likely be in attendance. McClure offered a motion (Brown second) to proceed with bylaws changes as to an October panel vote, and suggested a written invitation to the public to attend the September and October meetings for review to vote at the October meeting. McCarthy asked for a "track changes" version of proposed changes to be emailed to all. Mullins said there would other typos in the bylaws that needed to be cleaned up. Stilwell asked about proxy votes. Mullins said panel members could propose alternate changes to this one. Gooderham said each would have to comply with its own notice period. The motion was approved 6-3 with Kelly, McCarthy and Stuart opposed.

McCarthy asked why this change was needed, to better understand the motivation. Discussion ensued on that issue. McClure said he would send out a redlined version shortly. Brown urged the panel conduct a forum to get everyone's concerns. Baugh asked what was broken here, why is this needing to be changed? McClure said the Nominating Committee last year had very little to do; discussion of last year's process followed. McCarthy said committee members used their discretion and did a good job. He noted that the CPOA nominated McClure and Brown, but not me even though I'm a long-term supporter, so the current process seems to work. McClure said the question was not what is wrong, but is this proposal a better way. He felt the current panel seat assignments create conflicts with island organizations. With this proposal the panel is in charge with finding its own successors, which more consistent of corporate governance. Mullins said he disagreed with that perspective, that this method is not consistent with proper governance. Prior to the panel's formation, no one did surveys and the public was not engaged in island-wide decisions. Things were done in private by a small group. Discussion followed on the history of panel and other organizations. Brown said that every board he had ever been on finds its own replacements, not with some outside organization making appointments. He felt this proposal would eliminate a potential source of friction.

Mullins said the panel has always sought CCA buy-in, but has never gotten a promise to support what the community develops through consensus. Discussion of bylaws and land use process followed. Mullins felt the perception problem is one-sided, and that unless the CCA agrees to one voice there is a risk this group will be undone. He said he got involved because he had more input and information here than with the CCA where he was a governor of the board. McCarthy said the CPOA has even re-nominated CCA nominees over time, specifically Gordon Hullar and Mike Kelly. This process has worked, why change it? Brown said some people perceive that, but others might change. This proposal takes away a possible source of public perception. Mullins said power moved from the closet into the sunshine with the panel. Brown said he didn't want to do anything to undermine the future of this organization; it just seems a whole lot simpler to find our own successors. Mullins followed with a discussion of division issues with the county. He said he voted to move forward today in hopes that Rohn and Jack Cunningham can move forward with the CCA to enact changes over the next six months. McClure said funding is from the panel deciding how to raise money, not from CPOA. We're trying to benefit all Captiva, not just CPOA. Mullins said that's just lately, this panel started with the CPOA board as the spark. McCarthy said there was no bad blood on his part. He likes the way it works now, but there's not the support on the other side to come together right now – a small group of people

holding on to a grudge. Things change, it's gotten better.

Mullins suggested inviting CCA board members to try to create one voice on the island. If we cannot do that, he's not putting this thing at risk. McCarthy said the current way is a little messier, rather than having one committee making decisions, but it works – three different perspectives has made a pretty representative board. Mullins said the panel was spending energy on this rather than the things we need to be working on, and it doesn't help the fundamental problem. Stilwell said if the CCA would change its policy of having a private land use committee out of control of the board of governors, that's the issue. If those decisions would come before the board of governors for a vote, it would better reflect the island – and it would lessen any rift. Kelly said the CCA used to have a business group and membership. Now it was a whole group that was not represented, perhaps a bias against them by the CCA. If we lose people like Dave Jensen and Sandy Stilwell as part of the fabric of Captiva, it's a horrible loss. You need that balance. This panel is the only bastion in terms of land use in this community. Stuart reminds all that the CPOA exists only to keep the panel going. All monies go through the CPOA as the nonprofit that makes this panel exist. As the parent, it is essential it maintain some control of this board.

In other business, Mullins noted that the San-Cap Cares even the prior weekend was a great success. They set out to raise $1 million, exceeded that and we just took the Children's Hospital fund over the $20 million total. He offered thanks to all who supported it.

The meeting adjourned at 10:50 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

May 7, 2013

Attending: Jack Cunningham, Mike Mullins, David Rohn, Mike Kelly, Jerry McClure, Robert Baugh

Audience: 6

The meeting convened at 9:12 a.m. with introductions and roll call. The April 9 minutes had not been received by all, so approval was held to the June meeting.

CEPD: Administrator Kathy Rooker said the beach project was on schedule to start on north end Aug. 1. The district planned to piggyback the Sanibel project with the Corps dredging bid announcement. The board had been negotiating with Lee County to determine payment for its project share, and had gotten down to the area we need to be in but we need your help now. District has worked with county staff, now the proposal goes to the county commissioners. There are two sticking points: Staff wants to pay only half of the storm protection portion for Tween Waters stretch of Captiva Drive. As the only evacuation route on the island, it's crucial for it to be protected. The Corps even bumped up project status due to the need to protect that roadway. CEPD wants the county to pay the entire cost for road protection. BoCC proposal will have both options in it, and Captivans need to tell commissioners they need to support full protection for road. Second dispute is the recreational value of the island based areas open to the public. In the past, all of South Seas Island Resort was considered public and therefore paid for by Florida DEP. That formula has changed, and now we want to put that all in the county option. All told will add up to $?? million -- $4 million for Captiva plus half of cost for Sanibel. Mullins noted that over the years the county percentage paid for beach protection has gone down. Rooker noted that during the same time our TDC contributions have gone up. We need Captivans to contact commissioners by email, asking for a fair share for Captiva based on what we contribute in bed tax dollars. Also you need to send a thank-you letter to Commissioner Manning for his support for this fairer proposal. Mullins suggested the district also ask island organizations to distribute this letter to their membership to send in. Kelly asked what were the dollar breakdowns for payments federal/state/county. A discussion of funding followed. Cunningham asked when the district wanted these emails sent. Rooker said within the next week. Discussion of what fed/state/local will pay for, private homes vs. public access. Discussion of financials from last project. Discussion of possible assessment and cost variables. Rooker closed her discussion noting that the islands are the breadwinners for the tourist taxes in Lee County... Sanibel, Fort Myers Beach and Captiva.

LCSO: Deputy Mike Sawicki and Capt. Rick Dobson attending… Sawicki said the LCSO staff was preparing for storm season, and working on the Captiva Tri as our biggest upcoming event. He introduces Dobson as the regional captain for the Gulf District. Dobson noted he loves to come out here, and is always happy to help. His main office is at Pineland Marina. Kelly noted it was great that you're handling all the barrier islands.

Hurricane Committee: Doris Holzheimer noted that hurricane season starts in two weeks, so it's time to get ready. A seminar was held last week, only three residents attended out of 20 people there. Pleased to be able to bring information to the island. She encouraged property owners to have a letter of authorization up to date, which can be faxed to the fire dept. to be filed and is held by LCSO. There will be changes this season with fire district out of its building during this season. The library is not an option after storm, and it may be dependent on the CCA construction schedule. Some glitches this year

that will make things a little different if a storm comes. Discussion of hurricane passes. Sawicki noted that proof of residency will get you on the island, but passes are quicker. Also there are apps for Lee County information... evacuation, GIS, etc. If anyone may need help with evacuation, let Lee County know.

Planning: Planner Max Forgey offered an update on the Lee Plan grant application discussed, which the panel had received shortly before the meeting as it had undergone a few rounds of revisions. Forgey and Gooderham explained the changes and process to get to this draft, and asked for questions based on a first review. Cunningham asked about the commercial activity centers. Forgey said they were the Village and South Seas. County planner Kathy Ebaugh said they were areas of commerce, by zoning, to identify where commercial activity does or could occur. She asked the panel for an endorsement of the application to move it forward for county review and approval, with the understanding that parts of it were still evolving and would allow for panel input as things moved forward. A motion to transmit to county (Kelly/McClure) was unanimously approved.

County planning update: County planner Matt Noble said the county was streamlining its regulations, looking at the Land Development Code to make it easier for customers to negotiate. Changes in Development Order rules to make certain things simpler. Limited development order review. Open storage now has to go through full review. Kelly said that the Captiva Plan said variances now had to go before the panel. We're sensitive to changes out here beyond what you'd find elsewhere in the county. He felt it was hard to track what's being changed here, but hopeful this doesn't open up things being overlooked out here. Discussion of options.

EAR update: Ebaugh provided an update on the Evaluation and Appraisal Report process and its effect on current land use and zoning rules: Future Land Use Map discussion. Presentation and overview. Character and consistency. Focus on urban areas and supporting suburban areas. Protecting existing neighborhoods. Drives capital improvements and mixed use. Incentive... green standards, different types of housing. Transfers of Development Rights used for affordable housing. Suburban: maintain what they have today. Where things will develop or redevelop during this life of this plan. Coastal suburban, three units per acre. Unique environmental features and high hazard conditions possible. Natural environments you want to protect.

Mullins asked about any impact on the Village and its unique development pattern. Ebaugh said they may need to look at that, and that the panel will look at land use categories through its proposed plan work. Noble said that comments coming from these kinds of meetings will inspire us to re-look at this plan. Mullins asked about rentals in RSC-2 zoning and elsewhere on the island. Ebaugh said that was better addressed in community plans, as it is not a countywide issue. Planned Unit Development process further regulates land use on top of zoning. Kelly asked if this would apply to changes desired as time passes, as with old PUDs and modifications over time. Ebaugh said in the county FLUM, the biggest change is in Lehigh Acres, where we tried to bring it in line with the community and its needs. Four major urban areas: Tice, Lehigh, North Fort Myers and College Parkway. Mixed-use centers will be the same areas. Noble said they may see super zoning... straight to DO and permits, no zoning review if in compliance. Holzheimer asked if the county Emergency Operations Center was aware of high intensity areas for evacuation. Ebaugh said there is no longer concurrency for parks and schools, looking at options for transportation. Captiva has unique needs, coastal habitat, and high hazard issues. You've updated your vision statement already; other work will be done through your plan work. Apples to apples conversion using the same density. Commercial residential mix needs to be considered on a case-by-case basis, not single-use zones. Always a work in progress, going through community reviews

now through June. Work with municipal partners as well. Still need to work on transportation and other FLUM to come. Revisions, review, goes to Local Planning Agency, then BoCC approval, state review, hope to adopt sometime in 2014. Holzheimer if tax dollars will be targeted toward urban development. Ebaugh said there will be capital improvement opportunities as part of planning efforts. Commitment of resources and incentives. Taxes and services efficiency. Info online at leecountytownhall.com

Financials and fund raising: Overview... work on thanks ad. Nike wants to be master sponsor next year? Mullins thanked all who volunteered. Apologies for CCA oversight on sponsorship. We're already working on next year's event. Also note that San-Cap Cares is Sunday, April 6, in 2014. McClure: Bank of the Island needs to be in budget for next year. Kelly thanked SSIR as a primary supporter and sponsor. We need a committee to pull this off next year, open up the social aspect for the non-golfers. Cindy Brown suggested using this opportunity to educate people about CCP, put something together to generate awareness. Discussion of yardage and event aspects. Baugh suggested to include next year's date (April 14) in follow-up ad. Mullins said a letter will go out in the fall, avoiding conflict with other events.

Teleconference: Discussion of what's allowed by county and in bylaws, problems with participating long distance. A look at equipment options was suggested.

Other business: Forgey invited all to an open house at his new office on May 16. Gooderham noted the dates and time for the upcoming Galloway Captiva Tri. Mullins noted that San-Cap Cares raised over $1 million. Room for volunteers, a lot of work to be done.

The meeting adjourned at 11:10 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

June 11, 2013

Attending: Susan Stuart, Paul McCarthy, Jack Cunningham, Robert Baugh, Jay Brown, Mike Mullins

Audience: 6

The meeting convened at 9:05 a.m. After introductions and minutes Cunningham noted one error in the minutes (page 2 top, punctuation error) and the April 9 and May 7 minutes were unanimously approved (Cunningham/Stuart).

Captiva Fire District: Chief Rich Dickerson noted that it's summer and, since the resort is busy, the district was as well. Hurricane Andrea was an early surprise, almost like TS Debbie. The district is prepared with a plan, and will move to temporary quarters this Thursday. Moving radios over is the biggest thing, canopy for truck is going up today. Demolition of the existing building is likely at the end of October. Going through the permit process with county now. Rezoning will go before the hearing examiner and the county commission in the next few months. Rezoning to CPD from residential. Mullins asked if the plans will come before the panel. Stuart asked about the plan to include a driveway on Old Lodge Lane. Dickerson said the county was adamant about that for visitor access. Hearing examiner session is set for August. Brown asked if there had been any objections. Dickerson said no, had neighbors in at meeting and all found the plans acceptable. Just can't have two driveways on Captiva Drive. He also noted two retirements in the district, Alan Delameter and Bart Lally. He said a new paramedic is starting now, and there would be an opening position for a lieutenant. Discussion about fire inspector and lieutenant.

Lee County Sheriff's Office: Deputy Mike Sawicki said he had nothing to add, things were going smoothly. He urged people to get ready for hurricanes.

CEPD: Administrator Kathy Rooker said the island beaches saw some sand loss from Andrea. As to the schedule for the upcoming beach project... Bids are due this Friday, June 14. The Corps awards the contract June 28. Notice to proceed expected July 12. Construction will start close to Aug. 11. Now is time to get in touch with the county commissioners, as they will discuss the interlocal agreement with Captiva for funding of beach restoration at their June 18 meeting. County staff is recommending less funding than we recommend, about $1 million difference. Staff recommends $3 million for the Captiva segment and $1 million for Sanibel mitigation. We recommend $4 million for Captiva and $1 million for Sanibel. County staff now accepting half of the Tween Waters road protection cost, we still say they should be responsible for all of it as it is a county road and it protects public infrastructure. Discussion followed on road responsibility. Brown asked why they would single out that stretch and say they're not responsible for it. Rooker said the Corps says protecting that road is crucial due to its vulnerability, but the county believes that road protection should be shared with Captivans. Mullins said the project has issues of both recreational and emergency/storm protection benefits. Rooker said the county said the only areas for storm protection is the Tween Waters road, plus the parks, and have establish a miniscule amount for that protection. Tween Waters portion of roadway is 20% of the island's coastline.

McCarthy said this is a county road and that's a great opening, this is the best argument of all to protect the road. We pay all this money to the county and they won't even protect the access to our island. It's our lifeline to and from the island; the county should be responsible and use our money to fix our road

to get to our homes. Rooker urged all to comment in person if possible and at least be sure to write to your commissioners beforehand. She said three-quarters of the difference between the staff request and the district request is for the road, the rest is a dispute over recreational benefits on South Seas, about counting the private homes in the recreational benefit total since they are rented out. State DEP took those benefits out from those homes, which we fought. Now county staff is trying the same thing. Baugh said they generate bed tax, so they should count. Discussion of issues and process at BoCC hearing. Rooker said the commissioners might not ask staff to speak at the hearing, just move forward with our option. Mullins said Manning could be disingenuous to us if he allows staff to speak. Staff doesn't seem to like us. McCarthy asked whether we should send in a scathing letter, and send it as an individual or from the panel. Draw a line in the sand, a crucial point in the relationship between the island and the county. Mullins said any statement should be strong but diplomatic. Cunningham said we can't back up a threat like a line in the sand. Mullins said this was a power play over CEPD with the staff.

McCarthy said it was ridiculous that the county won't even protect the roads on Captiva. Mullins said the county share for beaches has gone down as property values and bed tax revenue has gone up. Rooker said the beach funding all comes from bed tax funds. About $19.5 million has been contributed by Captiva since the last project; the money is there, we just want to make a withdrawal. Cindy Brown asked whether representatives from Tween Waters Inn, the Captiva Civic Association and South Seas Island Resort would that help at the commission meeting. Discussion of issues ensured. McCarthy said this is an investment for the county, not giving the rich people more money. This offers a good return on your investment. Money in beaches generates tax revenues for the county. Mullins said there’s an issue in funding from the TDC, Sanibel vs. Captiva. Discussion of funding history with the county. Mullins said the current projection for the project funding was $5.5 million from federal sources, $3.5 million from the state, and $3.5 million perhaps from the county. Total project cost could be $20 million to $24 million, so we'd be paying $8 million to $12 million.

Hurricane Committee: Ann Bradley said the island received some needed rain from the first tropical storm. A preparedness summary was handed out, along with the All Hazards Guide. She said those who wanted Structural Safety Inspection instruction should call the Fire District to schedule training. Dickerson said he will be liaison for SSI with Capt. Delameter now retired.

Planning: Planner Max Forgey said there was not much to report. County staff is reviewing the scope of services for the Captiva Plan update. The funding request will go to the county commissioners in August when they’re back from vacation.

Financials: Gooderham offered the handout report. Discussion of status ensured, and Gooderham said a further analysis of bash flow and the impact of the county planning grant would be developed soon.

Fund-raising: McCarthy said that in general he hoped to establish a plan whereby annual gifts would come from a core group on the island. He is working with a designer to create a panel explainer and donation request trifold piece. He asked if the panel should do a mailing in conjunction with an event o as a stand-alone. Cindy Brown suggested two events – one in the fall as a giving request, then Monday After The Masters in the spring. McCarthy said a boat ride is always an option; not make it a big deal, a sunset cruise or something simple. The mailer would address what is the panel, what has it done, what it is planning to do. Once you send a check, you feel more affiliated with it. CBrown also suggested doing a handout at MATM to increase awareness. Discussion of branding and needs. Cunningham asked whether we were deciding a plan now. Would it be a letter or a boat ride? McCarthy said it sounded as though there was support for an annual event in the spring and an annual appeal in the fall.

Add a fall gathering if needed. The right letter will get you better than a 4% return. Better to do that than to have two events that will draw on the same people. Mullins suggested a one-off event as a way of saying thank you to supporters. McCarthy the boat ride is not a fund-raiser, just a thank-you gathering. Even informational, have someone talk and take questions if necessary. Stuart asked if he would plan the mailing before the boat ride? JBrown said it might be way to get people interested in what we do. Panel members will be there, some people will come just to get the boat ride. McCarthy said it could be a chance to meet the panel and bring your friends. Send the mailing in October, when people are coming back down to the island. Mullins suggested this effort should clear up branding as well.

Public comment: Cunningham said they were ready for demolition at the CCA building. The middle of building will come out, and library access will temporarily be from the back. After the remodeling the CCA will have its own generator as well, to serve as a storm shelter. Work is running a little behind, about three weeks, which will push completion into early January perhaps. Mullins mentioned that islander Walter Mead had recent encountered some health issues. The up side was that he found that Spring Rosen serves as a contact for San-Cap residents in hospitals.

A question was raised whether the panel would need an August meeting, and if the Fire District could present its plans at the July meeting. There was interest in a short bylaws meeting after the July meeting to schedule when it will be doing what.

The meeting adjourned at 10:15 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

July 9, 2013

Attending: Mike Mullins, David Rohn (phone), Jack Cunningham, Jerry McClure, Jay Brown, Susan Stuart, Paul McCarthy, Robert Baugh, Sandy Stilwell

Audience: 12

The meeting convened at 9 a.m. Following a roll call and introductions, the Jun 11 minutes were unanimously approved with one correction by Stuart.

CEPD: Administrator Kathy Rooker thanked everyone for engaging the Board of County Commissioners concerning the interlocal agreement about the beach funding. The district was successful in coming to a good agreement, she said, and the commissioners certainly listened to your comments. That was strong noted to us during our visits to commissioners. Discussion of BoCC meeting followed. Commission vote was unanimous, with no discussion of staff funding option. Brown asked about the status of funding. Rooker said that depended on the final bids, which they have not seen yet. Bids have been running high elsewhere in the state this year due to demand for dredgers elsewhere. As to project dates: Corps moved bid opening to July 12, then two weeks they hope to award a contract. No idea what bids will look like. Start of work will pushed back to September.

McCarthy asked if the beach construction will go into the end of November. If so, could we turn a negative into a positive with Captiva Holiday Village at the same time? Perhaps do an event on the beach, an educational event as a showcase for the project in partnership with the CEPD? Rooker said any ideas are welcomed, but people should remember it's an active construction site as well. Send any ideas to Rooker to bring to the CEPD board. We want to keep people away from the construction site. Early September preferred. Baugh asked if the scope of the project had been finally defined, or are there options with Blind Pass sand. Rooker said any Blind Pass sand goes to north Sanibel.

Captiva Fire District: Chief Rich Dickerson said the district had moved into its temporary quarters. He introduced Todd Sweet, who is the architect of the new building and said they hopefully would be breaking ground in October. Sweet noted the project was going through the rezoning process with the county, with a public hearing scheduled Aug. 14 before the Hearing Examiner. If successful, it then goes to a development order which will take a few months. He said the board was comfortable with the building size and how it fits into the community. They are now doing cost estimating with a builder on board (Lodge Construction). Mullins asked for a ballpark estimate. Sweet said it was over budget right now, looking to bring back into line. Estimate was $1.98 million for building, plus demolition and site prep, so under $3 million total. Discussion of design process, to reflect character of Captiva, within historical context of Captiva.

New building will offer modern amenities and technology that fits with Captiva. Access for visitors will be from Old Lodge Lane as required by the county, with dispatch and equipment access from Captiva Drive. Living quarters will be on top of the bays, administrative space is shrinking a little but will stay on the ground floor. Discussion of materials and appearance. Discussion of height limitations; Sweet noted they worked within the current restrictions without issue. Since they had to ask for deviations on other issues, they wanted to meet height limits otherwise. Bob Brace said the county was adamant not to allow what happened across the street.

Stuart led a discussion of the Old Lodge entrance location. Julia Davis asked how vehicle exhaust will be taken out of the building, and how they will control of noise to allow people to sleep. Dickerson said it is allowed to have sleeping space over the bays, and that an exhaust system was required by authorities. Sweet said there is isolation for temperature control and sound due to A/C for sleeping area. Doris Holzheimer asked whether it will be elevated as it is now. Sweet said the current site is higher, but not in a FEMA zone. Administrative area will be floodproof. Dickerson said the new building will serve Captiva for the next 50-60 years. Room to serve as a storm center for fire and sheriff personnel. Building will be able to withstand winds to 140 mph. Stilwell commended district personnel for their response to a choking at Keylime Bistro, said having CFD close by helps a lot. Dickerson said the two EMTs who responded will get an award for that. Cunningham noted that the district achieved Advanced Life Support certification a few years, which has really paid off a few instances when lives were saved.

LCSO: Deputy Mike Sawicki noted that the deputies were dealing with the July 4 holiday events, and a planned boat parade, as well as Galloway Captiva Tri permitting and preparations. Patrols have been hitting the Blind Pass area heavily at night, following up on issues there with both fishers and boaters in the pass. He then introduced Lt. Jeff Corkhill who oversees the island and is based on Boca Grande. He noted it was a rare thing to have a resident deputy serving its people, it was good to have a direct relationship with the LCSO. Discussion of issues followed. Mullins offered a welcome to Corkhill with the island's thanks for Sawicki's service. Brown asked about the Blind Pass issues. Sawicki said boaters were tying up to private docks, being abusive and doing some minor damage to docks. Residents that live nearby had complained about the littering and dock use. The local guides usually comport themselves better because they're recognized. LCSO plans to increase presence, do more boating safety checks and license checks, etc. to encourage them to watch the way they act. He said North Captiva was the same way... police presence makes things better later. Make this an area bad people want to avoid because of police presence. Corkhill suggested people get the FL registration number of any boat causing problems so we can call them later and follow up on their behavior. Discussion of issues and interactions, and the benefits of resident deputies and commitment to community.

Hurricane readiness: Holzheimer noted that TS Chantal was out there, we'll be looking at the cone as the week goes on. She said the committee met yesterday, used Chantal as an example to look at our operations, communications plan and preparedness. Keep an eye on its track as we get to the weekend. She reminded all to have a current authorization letter on file, a hurricane pass, the usual preparations. Corkhill urged people to police their property beforehand to reduce debris during any storm event – move your boats, lean up the yard, get buildings ready, etc. Cunningham noted that demolition had started at the CCA, but the office will still be open. Ann Bradley said the library was still open, will stay open as long as it's safe to do so. Mullins asked about the status of the new Doc Ford's site. Baugh said they were tackling the finishing touches and looking to open in August.

Planning: Planner Max Forgey opened a discussion of the Captiva Plan grant deliverables which were included in the board packet. Gooderham explained the proposed expenditures breakdown and focus areas, noting that while the county had yet to approve the grant there were work items the panel could start on over the summer to be prepared for the fall public workshops planned in the original proposal. Among those were data research, meeting with landscapers, various inventories and developing a community survey. Discussion of the survey ensured, focusing on how to proceed and a structure for getting a good response. After considerable discussion, the panel asked Gooderham and Forgey to develop a draft survey and outreach plan for discussion at the Aug. 13 panel meeting if possible, with the intent to have something in a final form for the September meeting so that it could be publicized in

September and October and sent out to the community in late October or early November to collect responses for review at the December panel meeting in advance of a public workshop either in December or January.

Communications: Stuart said it was great to see a good turnout for BoCC meeting. To support the community survey, she would pursue AMRC and Royal Shell for possible distribution databases.

Finances: The monthly report was included in the board packet, and Gooderham said he would analyze likely cash flow for its impact on the county grant.

Fund-raising: McCarthy said a good database is key for our efforts, the communications, surveys and fund-raising. Perry Thompson is working with Yacht Club, may see what he can do for the panel in an inexpensive trifold brochure. Possibly include an invitation for cruise to learn about the community and the panel. Key is having a good list to send to. We need to finalize materials in any brochure, and perhaps plan to do our mailing before a survey goes out, perhaps in October? That could improve response to the survey, they would know who it's coming from. Come up with content, keep it simple and hit the highlights. Cunningham suggested to keep any invitation separate from brochure so you can keep using the brochure as standalone. McCarthy said that would be his plan as well, looking at a possible cruise at the beginning of November, perhaps a Tuesday or Wednesday night. A committee has been formed, will bring a draft piece back to the panel for review. Discussion of need for communitywide support followed.

Other business: Stilwell offered comments on the franchise fee being proposed by the county which would be added to the LCEC bill, as one of the ways to make up the likely county budget shortfall for FY 2013-2014. Mullins said many would prefer a single tax rather than all these hidden taxes that start adding up unseen. A discussion of utility regulations, unincorporated MSTU taxes, etc., followed. Cunningham noted that the commissioners could say nay as well as yea to any such fee. Baugh said we have right to know how tax money is being spent. Cindy Brown asked whether advocacy should be part of our mission, to be an umbrella organization looking out for the interests of the island. Cunningham felt it was in the panel mission already, since you can't do planning without money. McCarthy said the panel could pronounce it more emphatically. Brown said the panel could be an advocate for Captiva in Lee County government in these ways.

Gooderham noted that the Galloway Captiva Tri was Sept. 14-15 this year, with the road to be closed 6:45-8:45 a.m. on Sunday, Sept. 15. They were also looking closely at the schedule for the beach project, since that could mean large pipes on the beach where the kids and adults will be swimming. They were making plans to address that, as was the resort.

Forgey noted there would be a sea level rise symposium in West Palm Beach on July 26, which he would be attending if anyone wanted to carpool. Mullins said he would like to invite a SLR expert here to discuss. Discussion of SLR efforts in CEPD. McCarthy said the new Captiva Holiday Village booklet was out, and to contact him if you needed copies.

The meeting adjourned at 10:55 a.m. A brief meeting of the Bylaws Committee was held immediately afterwards.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Aug. 13, 2013

Attending: Sandy Stilwell, Mike Mullins, Jack Cunningham, Robert Baugh, Jerry McClure, Paul McCarthy, David Rohn (phone)

Audience: 6

The meeting convened 9 a.m. Panel introductions followed and approval of the July 9, 2013 minutes (McClure/Cunningham) was unanimous.

CEPD update: Administrator Kathy Rooker noted there was a good turnout at July 26 meeting, with USACE representatives attending. The Corps is not honoring the agreement to fund the beach nourishment on Captiva, which was a last-minute decision the day we were going to open bids. The district kept the project out there in front of dredgers so they did not get frustrated. We put it right out to bid again, and opened bids Aug. 9. She encouraged Captivans to attend the regular meeting Aug. 14 where commissioners will consider three bids received and award the project bid. She said you could expect activity on the beach by late September. Cunningham asked why the Corps changed its mind to honor contract and whether this would still be a Corps project. Rooker said it will be a CEPD project. Cunningham asked what the county position on this was. Rooker said the state and local funding is still committed. Mullins disagreed, saying the district needed to go back to the county, that this was an opportunity to ask for more money from Lee County due to the loss of federal funds. Cunningham said he thought state money was contingent on federal funding. Rooker said the state ranks you higher if you get federal funding. Nancy Oden asked if the district had enough money for the project or would be coming from our pockets. Rooker said the board has not awarded the contract, so it depends on what contract they accept. She was comfortable we can be able to proceed with the project. We won't know cost until the final bills are all in and we apportion it to everyone, the same procedures as the 2005-2006 project. Mullins urged the audience to come to the next CEPD meeting, a lot will be decided. The district will try to go back to renegotiate the bids in those areas where it seems the contractor may have misunderstood what we wanted. Voters already approved referendum of $15 million and you were told what the maximum assessment amount could be. He expected the cost to Captiva to be $8 million to $11 million, which was more than expected but not at the maximum voters approved. Also depends on current assessments vs. assessment used in the referendum. Stilwell suggested the district negotiate general conditions, and do a full analysis of all proposals. Rooker said all bidders were given the same general conditions, government contract requires that to make it a level playing field.

LCSO update: Deputy Mike Sawicki said the opening of snook season and the Labor Day weekend may cause some issues in Blind Pass, which they were monitoring and planning extra staffing. Fishing was down due to water quality issues. Discussion of issues and plans followed. Have been getting complaints about use of private docks by boaters, deputies can chase them off if you request it. Lately it’s been amateur hour, with boaters/fishers who don't know what they're doing among the pros using the pass.

Hurricane update: Ann Bradley said residents needed to have current authorization letters on file, have a current hurricane pass; keep a full tank of gas -- and happy anniversary to Charley, which struck the island nine years ago today. Cunningham said the CCA building demolition was complete. They were about 30 days behind due to permitting glitches, so work may drag into next year. The library is

still open. Generator is planned as part of the improvements to provide services to community in a storm situation. Bradley offered thanks to Paul Garvey for responding to construction issues affecting the library so quickly.

Planning update: Planner Max Forgey said he had spoken with county planner Kathie Ebaugh, who said the Captiva Plan scope contract had cleared Community Development management and was reviewed by attorneys. It was not on the commission agenda yet, hopes to see it scheduled before the end of the fiscal year Sept. 30. He said he would plan commissioner visits accordingly. Mullins said he and Max will meet on MSTU issues, where the money goes and what we get from it. Maybe the panel could consider hiring Charlie Green as a consultant to look into this. The funds are specifically for use by the county's unincorporated areas. (McCarthy joined meeting.) Discussion of MSTU, legality and genesis. MSTU vs. MSBU definition ensued. The difference between the units involved being taxed based on benefit vs. being taxed based on property value.

Finances: Gooderham noted the regular update had been provided to panel members and asked if there were any questions.

Planning survey: Gooderham noted that a draft had been sent to all panel members prior to the meeting and was included with the handouts available to all. He briefly ran through the lead-up to this survey, which was part of the public input effort tied to the Captiva Plan update. The floor was then opened up to comments. Cunningham urged including a text box for comments on all questions. The landscaping language cited was tied to pre-Charley conditions. We need to acknowledge there is a limit to what we can do on private land. He suggested removing the canopy wording. Mullins brought up invasive vegetation species. Cunningham said we can't mandate Australian pines removal. On the Tween Waters stretch, there were a lot of smaller shrub plants that are blocking the view of the Gulf. From the Jensen curve to Tween Waters, there were nice palms planted.

Mullins asked if we could include a statement about invasives, to which there was general agreement. He suggested to include language about keeping vegetation out of the right-of-way, and to push the county to maintain roadway and remove sand, trim vegetation hanging in the road. Forgey said the county's roadwork was limited, since staff tries not to damage private plants. Discussion of road cleaning followed. McCarthy said there needed to be a distinction between aspirational vs. preservation, goals vs. cutting grass, prioritizing issues vs. random issues. Cunningham said a future orientation was needed. He wanted to look at Tween Waters road options, and suggested the draft remove old landscaping wording. They need to communicate with the county to ensure clearances are maintained. Forgey suggested the focus should be on environment and aesthetics. McCarthy included the natural environment.

Cunningham asked about the bike/ped section, noting that a bike path still a hot item. Widening shoulder could be an option, and asked about language to expand the bike lane. Discussion followed. Cunningham said parking is very controversial, but the Corps' rejection of beach project funding shows its importance. Mullins said the island would need more beach access to go up a level in the funding assessments. Cunningham said parking would have a benefit to businesses as well. As to survey security, he was opposed to multiple votes on these issues based on the number of properties someone owns. Mullins disagreed, saying the county and state use STRAP numbers as basis of community voice. The panel just goes further by including voters, etc. Baugh said using the STRAP numbers for the survey access makes sense. McCarthy reminds everyone that the survey was just informational, not a binding vote. Baugh suggested to simplify the survey a little more, let the community prioritize

what's important to them. Rohn urged something to offer more context as to what the planning process is for and how it will proceed. McCarthy said the survey would not be tied to the planned brochure according to his recollection, since we want more people to participate. We need to make it more inviting: “We want your opinion.”

Water quality: Mullins reminded everyone about the upcoming meeting on Lake Okeechobee release at Tween Waters on Aug. 26. He noted that, although the county has been paying a lobbyist on this issue for years nothing seems to change. Stilwell said we need a coalition to magnify our voices. McCarthy said it was a state issue, not a federal issue. Water going into the lake is substandard by federal standards. Mullins said there are issues north of the lake as well. Cunningham said the panel should take a position. Baugh said we need to show the impact on our side of the state as well. Mullins said that counties need to spend their money on this as well. We need to show the value of clean water and beaches. Get one county to show the economic impact, and then build a consortium of other counties to have a greater impact. Stilwell wondered whether Hertz would have decided to move to this area if they saw our tannic-covered beaches.

Other business: Terri McClure asked whether bicyclists have to stop at stop signs. Sawicki said they have to act like a vehicle if they are in the road. Discussion followed.

The meeting adjourned 10:35 a.m., and Gooderham was urged to send out a quorum check to see which of the first three Tuesday in September would be best for better panel attendance.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Sept. 17, 2013

Attending: Jack Cunningham, Susan Stuart, Paul McCarthy, Mike Mullins, Jerry McClure, David Rohn (phone), Jay Brown (phone)

Audience: 9

The meeting convened at 9 a.m. with introductions and a roll call. Since the Aug. 13 minutes were not yet completed, they were not available for approval.

CFD update: Chief Rich Dickerson noted the Galloway Captiva Triathlon Sept. 14-15 went off well, with only three transports including one after the race. On the new station, the plans went before the county Hearing Examiner Aug.14 with staff support. A site visit will be scheduled in late October, and the rezoning should go to the county commissioners by the end of November. We're currently 80%-85% done with plans, and hope to break ground in January.

CEPD update: Administrator Kathy Rooker reminds the audience people can get updates on the upcoming beach replenishment project at the mycepd.com website. A newsletter was sent last week, this week a project brochure is at the printer which includes map of estimated work areas and times. Surveys of beach structures will be finished at the end of this week Also setting up seismographs. The Hagerup access parking lot is closed until further notice, since the dredging company will be using it for mobilization. This Thursday if you're up early you will see ships bringing in pipes to be submerged from the shoreline to the borrow site, they will come onshore in an area near the Jensens Curve. The project is very much on schedule, with sand on the beach beginning Oct. 1 weather permitting. The dredgers will be off Captiva by the week of Thanksgiving. They will leave to do repairs, come back a week later to do the replenishment work on Sanibel. All work to be done by the end of the year. Due to a shortage of pipeline, they will use two dredges. The pipe will come in at Jensen Curve, and they will connect pipeline on the beach heading north to Redfish Pass, pumping as they go. When that's done, they will flip the elbow at the Jensens site and then pump to the south until they get to Blind Pass. Nathalie Pyle asked about the equipment with solar panels. Rooker said those were seismographs, which were put out where there are a lot of buildings to monitor any damage potential.

McCarthy noted he was seeing a lot of media coverage on beach renourishment. Brown asked about the status of project funding: Rooker responded that they had secured $4.5 million in state money and $6.1 million from Lee County (which could increase if costs rise), with the rest coming from owners on Captiva. The district was hoping for another share from FEMA, and was also looking at reserves. Brown asked how that compared to prior projects and what owners owed. Rooker it could be roughly $9 million but we may get other funds. That was pretty close to the last project. Mullins disagreed, saying he felt people will be paying more than last time. Rooker said the CEPD borrowed $8 million for the last project, and whittled the cost down by the end. A discussion of costs ensued. Brown asked whether property owners have been made aware of possible costs. Rooker said they were told a range when the bond was up for a vote; it now looks like we'll be in the middle of that range. It still depends on FEMA funds.

Cunningham asked about the Corps decision on pulling funding, whether it was fair to say the agency declined to fund due to lack of beach access? Rooker asked whether he meant parking or access to the

beach. Cunningham asked what their issues for not funding the project were. Rooker said the agency wanted new easements that would allow public access to the beach, plus there were parking issues. She said the district would hold its second budget hearing on Sept. 23 at 5:01 p.m., with a regular meeting at 3 p.m. the same day. She also noted the new budget was proposing no tax increases. Mullins clarified the Corps issues were access for project easements and for public access. State and federal officials ruled out viewing all of South Seas Island Resort as public access, while the county is being more flexible. He wondered whether a trolley could increase access. He said the county looked at buying property near the Village in the 1980s to increase access, but people did not want parking there. Strategically placed parking is important, and they need access to the beach itself. Discussion of Corps action. Mullins urged residents to go to the CEPD meeting and encourage the district to contribute; they have a lot of money in the coffers of CEPD. Discussion of timing for assessments. Ann Bradley asked whether the public would be charged for parking. Mullins said he did not know, they had held many meetings but still unsettled. Discussion of easements.

Hurricane Committee: Ann Bradley noted we were well into a quiet hurricane season, but there was a disturbance in the Caribbean forecasters were watching. She urged everyone to keep ready and watchful.

Planning: Planner Max Forgey said the county commissioners approved the contract for a Captiva Plan update at their Sept. 3 hearing, with a unanimous vote and no debate. He would prepare and send thank-you notes to all the commissioners.

Communications: No report.

Financials: Gooderham noted the handouts showed the current financial condition, and that he would be working on a 2014 budget for discussion in November if there were any expenses to be included. A discussion of the county grant and cash flow followed.

Fund-raising: McCarthy reminded all that the plan was to send a general mailer to all Captivans telling them what the panel does and to solicit grassroots contributions, to make this more of an annual appeal like other nonprofits undertake. His committee had developed a simple trifold brochure to tell people about us and to get them more involved, using some material from the committee some from Max/Julia/Ken. He handed out a mock-up for discussion. He said this would also include a get-together on the Lady Chadwick for the community. Discussion followed on how the brochure was put together, its approach and motivation. McCarthy said the brochure copy is open for revision, and the committee would solicit testimonials from a diverse island group. He asked if the group liked the concept and layout, and if there were any changes. Mullins suggested noting how much money the panel had raised through grants, that it operates in the “sunshine,” overall a good effort that probably just needed a little tweak here and there. Cunningham said he liked it, that less it more and don't talk about money and the county as much. McCarthy said the goal was to make a good first impression, make it readable and not ponderous. McClure asked when it would be sent out. McCarthy said in October or November, before Christmas. McClure suggested putting a deadline on any panel comments, since it was more important to get it out. Cunningham said it needed to make it easy for people to donate, perhaps use a prepaid envelope. Rohn suggested including a testimonial from someone from South Seas. McCarthy said to email thoughts on the brochure to paulmcarthy@att.net. Think about when it should go out, when to hold the meet-and-greet – perhaps the week before Thanksgiving? Boat cruise is also time for fund-raising. He had an FGCU fundraiser scheduled for Nov. 10, so panel cruise has to be after that -- perhaps Nov. 17-19.

Community surveys: Gooderham introduce the Draft 2 version in the board packet and agenda, and briefly talked about the reason for the survey being to solicit public input on the Captiva Plan update before public meetings started. This version tried to incorporate suggestions from the first draft discussion where possible, but he explained those areas where that was not done and why. Discussion over the changes proposed by the panel members followed, including the following:

- Change the landscaping language to be more about the visual appeal of Captiva Drive
- Recognize the post-Charley changes to the island that make the current language obsolete
- Reword that section to include more open-ended responses
- Correct error in historic preservation intro that there are no Captiva sites, as there are two.
- Should direction-oriented questions about other island issues such as underground power lines, sewer vs. septic, a bike path, dogs on the beach and uniform rental restrictions be included
- Include a text box for open-ended responses in the Village section
- Refining the intro to the parking section
- Eliminating some redundancies in the questions toward the end of the survey
- Using a scale to rate perceptions of the panel rather a "yes/no" response
- Add a "where do you own" column in the geographic locator question, since many people live in one area but own property in another as well
- How to handle owners of multiple properties and voter/owners in terms of survey responses and weighting

County planner Kathie Ebaugh suggested the survey questions were still too specific for the input purposes of the survey, that the solicitation needed to be on a broader scale to reflect general direction. More specific applications would arise as the panel and the public worked through the final issues, but such specificity should not be part of the initial surveying of the community to be effective. That approach was supported by the panel in general, and Gooderham said he would revise the survey and send out a Draft 3 by the end of that week in order for a final version to be approved at the Oct. 8 meeting. The plan then would be to send a postcard to the entire property owner and voter list directing them either to an online survey link or to request a paper survey by faxing a request for one. This should allow the survey to be conducted mid-October to mid-November, with results finalized for panel discussion at the Dec. 10 meeting so that public discussion could follow at the January meeting.

Water quality: No comments

Other business: Cunningham noted that Captiva Library hours would be cut back under the proposed county budget for FY 2013-14, due to a 5% reduction in the overall county budget. While it is now open five days a week, Tuesday-Saturday, the budget will reduce that to four days a week. Bradley said it was tentatively approved to close one day a week. Four libraries affected in this fashion, while others will reduce hours. Cunningham asked if the panel needed to act on this issue, to send emails to the commissioners before the final budget was approved. He had done some research that showed the island was not too far off paying for what we get back if you looked ta library millage vs. the branch budget, without considering the overall library services we can access through this branch. He asked what the panel position might be, if they wanted to take one. Mullins said it was part of the larger general overpayment by island residents for county services. Stuart noted that South Seas employees and tourists rely on the library for computer access. Cunningham said the closing would result in no real savings, since the rent would still be paid, Bradley would still be working (just elsewhere), and the books and other materials were still there. So this is a symbolic effort. Discussion of how the decision

to cut services was made. McCarthy said this was a bad decision, since the library serves tourists and workers who need computer access, it's a self-sustaining entity, and Captivans pay a lot of taxes to Lee County. He suggested letters should go to library chief Sheldon Kaye first, since he can solve the problem without the commissioners. Cunningham said he would monitor the county deliberations on the budget and report back electronically to the panel if action was needed, and would draft a letter or talking points if an island response was warranted.

Mullins noted that Rene Miville had asked him to raise an issue, since he could not attend today's meeting. The recent count grant for $50,000 represented a year's compensation for the panel consultants, and wondered whether that was a good return for the consultants' efforts and if they should be raising more funding for the panel to help cover their compensation. Mullins then noted his calculations were the grant would cover about 20 months of consultants' compensation, that both were working on retainers in the understanding that the flat compensation schedule meant they would donate some hours some months when things were busier to average out overall the long term. He also thanked county staff for helping to get the grants. Ebaugh noted that Community Planning had no budget next year, so this grant would not be available after the end of this fiscal year until funding was restored since all county department budgets were cut. Cunningham said people will ask what these dollars are going for. Gooderham said he would start developing a 2014 budget so you can see it next month. Mullins commented that the county plan to raid the 20/20 accounts to balance the budget is a bad precedent. Gooderham noted that those funds could have been used for purchase of the Cayo Costa state lands that will be put up for sale, and that the county also needed funds to maintain what 20/20 lands it buys. Mullins said officials were using 20/20 as a slush funds rather than making the tough decisions. McCarthy said this showed the goals of the county and state are not to protect the environment, just as we're trying to look at our island planning. People should send message to county and state officials that being smart environmentally is also smart economically. Mullins asked whether the budget solution had any conflicts with county planning language in place, and whether the panel should draft a letter to discuss at next month's meeting. He thanked McCarthy for organizing the America's Cup trip. Cunningham noted the plan had been to have a bylaws vote in October, so someone should resend the proposed language ASAP and schedule a 10-15 minute discussion in October. The committee needed to check if the panel has seen the final document, to either have a vote in October or send to full panel to start the clock on a vote. He suggested the Bylaws Committee should meet right before the Oct. 8 panel meeting, with the decision made to meet at 8:15 a.m. Oct. 8 to allow for time to revise and copy language should any final changes be necessary.

The meeting adjourned at 11:50 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Oct. 8, 2013

Attending: Robert Baugh, Jay Brown, Jack Cunningham, Mike Kelly, Jerry McClure, Mike Mullins, David Rohn, Sandy Stilwell, Susan Stuart

Audience: 10

The meeting convened at 9 a.m. with introductions. The Aug. 13 and Sept. 17 minutes were unanimously approved (Rohn/Brown).

CEPD update: Administrator Kathy Rooker told the audience that the dredge for the beach restoration project was here, and was laying down sand for the pipe pad at the Jensen Curve. The project would use two dredges, one pumping and the other filling the hopper dredge. Trucks were bringing pipe to the staging area. McClure asked if they'd be pumping 24/7. Rooker said they would once work got under way. The community can find weekly updates on the mycepd.com website. Work was getting started just a week later than the district expected. She noted the project schedule and map on the website was only an estimate of progress, which the dredgers would be doing their best to keep on schedule.

Brown asked about the current project funding status and communications with owners. Rooker said the board won't know the final costs until the project is done, and there would not be a new apportionment until all the bills are in. The last project estimate was $19.4 million, and the district has $10 million in hand. Brown asked what the basis was for the range of project costs sent to property owners in 2010. Rooker said that was based on a $15 million project without state and federal funding. Brown asked why the board wasn't putting something out now. Rooker said that was not the way legislation works, that the apportionment will change based on the market value of your home and the final cost of the project plus any outside funding. Owners should look in the middle of that range – depending on the final funding from the county, from CEPD reserves, etc. Discussion of funding pursued. Cunningham asked how soon owners will be assessed. Rooker said that once the project is certified and all bills are in, we turn figures over to the economist, he looks at current market value at that point and apportions cost to all properties based on a formula. Owners can pay the assessment all at once or have it spread over seven years on your tax bill.

McClure said that with the Hagerup Park closed, more people are coming through South Seas, hoped the resort was prepared for that. Discussion followed. Cunningham said the district should put an assessment timeline on the website. Stilwell said people who are buying property now need to be told they will be obligated for an assessment. Mullins said people could call the district office for a copy of the 2010 bond letter. He said the district had built an Excel model to give approximate costs, which could be used to give people a sense of the likely assessment. Legislation doesn't preclude doing an estimate before the project is finished. Rooker said that could be very deceiving, since market value changes annually. Brown said that model info would be better than what exists right now. A lot of things have changed since 2010. Three years has gone by, so an update seems reasonable. Mullins said it would not be deceptive; we just have more information now which could make it much more realistic. Harry Kaiser said apportionment bills won't go out till the end of 2015 or 2016. Rooker said the 2010 estimate was apportionment, what comes next will be the actual assessment. Loan is out there, we are anxious to more forward as well.

Dave Jensen said he would ask what's involved in getting that information out at the CEPD board meeting tomorrow. If there is no cost, why not? Mullins said the model developed by economist Bill Stronge was available, we could run as often as we wanted without going back to him. The model was done for exactly this purpose. Discussion of Stronge's formula and assessment. Rooker said this was not appropriate to discuss here, please bring these issues to the CEPD meeting. Rohn asked that, looking ahead at the next project, what the Corps wants to provide federal funding. Doris Holzheimer said the Lee County Property Appraiser sets property values (which are the basis for assessments), not the CEPD. Those figures are not open to debate out here. Kaiser urged people to come to the CEPD meeting with your questions. Discussion of funding ranges and apportionment process.

LCSO update: Deputy Mike Sawicki said that Joe Ciazza would be replacing Camp Reilly on the island. This time of year, there are fewer people but crazier incidents, like the spate of break-ins on Sanibel. He said there was a break-in at South Seas where the burglars gained access from the beachfront – a reminder to make sure doors are locked, watch for people on the beach lurking, etc. Nathalie Pyle asked about a deputy presence on Tween Waters section of Captiva Drive when people are coming to work. Most are good, but a few are flying by. Discussion followed.

Hurricane Committee: Doris Holzheimer said the NOAA National Hurricane Center website was closed due to the federal government shutdown, but its links are still active. A committee meeting was planned for next week. Ann Bradley said the library status was that construction was progressing and the library will close Oct. 19 for renovations. It should re-open in January, perhaps sooner. The Sanibel library can serve you, county residents can get a card for free; or you can go to a county branch library on the mainland. The book drop will be open out here, but we cannot take Sanibel materials. Telephone reference can also help you with many issues.

Planning update: Planner Max Forgey sad the next step in this cycle was the community survey, which will provide talking points for future workshops which will target the upcoming season. Three workshops will be held in tandem with a panel meeting, one workshop at a different time and place. County staff will provide us with facilitators, as many as we need. These workshops are not limited to topics in the survey, but we do want to cover those during this process. Cunningham asked about dates for workshops. Forgey said he would discuss that at the next meeting. Pyle asked how this fits with the county planning. Planner Kathie Ebaugh said this is an update to your plan; planning is a continuum so this is the next phase. Transmittal effort is in process for the overall larger county plan, next year likely.

Communication: Stuart said the brochure is under way, and will be ready for final approval once Paul McCarthy gets back.

Budget: Gooderham asked for any questions about the usual monthly financial reports. He asked panel members to review the enclosed 2013 budget, noting that even though revenue has fallen below estimates because the county grant was not in place to request reimbursements, expenses had also come in much lower. This mean the panel ended up in a better year-end cash position than anticipated. He asked that if any panel members had items to be included in the 2014 panel budget, to bring them to the November meeting so they could be discussed in advance of having a final budget to approve perhaps at the December meeting.

Community survey: Gooderham noted that the packet had the third draft of the survey, which incorporated both suggestions and comments from the last meeting that resulted in significant changes. The version they were reviewing was set up as it would appear in Survey Monkey, except that things

would be broken into pages by topic rather than as shown. The plan was to revise the draft based on comments made today, to have the survey ready to go live no later than Oct. 15 and remain up until at least Nov. 15. This would allow for time to analyze the results for presentation at the Dec. 10 panel meeting. Postcards with the survey link would be mailed to all property owners and voters; owners of multiple properties would receive a single card, but those who were registered voters would also receive a card. In addition, the link with an explanation would be emailed to the panel email list plus additional email addresses gleaned from the CEPD database, reaching some 500 addresses with a live hyperlink that could be used to directly access the survey.

He asked for comments, and received the following:

- Emphasize this is not a vote in the introduction.
- Change the first question to a ranking rather than a checkbox.
- Make sure the online version would be legible.
- Correct minor typos as noted.
- Some questions were suggested to be re-worded.
- Eliminate the question: "What's the one business Captiva really doesn't need?"
- The beach parking question should focus more on beach access. Rewordings were suggested.
- The "other issues" question was revised.
- "Timeshare owner" should be added to the "best description" question.

Bylaws Committee: Mullins noted that the Bylaws Committee had met just prior to today's meeting to make a final review of proposed language concerning the panel structure. He said this discussion of the new language would be the trigger to start the 60-day requirement before a bylaws amendment vote, and that such a vote needs two-thirds approval by the panel to approve any amendment. McClure offered thanks to the committee. He said that the committee had decided to address only this issue now and, depending on the outcome, then move on to suggest other possible revisions after the vote on Dec. 10. A description of changes being proposed followed: Deleting allocation of seats, nominating committee to nominate new members that the panel will vote to approve or deny. Nominating Committee will have five members to suggest new panel members. Stillwell asked if the panel will appoint the Nominating Committee rather than the president. (Stuart, Baugh and Stilwell left the meeting at this point.) Mullins said this had been a trickle-up process, which was unnecessarily complicated. Discussion of changes. Mullins said the proposal can be discussed at Nov. 12 meeting, as well as before the vote in Dec. 10. McClure said hopefully the committee will be instructed to look at the entire document to address any of the other changes necessary.

Other business: None.

The meeting adjourned at 11 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Nov. 12, 2013

Attending: Mike Mullins, Jack Cunningham, Paul McCarthy, Jay Brown, Susan Stuart, Sandy Stilwell (phone), David Rohn, Robert Baugh, Mike Kelly

Audience: 10

The meeting convened at 9 a.m. with introduction and roll. Minutes from the Oct. 8 pane meeting were unanimously approved (Brown/Stuart).

CEPD update: Administrator Kathy Rooker said there would be a change in the district meeting tomorrow, it will be held at Tween Waters in the Crows' Nest at 1 p.m. Rooker said beach project construction is progressing nicely, with the pumping now south of Tween Waters. Dec. 25 was still the deadline for completion. Mullins asked when pipes will be taken off the beach. Rooker said the dredgers are moving north pipes south, so she did not know when they will be removed from the entire beach. Some will be moved to the next project, others will be moved to north end of Sanibel for the pumping to be done there. Mullins asked whether the district could control which end they moved first. He recommended they move from the south end first. Rohn was curious why they still have pipes at the Hagerup Park, and asked if they could be moved to open that public beach. Rooker said that was on her list to discuss with the contractor today. The district is also talking about dune restoration and vegetation, and will make a decision on awarding a contract from three options. Planting will start after construction is finished. Overall, she has been pleased with the compatibility of the dredged sand with current beach, thanks to having a great borrow area.

CFD update: Chief Rich Dickerson said they were 95% done on drawings for the new station. They went before the county commission two weeks ago to rezone the property, which was approved. The development order is next, then the permits to begin construction. Will go out to bid first week in December, 6 weeks to bid opening due to holidays. End of January demolition and groundbreaking; 6-12 months to build, All prequalified contractors are local. New lieutenant started with us, from Lee County; he is training all three shifts as pump operators for certification.

LCSO update: Not here. It was noted that there were a string of break-ins on both islands last night.

Hurricane Committee: Doris Holzheimer said there were two important dates to add to the list. There will be a March 6 hurricane education program, and we will finalize the agenda in January. Gerald Campbell from Lee County Emergency Operations is expected, and Bill Dalton from Sanibel as well. The, at 3:30 p.m. on March 11, Daniel Noah will be here for a SkyWarn training; she urge people to attend even if they've already had one since each year is different. Beginning and intermediate sessions will be scheduled, both in afternoon, probably starting at 1:30 p.m. at Tween Waters in the Ding Darling Room.

Planning: Max Forgey began with a proposed schedule for planning workshops, with the goal of trying to get them in before the middle of April (since Easter is April 20). He suggested workshops on Jan. 14, Feb. 11 and March 11, in synch with panel meetings, with at least one more meeting beyond that. The first meeting would be a general workshop to talk about any subject the public has in mind, then concentrate on specific topics at each of the others with the final session also being a summary of the

discussion overall. He said facilitators would be available through the county, probably using local planners as has been done before. He had spoken with a Florida Sea Grant person to facilitate any about coastal issues. He asked whether 10a.m. -noon was a good time for workshops, with the general consensus that it would be a good starting point. As to the dates, Mullins said it should work OK to hold after panel meetings, much like the bylaws committee was handled. Forgey asked whether Cunningham would help schedule a session at the Community Center. Cunningham said the construction schedule indicates the center may be available for February meetings and beyond.

Cunningham asked about the best way to promote these workshops. He asked whether other areas had a formula to entice people to meetings, and if can the county help or is it up to us. Forgey said the panel has the most resources. Gooderham said we could use advertising, emails and news stories as in the past to notify people about the upcoming workshops' schedule and topics. A discussion of survey numbers to date followed, which then transformed on how to market the workshops including announcing the entire schedule and targeted topics so people could plan the one they wanted to attend. Stuart said notices could go to the island homeowner associations as well. Mullins said South Seas associations set their meetings far in advance. Rohn noted that his association has a website, and they had put a survey link on it. Mullins asked whether the panel could get addresses for the resort associations. Baugh said he thought he could get emails for the 22 associations in the resort. Discussion of workshops and scheduling continued including using the survey results to market workshops.

Mullin suggested the panel feature an update on an important topic, and have a headliner at each workshop – find a hot topic and an expert to draw people. Cunningham said that when discussing landscaping, the panel needed to be careful who it had as professionals – we need overall guidance, not specific expertise. He said the workshops should work to get more input, and then the panel can form committees to drill further into issues. Forgey reiterated that the first meeting should be a general meeting to get the overview of potential issues. Later meetings should give people the opportunity to talk about a specific topic. Kelly asked if there would be another series of workshops after that. Discussion followed.

Gooderham said the county grant targeted development of plan language -- not LDC work -- at this point, so we should work to stay at a broad-brush level. Mullins said this would be a multi-year process that evolves as new things come down the road. Workshops are to follow county grant so we can offer the deliverables we promised. Rohn asked about the deadline for final decisions. Mullins said if history is an example, it will take more than one year to reach final language. Forgey said the plan was to get the most we can out of this season. Mullins concurred, and a discussion of timing followed. He said since Easter is April 20, look at April 15 for the fourth meeting, and look at the largest possible space. Cindy Brown suggested that after the December panel meeting presenting the survey results, the panel work to have a more full-blown article in the island papers. Holzheimer suggested putting something up at the post office once a schedule and topics was set.

Communications: Stuart said that the interim postmistress did not get the permanent job, and she was being re-assigned to Sanibel; she would appreciate a thank you from anyone here. Also, there was a new minister at Chapel By The Sea named George Morris, a Methodist minister from New Jersey. He will be here for three years.

Budget: Gooderham presented the monthly update and a draft 2014 budget for feedback, saying a final draft would be presented for discussion at the December meeting. Cunningham asked whether there was a plan and funding to do a newsletter. Gooderham said he was not aware of any timetable for that

but that, if the panel wanted to produce an electronic newsletter, the mail program he was using for panel emails offered a variety of newsletter templates at no charge.

Fund-raising: McCarthy said that as a community organization we need community support. The panel was not a membership organization, but people should buy in with some amount of money every year. The brochure presented at the last meeting was in for a final edit now, have gone through a couple of iterations. He was also planning a free get-together to entice islanders to meet panel members and others. As to the brochure, he wondered whether it should be put in with any workshops mailing. The workshops explain the organization, and the brochure explains the workshops. That could go out in early January. It would be a lot of information, but this explains what the Community Panel is in one piece which might catch people's attention more than just workshops info. A discussion of the survey response on 60% awareness of the panel followed. McCarthy said he would like them to have a sense that the panel exists, even if they're not aware of everything we do. Baugh suggested it could be done as a calendar, to promote the panel and fund-raise as well. Mullins said the CEPD just voted to do the same thing; perhaps we can collaborate with them. Cunningham said it could be a good idea to combine, but don't put in a plea for money with it however. Do that in a separate mailing. McCarthy said the brochure is a subtle appeal, more about how to get involved. Discussion of brochure design and appeal. McCarthy reiterated it was done not to scare people off, as a soft sell. Hopefully we can follow up every year with something else to remind them to support the panel. He said a unified mailing could go out right after Christmas, it would offer a good impression of the organization, that it's welcoming and has done things and is doing things.

Mullins and Brown launched a brief discussion of their issues with the property appraisal process, its parameters and what it has meant for various island properties this year. Mullins suggested the panel could offer an educational service to the community by explaining how this is done, and asked people to stay after if they wanted to discuss it further.

Nominating: All of the panel members in attendance whose terms would be up at the end of the year agree to serve a second term, and Gooderham said he would follow up with McClure on his willingness as soon as he was back on the island. (Stilwell leaves at this point.) Mullins said he mentioned in a recent email about possible panel changes in the future, that there could be two more openings coming up. Discussion of necessary action followed, with Gooderham saying that no action was necessary until openings actually occurred and depending on the status of any bylaws changes in the structure of the panel that were pending.

Bylaws: Cunningham noted that the panel was in 60-day window soliciting comments, and asked to be heard on his position on it:

> *In January, I believe, the board decided that the By-Laws should be reviewed as it had been several years since the last review. A committee was established with Mike Mullins, myself, Susan Stewart, Jay Brown, David Rohn and Jerry McClure volunteering from the board. Non board members who volunteered were Cindy Brown, Doris Holzheimer and Ken Gooderham. This group, or most of them, met on numerous occasions over the next several months.*
>
> *At the first meeting Mike was selected as President. After considerable discussion and at my request it was decided that rather than review the bylaws front to back we would first develop a position on the board member selection process. The logic was that if the existing process were changed that could impact other sections of the bylaws. Once a recommendation on the BOD*

selection process was developed it would be presented to the full CCP for its vote. We are now in the sixty day period of public discussion on this matter with the vote to be taken at the December meeting.

It was and remains my belief that the current process of five members being appointed by the CPOA, two by the CCA and the balance of three from the CCP BOD does not necessarily ensure equitable representation of the various island stakeholders. During the early committee meetings there were multiple thoughts on how to insure representation on the panel from the numerous organizations, associations, businesses, individuals, etc. It was obvious that not every stakeholder could be represented on a nominating committee nor on the BOD itself as it would be totally unwieldy.

What was finally worked out is a proposal that requires the full CCP to select five individuals from the community, one of whom is currently a CCP member, to serve as a nominating committee. This group, in turn, will be responsible for recommending candidates to the CCP BOD for the annual election and to fill vacancies.

I believe this process will allow all community interested parties to apply for consideration by the nominating committee. It should allow stakeholders who have an interest in community affairs, but not the time nor desire to be on the Panel, to request membership on the nominating committee and thus participate in achieving a broader choice of candidates to be presented to the CCP.

A discussion of the Bylaws Committee proposal and process followed. McCarthy asked whether the committee had taken a position on the proposal. He said Cunningham made his position clear, but did the committee vote on anything? Brown said the committee was not making a unanimous recommendation. Mullins said the bylaws committee did not have a mandate to vote on a proposal, only to develop one for panel consideration. McCarthy said that since he did not attend the committee meetings, he'd like to hear the opinion of the people who developed this bylaws change. He would like to hear both sides as it was discussed in the committee. Mullins said that would probably be shared at the next meeting prior to any vote. He said there could be a summary of the process at the December meeting, to present both sides prior to a vote if that was desired. He said anyone who wanted to present a position paper on this issue prior to the next meeting could do so under the Sunshine Law as long as no discussion was conducted prior to the meeting.

Other business: Brown asked about a variance request from a property owner near his property, which would have a visual impact on everyone on Captiva. He asked what the panel members and audience thought about this. Discussion followed about the variance from the Osmidas regarding a pool cage and other accessory structures encroaching on the 100-foot setback from Captiva Drive. Gooderham noted that he had exchanged emails with the owners' attorney about scheduling a presentation at the September or October panel meeting, but the owners finally decided to hold their own meeting elsewhere and had advertised it as required by county code. He said that the county had specifically avoided listing the panel as the sole venue for such informational meetings for a number of reasons during the public hearings about both the Lee Plan and LDC language adoption, including to ensure that if the panel was not meeting or ceased to exist it would not bring any such requests to a halt until the county rules could be changed.

The panel's displeasure with not hearing about this variance request was extensively discussed, and

Mullins asked for a motion to write a letter raising our objections to the Lee County Hearing Examiner prior to the scheduled Nov. 22 hearing. He said that islanders did not have an opportunity to form an opinion on this issue, and the owners did not bring it to the best forum on the island. McCarthy felt this was an end run around the panel that was underhanded and devious. Forgey offered to formally invite the attorney in the case to present at the next panel meeting anyway. A discussion of the Hearing Examiner process and schedule followed. Kelly suggested the panel object to the request on procedural grounds since we have not had the opportunity to hear the facts of the case. A motion to write a letter to the Hearing Examiner outlining the panel's procedural objections was unanimous approved (Rohn/McCarthy). Gooderham said he would draft the letter and send to all panel members within 36 hours, since the deadline for the hearing was drawing close.

It was observed that this was the first variance request not to come before the panel since the requirement for an on-island informational meeting was established. A discussion of the Hearing Examiner process and ensuring standing before the county commission followed, and Gooderham noted that it was necessary to be on the record at the HEX hearing in order to be able to comment before the county commission when the hearing for final approval was held. He was not certain whether a letter was sufficient to ensure standing, or whether one had to appear in person. Forgey said he would attend the hearing on the panel's behalf. (**NOTE**: It was subsequently learned that one needed to appear in person before the Hearing Examiner to ensure standing. Also, a 60-day continuance for the variance hearing before the HEX was submitted by the Osmidas' attorney on Nov. 13.)

Gooderham presented a draft 2014 schedule of panel meetings, and was asked to confirm the 2014 CEPD meeting schedule before the December panel meeting, so a final schedule could be ready for approval.

Mullins launched a property tax appraisal discussion, noting that the county appraiser was now using a multiple regression analysis program on the island for the first time. A discussion of its impact on the tax bills for various properties followed. Mullins felt this could be something the panel could help educate the community about since this appraisal process is just beginning. Cunningham said that if this new process results in the same amount, for everyone whose bill goes up another will go down. Is that something this panel should be getting in the middle of at this point? Mullins said he was not suggesting the group fight for individual people, but rather to educate people to their options. A lengthy discussion followed, ending with the plan to bring this matter up further at future meetings.

The meeting adjourned at 11:05 A.M.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Dec. 10, 2013

Attending: David Rohn, Jack Cunningham, Jay Brown, Susan Stuart, Mike Mullins, Paul McCarthy, Jerry McClure, Robert Baugh, Mike Kelly

Audience: 8

Meeting convened 9 a.m. Introductions and roll. Minutes of the Nov. 12 meeting unanimously approve (Cunningham/Stuart).

Captiva Fire District: Chief Rich Dickerson: Mark Wells was named volunteer of the year. Employee of year was T.C. Klein, who was in Afghanistan on his second tour there. Building: working on development order, permit filed yesterday, goes out to bid tomorrow in this room. Six weeks to respond due to holidays, Jan. 24 deadline. Early February we start demolition, and then start construction after that. 10-12 months from groundbreaking, in there by January 2015.

CEPD: Kathy Rooker: Meeting tomorrow 1 p.m. in Wakefield Room. Project getting near finish, another estimate last night, to factor delays and equipment problems. Finish by Friday morning on Captiva, then breakdown pipe and till entire island. Move submerged pipeline over to Sanibel. Should take 7 days. Start pumping on Sanibel, 8-10 days to do, then surveys and tilling afterwards. Need to move equipment to work on beach, not much beach there now so it's not big enough for us to get equipment on the beach. Will have to take down guardrail to allow equipment access to the beach. Will interrupt traffic briefly to allow equipment to move. Doing Sanibel work due to interlocal agreement signed in 2000, to mitigate impact of groin. Giving them less than before... 25M CY per year between projects, could have been 2000M CY. Blind Pass sand went on Sanibel, we got credit for that. Giving them 75M CY this time. Agreement expires 2014.

MULLINS: Had sand been placed on northern Sanibel as we requested, erosion would not have been as bad as it is now; it went on Bowmans Beach instead. Worst erosion that I've ever seen now. ROOKER: Putting fill just south of the pass south to Bowmans Beach. CUNNINGHAM: Agreement ceases in 2014? What happens? ROOKER: Don't know, not perpetual agreement. We'll have to see what happens. BROWN: State of Blind Pass? ROOKER: Sandbar by Mad Hatter is filling in, looks like pass is trying to get back to its natural state, heading south along Sanibel. Need to watch dredging for its impact on hydraulics, how wide and how deep. Blind Pass not a CEPD project, a county project, so they're in charge of monitoring. Found a lot of pipe left over from Blind pass project. Extending 500 feet out from the groin, floating just off the bottom. Talked to county staff, they mentioned Florida Dock & Dredge had lost pipe during last project, abandoned search. Cold front uncovered pipe, FDD came to get their pipe back.

MULLINS: Learned we were not bringing in subaqueous pipe as in the past, took much longer on the south end to get pipe off the beach. Dredgers tried to work with us to allow access, but not best method to pipe the island. Very difficult if you own property on the beach. SZAMBECKI: Pipe on beach since late October. SSRI also hurt by this, had recalibrate weddings and events to accommodate pipes. ROOKER: Long time on south end due to equipment, booster pump down three weeks which added to the schedule. Sandy took a lot of equipment out of the inventory, so dredgers had to adapt to get project done on our timetable. Apologies for any inconveniences, got a lot of support from property owners. If

someone asked for a pipe bridge, we got one there usually within 24 hours. Contract let to vegetate dunes, a little heavier than last time. Will start in January, they're growing our plants now. KELLY: People use golf carts on beach. ROOKER: That's illegal, only people allowed are CFD, LSCO, turtle patrol, surveyors with dredgers.

LCSO: Deputy Mike Sawicki: Beach golf carts, call us if you see them. Island mostly quiet, only one break-in at South Seas, conference center vandalism and Doc Fords. Caught them after long chase on Sanibel, all had long records. Minor incidents otherwise. Looking at some common elements with Sanibel incidents. Some boat-related incidents around Pine Island Sound. Often former employees of business or people who had done work at residence. PYLE: Thanks for being on top of speeding along TW stretch. SAWICKI: Often shift changes issues people rushing to work. CUNNINGHAM: Coyotes working their way out here, who do we go to? SAWICKI: Uphill fight, Fish & Wildlife Commission, ordinances against hunting and trapping out here on the island. Some incidences out here, as they get comfortable they can get more bold. Confirmed on Sanibel, some sightings on Captiva. McCARTHY: Good job on golf cart parade.

Hurricane Committee: Doris Holzheimer: Hurricane season is over. Very fortunate this year, but we did get to M in storm names so there were storms. Storm Ready renewal done, will get a new sticker. Come to SkyWarn training on March 11 and hurricane program on March 6; SkyWarn at Tween Waters, educational program at South Seas.

Fund-raising: McCARTHY: Mailing with brochure, go out with January mailing. Brochure ready to go, invitation to cruise, ability to contribute. On Dec. 19 South Seas is opening the gates to allow boats in, tied to Captiva Holiday Village, donation to go to Golisano Hospital. Created a Holiday Stroll area along the marina. Boats in from other yacht clubs with lights, trolley will bring people to north end. Open as of this Thursday, Dec. 12, for both weekends. Doing cruise from Tween Waters on the Lady Chadwick on Dec. 19. PYLE: $20 per person? McCARTHY: Yes, suggested donation, have had some pushback. Discussion of event.

Communications: STUART: Denice Beggs does monthly newsletter to clients, will include panel agenda for upcoming meetings. Would like to get head shots for panel members.

Planning: Max Forgey: Planner Tony Palermo is here from the county. Suggesting four workshops for community input for plan update... Feb. 11, March 11 and April 8 after panel meetings. Leaves one extra date, not held in conjunction with panel … March 5-6 possible, perhaps at Community Center. First meeting as an introduction to the process, other three will focus on topics. Put something out after it's decided. Discussion of meetings.

Budget: 2014 budget approved unanimously (Kelly/Stuart). MULLINS: Baugh is leaving South Seas, so this is his last meeting. Panel seat to appoint. CUNNINGHAM: If bylaws change, Nominating Committee should handle. It's a panel seat, so Nominating Committee will come into play. GOODERHAM: As to 2014 officers, had contacted current officers to see if they wanted to continue, no clear plan. MULLINS: Willing to continue but no more than a year. Motion (Cunningham/Rohn) to keep officers as is. Unanimous approval.

Survey: GOODERHAM: Presentation of survey summary, extensive discussion followed on specifics points and follow-up. Consensus of panel to have Gooderham/Forgey do an action-focused analysis for discussion at the January meeting. Proposed schedule for community workshops OK, target January

meeting for structure and topics. CBROWN: Lots of good input, people want to be informed. BAUGH: A strong sense of “We don't know what you do, leave us alone.” Would encourage panel to swing for low-hanging fruits and get some wins, target things that can be achieved quickly. FORGEY: No sense of a galvanizing issue that will be very contentious in this group of issues. MULLINS: Make this the main topic for January meeting. CUNNINGHAM: Asked each panel member to review survey summary and results, compare with Executive Summary and note changes to Gooderham and panel in time for discussion at January meeting.

Bylaws: CUNNINGHAM: Read statement made at last panel meeting. McCarthy wanted to know position of committee members, get a consensus of opinions. Interest of committee was how to deal with this issue. McCARTHY: Wanted input from committee as to what occurred at meetings. JBROWN: Support proposal. Have been a member of many boards, developed feelings about what's proper governance. Nobody knows better who should become members of a board than those who are current members of a board. Most boards have Nominating Committees to determine process to select new board members. This proposal is closer to the ideal model, current board in control of future members. Eliminates perception of outside groups being in control of the board and its governance. CUNNINGHAM: Reviewed proposal, good way to get proper representation on the panel.

KELLY: Existing method was a reasonable approach, proportionate representation was needed at that time. Doing important things, updating Captiva Plan and maintaining relationship with the county. CPOA has been the county choice to move things forward for community, times have passed and there may be the need for a new approach. Hesitant to support this proposal, see relationship with county unchanged as we move forward with this important change. Change should happen, but maybe not right now. CPOA took on legal obligation with the county. I’d like to see some things happen to make this a more open and egalitarian organization. Through major portion of county of work, have support for our budget. Funding mechanism for the panel at a broader base, need proof of that to proceed. County process and broader financial support from community needed first to make this kind of change. McCARTHY: Do we need to form a new legal entity?

BAUGH: What happened to require change? Why fix something if it is not broke? What the issue? Don't you want CPOA and CCA involved? What was the reason to do this? If it's broke, then get the right thing in its place. McCARTHY: I’ve been here from the beginning, which is a good and bad thing. A lot of acrimony at the beginning. Mission of one group to kill the panel. Things that happened that need to be remembered. The county was not responsive, so there were two answers – incorporation or community planning. Reiteration of history. Things have changed, but is there now full-fledged community support? CPOA has funded everything for years. Better representation, but still some perception that panel is CPOA-centric. McCLURE: In favor of proposal, only because of work on Nominating Committee before. Were we looking at best people for panel, or just taking what the two groups gave us? Committee was not being allowed to function. Could not address need for bylaws changes until we addressed the nominating process. Discussion of committee discussion about Nominating Committee makeup. McCLURE: Have a committee that exists in some continuous fashion to look over the possible choices for the best available for the open positions. This change allows us to look at the other bylaws changes to make panel more representative of what Captiva is.

STUART: You all have offered heartfelt remarks. I was also here for the contentious years. We've come a long way. Hope the CCA will focus on what it does best – support library and history and social issues – and not have a committee in direct conflict with what we do. I would support this change, it’s time to move on from the past. ROHN: I have mixed feelings. We do have a perception problem, it is

broken and we need to fix it. Part of me recognized factions on the island, and that can be recognized in the apportionment of seats. This proposal could be perceived negatively since it eliminates any guarantee for any organization to be represented; we will need to work hard to ensure that all sides are represented. HOLZHEIMER: Support most of the recommendation, except for 10 people on the panel since it's an even number. There is a perception issue, time to come to a point of balance. CBROWN: Agree with most comments, Nominating Committee can develop governance structure and needs. Panel can do a better job of communicating to its Nominating Committee what it needs.

MULLINS: Discussion of history. Governance issues with CCA, Hoped the two groups could come together. Wanted to have influence and communicate with the county. CPOA had stopped picking some of the seats and throwing the open seats to the panel to choose. Mixed emotions, committee invested a lot of time putting this together. Survey shows the multiple perceptions on the island. Always going to be a perception problem with some people who won't let the past go. Painful to accomplish something, but it's been beneficial to go through this process and the end result has been worth the effort. Wish all groups operated in the sunshine.

Motion to accept changes as proposed (Brown/Cunningham).

- JBROWN-yes.
- KELLY-no.
- CUNNINGHAM-yes. See minimal overlap with CCA on land use at this point.
- BAUGH-no.
- McCARTHY-no. Would like to get to yes, still a little more to go. Will eventually need to get CPOA out of this organization entirely, form a new organization.
- McCLURE-yes.
- STUART-yes.
- ROHN-yes.
- MULLINS-no. Would like to get through this plan process first. Would like not to have drag up the past. If at the end of this process people participate and speak for themselves, then I'm encouraged that we've put this behind us and would consider supporting a bylaws change to make this an entity unto itself.

With a supermajority required for bylaws changes, the motion does not pass with a 5-4 vote.

McCLURE: Need Nominating Committee to address Baugh opening. Put something in newspaper and email list to solicit candidates. McCARTHY: Should someone from South Seas be on panel? JBROWN: Not set in stone, but sense of the panel as to what is needed. MULLINS: Look as broadly as possible. ROHN: Does the Bylaws Committee continue its work? MULLINS: Yes, but hold in abeyance since there's a lot of other work to be done. Let's get some things done.

Other business: Jan. 14 meeting date OK. HOLZHEIMER: Thanks to Robert Baugh for participation and service. Daniel Smock will take lead on Monday After The Master. BAUGH: South Seas would like representation, formal or informal.

Meeting adjourned at 11:45 a.m. **NOTE**: Due to electrical issues, there was no recording made of this meeting.

— Ken Gooderham, administrator

CPA2015-00009
2014
MINUTES

Captiva Community Panel

MINUTES

Jan. 14, 2014

Attending: David Rohn, Jay Brown, Sandy Stilwell, Jerry McClure, Susan Stuart, Mike Kelly, Mike Mullins, Paul McCarthy, Jack Cunningham

Audience: 18

Meeting convened at 9 a.m. with introductions and roll. Minutes from Dec. 10 were unanimously approved (McClure/Stuart).

CEPD: *Kathy Rooker*... Happy new beach! Calendars handed out. 740,000 CY on Captiva finished on Dec. 16. Placed 75,000 CY on Sanibel, finished Dec. 26. Mostly demobilized, some punch list items left. Pipe gone, guardrails replaced. Some pipe offshore left, waiting on weather to retrieve. A big project and can be inconvenient. This community is knowledgeable about process, had total of two complaints. Pre-con meeting for dune vegetation people coming. More than last project, important to protect dunes. First filling in gaps in existing vegetation lost in TS Debbie. End of January start. CPE back to finish survey later this month, post-construction to certify results. Meeting on pre-app with Florida DEP for next project in 10 years. To have in pocket in case there is an emergency. *Rohn*: Beach plant pickup this time? *Rooker*: not this time. *Kelly*: Cost analysis finished and bill? *Rooker*: Bill Stronge OK'd to develop assessment, waiting for final costs and looking at any assessment updates on properties. Estimate June tentative assessment, with public hearing at that time. *Stilwell*: Homes rented vs. residential only use, will that be reflected in assessment? *Rooker*: No change in model at this point. Could be addressed at public hearing. *Mullins*: Permit in addition to emergency fill plan. *Rooker*: Still must have permit to pump, even in emergency. Plans help district be very responsive when things change.

CFD: *Chief Rich Dickerson*... Bill Abraham donated house for us to train in before Christmas. Six days of training, two days per shift, all phases of training. Station construction: Permit and DO awaiting, completed rezoning. Out to bid with five contractors, one dropped out. All with station experience. Bids due in next Friday. Break ground in February, start demo then. 10-12months to complete. Changes discussed. *Nathalie Pyle*: Why was rezoning needed? *Dickerson*: Lot was zoned RM-2, needed to be CPD for public facility.

LCSO: *Deputy Mike Sawicki*... Nothing new, been uneventful. *Pyle*: Need ordinance to prohibit fireworks. *Sawicki*: Already is unlawful to discharge in Lee County. Responsive rather than proactive enforcement, it's hard to catch them in the act. Temporary signs as an option. *Audience*: People not stopping at Andy Rosse stop sign. *Sawicki*: We try to police that, but we're stopping people who are here for a week so there's a lot of re-education. Sign heights set by law. Talk to Lee DOT to see what options you might have at that intersection. *Mullins*: Given the panel's largely successfully effort to minimize signage, adding more signs (even temporarily) is hardly necessary and seems contradictory to signage goals. I've never seen other than approved fireworks, however, if they occur illegally, call deputies!

Hurricane Committee: *Doris Holzheimer*... Committee met Monday. Daniel Noah's SkyWarn training March 11 1:30 p.m. Also will give away a weather radio. Basic course at 1:30 p.m., advanced afterwards. March 6, annual hurricane education program. Urge all to come, it's been a while since a

storm so don't be complacent. Authorizations: If anything has changed in emergency plan, get letters in to CFD. Discussion of website.

Fund-raising: *McCarthy*... Brochure lays out objectives of panel, means of more effective communication and to get community more involved. Simple flyer to tell you a little about panel and getting involved. Combine with community event, boat cruise. Mailing on survey and workshop schedule also going out, combine with brochure to send as package. Cruise is Feb. 11 5-6:30 p.m. Cost... $760 design and photo. Printing 5,000 is $585 with invitation. At McCarthy's office Thursday afternoon. Discussion of fund-raising.

Communications: No report

Planning: *Planner Max Forgey*... APA planning workshop in Tallahassee Feb. 4-5. Islandwide internet access one question that came up since last meeting.

Financial: *Gooderham*… Three months' worth of funding remaining, will be submitting bill to Lee County on planning grant reimbursement this week.

Survey & workshops: *Gooderham* presented on survey analysis handout, which included possible Captiva Plan actions, existing plan language and proposed workshop schedule for first round of public workshops. Stuart/Kelly motion to accept schedule as proposed. *Brown*: How to handle first meeting? *Forgey*: Talk about where we've been, are now and where we're going. Divide into several groups and hold discussions at each. Any issues that rise to the top? *McClure*: What comes out of workshop? *Forgey*: Input on potential policy language for panel to update plan. *Kathie Ebaugh*: Where you are and what you want to change. *Brown*: When does the panel set its priorities? Do we have the right set of issues for holding workshops? *Ebaugh*: Via review of survey and putting it into context with previous actions. *Cunningham*: Asking for public input on survey and issues. *Mullins*: Starting context that spawns other issues and discussions. *Kelly*: History is critical to this. Understanding what we've done what we can do. Discussion. *Cindy Brown*: Will same people be at all the workshops? Do we need to do an overview more than once? Vote called, motion unanimously approved.

Nominating: *Mullins*: Appointed a nominating committee of Rene Miville, Paul McCarthy and Denice Beggs. *Holzheimer*: As to number of members on panel, odd number better. Like to see it go back to nine. *Mullins*: Bylaws call for nominating committee, process has been done. *Cunningham*: What role does panel have in ultimate suggestion? *Mullins*: Committee appointed and returning with recommendation, so vote could be today. *McClure*: Bylaws now says 10 members, so bylaws would need to be changed. Would have to go through the bylaws amendment process. *Mullins*: Never had a tie, never had a situation where 10 was an issue. *Miville*: Committee nominates Bob Walter, director of South Seas. Tried to have rep from SSIR on panel, also thanks to their largesse. Brown/Kelly motion to accept Walter's nomination. Unanimously approved.

Property appraisal: *Mullins*... Contact me or Jay Brown with questions. Can bring an expert to future meetings to discuss options.

McCarthy: Want to be more inclusive about nominations, thought there would be more spaces. Tradition of SSIR rep for that seat. Seats will be open at end of the year, so amass potential names throughout year. *Cunningham*: Bylaws Committee can be convened to discuss number on panel. *Kelly*: Other bylaw issues as well. *Gooderham*: Will survey committee to serve.

Audience: Did we ever get definitive answer from Corps on funding? *Gooderham* Discussion of rules and interpretation, impacted other areas as well. *Audience*: Sign ordinance... great improvement in Realtor signs. Two signs now in violation, is this the first step in return of sign wars? Go to those realtors and suggest they abide by code. Discussion of action and self-policing. Brown/McCarthy motion to draft panel letter to go to agent and broker seeking voluntary compliance, unanimously approved. Remedy situation or will make formal complaint. *Audience*: Pay attention to TRIM notice when it comes out. Often one phone call can make a big adjustment. *Brown*: Appraiser not doing new transaction for comparisons, but using new computer modeling.

Meeting adjourned 10:40 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Feb. 11 2014

Attending: David Rohn, Bob Walter, Sandy Stilwell, Mike Mullins, Paul McCarthy, Jay Brown, Jack Cunningham, Susan Stuart, Jerry McClure, Mike Kelly

Audience: 20

Following introductions, the Jan. 14 minutes were unanimously approved.

CEPD: *Kathy Rooker*: Planting underway about halfway done. Expect to hold sand in place from winds and waves. Plants actually accumulate sand. *Mullins*: Discussion of how much sand gathers with plants. *Rohn*: Extra plants for people to plant themselves? *Rooker*: No. Update on billing. *Rooker*: Public hearing in June, will send assessments by then. Apportionment plan will be accepted then. *Mullins*: When we do capture tax assessments? *Rooker*: What's on your bill now. Get letter from tax appraiser about any tax change, we will forward to update your assessment.

CFD: *Chief Rich Dickerson*: Physicals, station status. Builder selection at today's meeting, demo mid-late March, will be really fast. TJ Klein coming back from Afghanistan, planning some special even for his return.

LCSO: *Deputy Mike Sawicki:* More people more activity. Quiet so far. Updating records. As always, let us know if you see anything strange or unusual. JM: New pre-stop stop sign, looks good. Past Jensens', higher than regular sign.

Mullins: Island resident and artist Stella Farwell recently died, asked for a moment of silence. Introduced Bob Walter as new panel member.

Hurricane: *Doris Holzheimer*: Feb. 18, StormReady proclamation at BoCC 9:30 a.m. Recognition of renewal of SR status. March 6, Hurricane Committee education program at South Seas, not sure of room. 3:30 p.m. At shift change. Rich Dickeron, Mike Sawicki, Gerald Campbell, Amy from EOC. March 11 SkyWarn training with Daniel Noah with NOAA in Ruskin. At Tween Waters in Ding Darling Room. Send changes in authorization form to LCSO and CFD. Passes at meetings or from Sanibel.

Fund-raising: *McCarthy*: Explanation of brochure distribution. Cruise tonight, informal way to meet the panel and express any concerns you may have. 5 p.m. From McCarthy's Marina. *Mullins*: Discussion of funding and benefits to island from panel.

Communications: *Stuart*: Will get photos on cruise. Photos of panel.

Planning: *Max Forgey*: 5/16 symposium on how growth management and planning work in Florida. Good for community panel members to attend. No charge. Palmetto Pines CC in Cape Coral.

Financial: *Gooderham*: Update. Monday After The Masters April 14. StormReady proclamation time confirmed.

Bylaws: *Cunningham*: Number of members on the panel? Like to see consider changing number down to nine. *Mullins*: Not this meeting, but perhaps after next meeting. Include on March 11 agenda. *Brown*: Go through same process as last time, committee discussion and 60 days' notice. *Cunningham*: Preceding next meeting? Yes. Include in agenda, ran through members. Community Center not available for March 6 meeting, schedule at SSIR.

Other business: *Stilwell*: Rides to Village... S Car Go, looks like a snail. Holds 12 people, runs during busy times only. From Chadwicks through Village and back. Not more than 35 mph. Will not hold up traffic however. Set stops, not hop-on, hop-off.

The meeting adjourned at 9:40 a.m.

Public planning workshop

Convened at 10:30 a.m. *Forgey*: introductions... First in a series of four, more if necessary. On status of Captiva Community Plan. Schedule of workshops. Handouts.

Overview... 1984 Lee Plan first adopted. Adopted by ordinance, not purely advisory documents. Enforceable in circuit court. Captiva Plan is part of Lee Plan. First adopt by BoCC in 2002, prepared by Captiva Community Panel. About the panel... liaison to county government. History via handout.

Gooderham: Presentation on community survey. *Cunningham*: When do we get in the weeds? *Forgey*: Now, plan comes first but we can discuss LDC as well. *Kathie Ebaugh*: Plan is main mission, code changes that need to be made from that as necessary. *Ebaugh*: Discussion of plan vs. code. If code is inconsistent, you can fix it now. *Cunningham*: When?

Parks and rec issues at future workshop. More detail at those workshops. *Mullins*: Undergrounding. Assessment policy. Bike paths... Sewers. Water quality in the Gulf. Fertilizer ordinances, sewers, storm water runoff. Specific language to update plan. Goals to policies. *Rohn*: Make workshops educational as well. *Nathalie Pyle*: Expert knowledge in the room for context in the recommendation.

Experts? Landscaping – BobWalsh, SCCF (Jenny Evans?)
Bike/ped – Dan Moser, LeeDOT
Historic preservation – Gloria Sagjo
Lighting – Dark skies... Sanibel?
Water quality – SCCF,

McCarthy: Consensus on plan issues. *Forgey*: Sewers, noise, power lines, parks & rec issues, water quality, Captiva Drive, community appearance, landscaping,

- Landscaping, aesthetics, community appearance, Captiva Drive, dark skies
- Water quality, septics, sewers, wastewater treatment & quality, runoff, fertilizer
- Not historical preservation – NO
- Bike/ped – safety, transportation, recreation – areas of concern? Lighting – safety
- The Village – appearance, heights, uses, rentals, mixed use, commercial/residential interface, quality of life... neighborhood character and quality of life
- Community facilities and services – NO

Captiva Community Panel

MINUTES

March 11, 2014

Attending: Susan Stuart, Jack Cunningham, Jay Brown, Mike Mullins, Jerry McClure, Bob Walters, David Rohn, Mike Kelly

Audience: 12

The meeting convened at 9:05 a.m. with a roll call. The Feb. 11, 2014 minutes were approved unanimously (Walters/Cunningham).

CEPD: *Kathy Rooker*: Engineer has certified completion of beach project. Planting project put 318,000 plants on beach. April and May meetings will be at 10 a.m. to allow economist Bill Stronge to participate. Assessments for the last project will be discussed at those meetings. *Cunningham*: Blind Pass, a lot of sand building a bar across the northern opening, what will the county do if it closes? *Rooker*: Bar forms in winter, recedes in summer. Will discuss with county staff. *Cunningham*: Could be serious situation. *Rooker*: County does have plan to maintain pass, will need to check with them. *Mullins*: Pass historically parallels Sanibel shoreline. County can't wait too long. Discussion of inlets. *Mullins*: Discuss groin with Sanibel, better chance now than in the past.

CFD: *Chief Rich Dickerson*: Thanks for the welcome home party for T.J. Klein yesterday. Discussion of party and welcome. Klein back to work on March 23. March 31 ground-breaking ceremony for new station, probably in the morning.

LCSO: *Deputy Mike Sawicki*: Increase in people on the island, more traffic and more crashes. Let us know about suspicious activities in rental houses when empty. *Kelly*: Robbery last week, first time for us. Stole cash, came in the back way. Pay attention and lock your doors. *Sawicki*: We can also be visible, sometimes that's all that is needed. Discussion. *Mullins*: A lot of people on the bridge, high percentage have some record with LCSO. Discussions. *Sawicki*: People can register properties with LCSO to allow us to remove people on your property. We can cite them for trespassing this way. Common sense will help keep you safe.

Hurricane: *Doris Holzheimer*: Thanks to all who came to educational program last Thursday. Daniel Noah at 1:30 this afternoon, SkyWarn training. Working on plans for upcoming season, communications mostly.

Fund-raising: *Gooderham*: Feb. 23 cruise update, discussion from panelists. Monday After The Masters April 14, handouts has details. Need supporters, players and volunteers.

Communications: No report.

Planning: *Max Forgey*: Good workshop last Thursday, anticipate the same today. May workshop good for panel members and others involved in planning on May 16 at Palmetto Pines Country Club in Cape Coral. All-day workshop, cost reasonable and includes lunch. Contact Forgey to reserve.

Financial: *Gooderham*: Handouts, notice that funds are getting low and county reimbursement for Q4 2013 received.

Binder Lane house: *Stuart*: Duplex a disgrace to neighborhood, affecting other properties. Discussion of problems. *Mullins*: Enforcement issues, could pursue fire hazard through Captiva Fire District. Pursue every possible avenue. Lean on anyone you can find to complain to downtown. *Mullins*: Will prep letter to express concern. Discussion. *Holzheimer*: Update authorization forms to ensure they know who the right people are. Discussion. *Mike Frascati*: Some homes being rented for the day for wedding parties. Several complaints to CCA board members, wanted to bring it to your attention. Discussion of CCA position on zoning issues. *Mullins*: Contact homeowner directly first or contact management company. Discussion.

Bylaws: *Cunningham*: Explanation of 8:30 a.m. meeting, committee working on language about number of panel members. Hope to put it on the agenda for next meeting.

Other business: Impact fees... discussion of county spending and issues, growth management survey. Conservation 20/20 discussion. Put on agenda for next month. *Kathie Ebaugh*: Explanation of MPO (Metropolitan Planning Organization) role, update of transportation plan. MPO participation important, needs to hear from more people and more priorities. Invite Andy Getch to April meeting? *Julia Davis*: March 20 Reconnecting Lee meeting, Biggert Waters Insurance Act will be on agenda. 2-4 p.m. at downtown library, open to the public.

The meeting adjourned at 10:10 a.m.

-- Ken Gooderham, administrator

Bylaws Committee Meeting

March 11, 2014

Bylaws Committee: Susan Stuart, Cindy Brown, Jay Brown, Jerry McClure, Jack Cunningham, David Rohn, Doris Holzheimer, Ken Gooderham

Convened at 8:40 a.m. Number of panel seats only item left? Seeking odd number of seats to avoid tie votes? Explanation of how ten seats happened. Nine or eleven? *Stuart*: More people will mean more involvement. *JBrown*: More is OK, odd is more important. *Gooderham*: Other panels all over the place in terms of panel number. You could word it as an odd number of seats not to exceed 11 total. Would have to decide at each election and nomination. Extra seats would be panel appointed, plus could ask CCA or CPOA to turn seats back if they no longer wish to appoint. *Cunningham*: Formal vote of committee to send issue to panel. Gooderham to draft language and circulate to committee, target a panel vote in June. *McClure*: Check with county about changing quorum rules. *Gooderham*: Will check for other possible issues, had done a memo on it a while back but could not find in time for this. Will circulate to committee if I locate it. Adjourned at 8:55 a.m.

Planning Workshop

March 11, 2014

Convened at 10:20 a.m. Four tables. Max Forgey, Julia Davis, Tony Palermo, Sharon Jenkins-Owen facilitators. Kathie Ebaugh led introductions and session.

- Cindy Brown, Doris Holzheimer, Natalie Pyle, Jack Cunningham – Sharon
- Tom Rathbone (?), Susan Stuart, Jack?, Mike Kelly – Julia
- Bob Brace, David Rohn, Mike Fascati – Tony
- Jerry McClure, Mike Mullins, Sue Rathbone (?) – Max

Mobility: SSIR to TWI, alternate ways to move, shoulders inadequate. Combine lanes in Village to make them wider and on one side. Utopia would be a real separated bike path, not going to happen here. Electric jitneys from SSIR to TWI to move people.

Cars... not a problem on island, issue is from off-island. Pedestrians: safety issue in Village. Ideal is defined walkway from SSIR to Andy Rosse. Construct path over drainage, make it safer with more lighting. Revive trolley system, electric and noiseless and fume-free. Bikes... ideal is like Sanibel, not going anywhere.

Overall, S curves are dangerous, drivers cut into shoulders. Clean up corners, road barriers or bumps, traffic calming measures. Bike/ped: 1) bike path on beach seaward of dune Erosion Control Line... boardwalk or path. Blind Pass to Redfish Pass. 2) Separated bike path like Sanibel on one side of the road. 3) Combine shoulders to one side or expand shoulders on both sides. Through Blind Pass, including bridge. Seasonal issue... Feb.-March heaviest. Reducing traffic vs. additional congestion on island.

Basic issue is do we want more day trippers on island? That affects what you do with transportation. Might attract bike groups if you expand shoulders. No trolleys off-island, keep them on island. Day

trippers bring impact without income. Vary speed limits day/night or in congested areas. Not more signs.

Day trippers a big issue, need to decide that first. Balance of day trippers vs. addressing resident problems. Accepting constraints to keep people from coming out here. Cars vs. other modes. Intra-island trolleys vs. on-island trolleys. Could you put parking on south end to keep cars from entering island?

Other comments:
Replicate Darling tram system, running out of Ding parking lot to bring day trippers to island; stops at Blind Pass, TWI and SSIR. Park and ride on mainland? Do survey to figure out where the cars are coming from – off island or from SSIR? Then design solutions to that problem. Expand golf cart area to TWI or whole island. Will be safety issue. Reflective clothing for peds and bikers, hotels could give them out as promotional. Seasonal speed limits. Water taxis.

Workshop adjourned at 11:50 a.m.

Captiva Community Panel

MINUTES

April 8. 2014

ATTENDING: McCarthy, Mullins, Stuart, Cunningham, Brown, McClure, Rohn, Kelly.

AUDIENCE: 10?

Introductions and minutes?

CEPD: *Administrator Kathy Rooker*: Vote to increase county funding for beach project by $1 million is on the BoCC agenda April 15. Support from islanders is needed. *Brown*: What are project costs? *Rooker*: $20.5 million total, with $4.6 million from Florida DEP and $6.1 million from the county. *Cunningham*: Cap add would increase another million. Do we need a letter from panel strongly supporting request *Rooker*: Yes, needs to get in by Friday. Discussion. *Rooker*: Board looking at reserves to see what can be included form there. Still working on FEMA reimbursement from TS Debbie, could be $1.8 million. CEPD meeting at 10 a.m. April 9 and May 14. *Cunningham*: Motion to draft letter in support of CEPD request to go to all commissioners. *McCarthy* second. Unanimous.

Captiva Fire District: *Chief Rich Dickerson*: Thanks from TJ Klein for the welcome home last month, he's glad to be back to work. Demolition of old station will be finished today, old generator needs to come out, will be stored on Shirley's lot. Lightly used, could last up to 30 years. Have to advertise to other fire districts first, if they don't want it then we can advertise it openly. Retaining wall next week to go around site. Anticipating 8 month build out, 10 months would be OK. Did training on demo-ed house. Station groundbreaking Thursday 10 a.m., very short presentation.

LCSO: *Deputy Mike Sawicki*: No much going on, you can tell it's the end of season as the car haulers start coming on island. Send us house check requests if you're going to be out of town. Need specific notice for houses that are not visible from the road. Discussion of how they check people out they find on property. *Kelly*: Saw golf carts by Tween Waters Inn, loaded with kids. A lot of young kids driving carts in resort. *Sawicki*: Limited what we can do on resort, more once they're outside the gates. Low-speed vehicles can operate anywhere posted 35 mph or less. *Rohn*: Participated in LCSO police academy, did ride-along with Sawicki. He considers himself a citizen, policing community by being part of it. *Sawicki*: That's why we're out here, to be available and part of the community. Police are public and public are police. Call us if you see anything strange.

Hurricane Committee: *Doris Holzheimer:* Meeting next week to put together plans for next season. Gerald Campbell leaving county EOC, replacement has been named but don't know who it is. Thanks to those who came to seminar and SkyWarn session. Small but intense turnout.

Fund-raising: *McCarthy*: Monday After The Masters coming April 14. Other effort to support panel in general. Few people responded so far. Would like to see participation community-wide, not just a few of the same funders. Any ideas? *Cunningham*: Make appeal you just said... a little money from everyone will cover our costs. *McCarthy*: Make another mailing with a direct appeal for funds, $100 per property. Draft letter seeking support from community. Discussion. *McClure* second. *Rohn*: Make appeal to join to South Seas owners, explain why it's in their interest. *Mullins*: Also ask rental agents to send to their database. Discussion. *Linda ???:* Make it more interesting... use an odd number, join to be a member of this club. *Mullins*: Board members need to push Masters event to encourage participation.

Post at pro shops, post office.

Communications: *Stuart*: Neighborhood associations, also reach to them. Challenges.

Planning: *Max Forgey*: May 16 all day workshop/seminar. Public workshop to follow this meeting.

Financial: *Gooderham*: Monthly report presented.

Topics: *Gooderham*: Multifamily discussion about Cap Drive property on the market, claiming more units than zoning would allow due to Dept. of Revenue coding misunderstanding. *Mullins*: Don't underestimate DOR code, used for CEPD assessment. Jensens on the Gulf is zoned multifamily rather than commercial. Could a motel popup anywhere? *Brown*: Does this discussion have to be in the sunshine? *Gooderham*: Not if isn't coming back in front the panel, but in general a good idea. *Forgey*: Do you want to schedule a workshop after an upcoming panel meeting? Discussion. *Cunningham*: Time people can stay, amount of people, define use and intensity for properties. Anyone who could discuss that would be valuable. *David ???:* Interface of rules and laws that we don't understand. Multi-family uses to properties. Violation of ground level codes. Septic rules. Code enforcement. Multi-agency jurisdiction issues. Height rules.

Bylaws: *Cunningham*: Number of members plus glitch document discussed. Will review and report next month. *Mullins*: How about president only votes to break tie? Allows it to cover any number in attendance. Bylaws Committee meeting May 13 at 8:30 a.m. before panel meeting

Meeting adjourned at 9:55 a.m.

Bylaws Committee

Attending: Cunningham, JBrown, Rohn, Holzheimer, Stuart.

Set up another meeting, to discuss both number and misc. changes. Identify committee members to confirm their attendance. Send glitch memo and new language with current bylaws.

Planning workshop

Attending: 14

Staff: Max Forgey/Julia Davis/Tony Palermo/Ken Gooderham

Table 1: Paul McCarthy, Mike Mullins, David ???, Jay Brown, Susan Stuart, Jack Cunningham, Rachel (Bubble Room) – Tony Palermo

Table 2: Ann Brady, John Jensen, Sue ???, Jeff Shuff, Mike Kelly, David Rohn, Bob Brace – Julia Davis

Table 1:
No state or county enforcement of septic regs. Water quality, algae blooms and red tide, chloroform issue? Septics can work properly, but must be pumped regularly. Is there a water quality problem? Further investigation needed, need to have facts and science. Sewer vs. septics. Are package plants regulated? Sewer = overdevelopment? Capital expenditure, disruption. Best of all worlds? Sanibel link possible? Committee to investigate, is it realistic and what would it cost? Better septics, better inspections, regulation/inspection/incentives. New septics getting more regulated by county? Gray water dumping in back yards. Rental agencies need to play a greater role in regulation. Better standards and rules. Storm water... drains insufficient in heavy rains. Plan for entire island. Fertilizer regs? What are standards? Beach maintenance needed? No program in place now.

Table 2:
Sunset Captiva package plant described. Can't upgrade due to regs, always repairing it. Sewers great in a perfect world, getting them in may not be possible. Sewers = high rises to too many. Sanibel... Kevin Ruane interested in hookup, talked to Manning about feasibility study. Worth pursuing to see costs and issues. To use Wulfert plant for Captiva. Lake O biggest water quality issue. Fertilizer a question. San-Cap work together, Blind Pass is biggest issue. SCCF a good focal point for islands. Swales needed for runoff control, things individual properties can do – how do you tell them they need to? Committee of the Islands involvement, someone from Captiva to represent island? *Mullins*: Bayous Preservation Association to preserve pass, looking at possible groin.

Summary statement. Adjourned 11:45 a.m.

Captiva Community Panel

MINUTES

May 13, 2014

Attending: David Rohn, Susan Stuart, Jack Cunningham, Jay Brown, Jerry McClure, Paul McCarthy, Bob Walter, Mike Mullins

Audience: 10

The meeting convened at 9 a.m. Following introductions, the April 8 minutes were unanimously approved (McCarthy/McClure).

CEPD: *Kathy Rooker*: Turtle nesting season started May 1. Regulations explained, county will be checking on status. Shield lights that can be seen from the beach. Thanks to panel for letter to BoCC on interlocal agreement amendment. Approved to give us more than double from the county. Board meeting at 10 a.m. For economist to attend. Looking an second version of apportionment roll. June 5 public hearing at 5:01 p.m. Will be sending letter to property owners once board approves apportionment, hopefully by May 21. Project costs look good, much different from 2010 version. Hearing is public's chance to appeal assessment and hear economist's process. Discussion of hearing process. Need to send written letter first if you intend to appeal assessment. *Brown*: Overall agreement with methodology vs. individual properties issues with assessment. *Walter*: At low end even without federal funding? Nice job. *Harry Kaiser*: Tomorrow is for board to approve methodology, June 5 hearing is time for public comment. *Mullins*: Flaw in methodology, using Dept. of Revenue (DOR) coding for multifamily. Discussion. CEPD uses homesteading status rather than or in addition to DOR codes. To impact methodology, need to go to 5/14 meeting. Discussion. *Rooker*: Methodology approved by board in 2006. *Kaiser*: Everyone happy with finished project, even the turtles. Discussion. DOR coding discussion by Gooderham to explain his research and discussion with Property Appraiser's Office. If you want to impact your DOR coding, you need to contact LCPA directly to complain since they feel their use of the coding is accurate for their purposes and can't be responsible for what other people do with it. Also, note that site zoning status for many properties in the LCPA database is very outdated.

CFD: *Chief Rich Dickerson*: Rash of boating accidents in last few weeks in ICW. Poor navigation at fault, pretty severe injuries. 911 call will send everyone to accidents, cancel as situation becomes clearer. New station: Building moving along, retaining wall in place, Septic going in this week. Eight months to finish, depends on rainy season.

LCSO: *Sgt. Mike Sawicki*: Staying on the island. Getting into hurricane preparedness. Inspecting vessels in Roosevelt Channel so they can leave channel if necessary. Complaints about bicyclists, some roadside education meetings with bike clubs. Common understanding about how far to the right they ride. Discussion. Pedestrian vs. vehicle... stay to the right, stop at signs, etc. Discussion. *Mullins*: Lower speed limit at Blind Pass bridge to keep bikers safer?

Hurricane: *Doris Holzheimer*: Almost at hurricane season. Make plan and get passes now. If you missed Captiva seminar, one on Sanibel May 30, 1-3 p.m., at BIG Arts. Gerald Campbell has left EOC, replaced by Lee Mayfield, former head of NHC. mycaptiva.info still active.

Fund-raising: *McCarthy*: Send brochures Draft letter. *Mullins*: Send through SSIR Pack n Ship? Send in summer, with a reason for sending then... have a nice summer, working for you over the summer. Ask for money specifically. Email vs. bulk mail. *Cunningham*: Objective, how much? *McCarthy*: $25K total. *Cunningham*: Ask each for $100 twice, $8K gain. *McCarthy*: Get right to the point. Raise budget for year through this effort. *Mullins*: Look at MSTU option? Talk to BoCC about funding? What we're doing over the summer to keep your island safe. *Mullins*: Support MATM earlier than last minute. *Mullins*: Form a committee to look into MSTU funds. *McCarthy*: Make appeal on major improvement, not minimal operating budget. Cover panel from people on the island. *Ebaugh*: Discussion of Lehigh project and need. We fund specific projects, not panels. *Terry McClure*: How did cruise do? *McCarthy*: Not a fund-raiser per se. Need broader support to make panel valid.

Communications: *Stuart*: Introduced Craig Garrett, new Islander editor. Contact rental companies to let them know more about panel, not possible during season to participate. Suggest pre-season we have a panel meeting to host rental companies. To keep absentee owners informed, most of them are looking for income properties. *McCarthy*: Access their email lists and newsletters. Email blasts. *Mullins*: Make meeting agenda focused, issue-driven attention. *Cunningham*: In a rental community, real estate companies are key to the type of people who will be coming out here. *Walter*: We're an advantage to some other places they're competing with. *Stuart*: Update on Binder house status.

Financial: *Gooderham*: Explanation. County reimbursement request submitted, pending.

Planning: *Forgey*: Ebaugh is leaving county. Getting Sharon Jenkins-Owen. *Ebaugh*: Comments. *Forgey*: Symposium May 16, all day on planning and land use. *Ebaugh*: Why county does not fund panels... authority, staff, dependence, autonomy.

Topics: *Gooderham*: Explanation. Schedule... visioning, drafting, community review, submittal, adoption. Draft by April, adopted by fall 2015? *Cunningham*: Summary of summary. How things will be pursued. Plan vs. code vs. other. *Ebaugh*: Process and strata. Grant funding process, need a plan first, shovel ready projects. *McCarthy*: Island aesthetics, community character, water quality. Transportation safety. Revise existing plan as well as adding new policies. *Mullins*: WQ committee needed. Prop 1 on ballot next November. Sewer vs. septic... committee needed as well. *Cindy Brown*: Community character includes what? *Forgey*: Aesthetics and local economy. What community will look like 20-30 years from now. Mode of governance as well. *Gooderham*: Consider what you can influence legislatively. *Forgey*: MSTU, sense of identity. *McCarthy*: Aesthetics = character. *Gooderham*: Target specifics to shape broader policies. *Ebaugh*: Look, zoning, use... general feel of the community is character. Want, don't want, missing. *Mullins*: Water treatment and undergrounding as separate topics. *Cunningham*: Hot topics, what each of us likes, need to stay as other issues. Need umbrella in the summary. *Mullins*: Issue of utilities. *Rohn*: Bury utilities and add bike path. *Mullins*: Mandates confusion over language. Prioritize issues to Gooderham, get something specific to react to. *Brown*: Write it so we can do these things. *McCarthy*: Alt energy sources mentioned at any workshop?

River Hall: Explanation. *Forgey*: Explanation. “Overriding public necessity.” Support community plans. Cunningham/Brown motion to prepare letter to state our position in a timely fashion. Unanimous. Forgey to draft.

Bylaws: *Cunningham*: Composition of panel and non-voting president. Leave things as they are. No change not vote. Recommend panel vote to make bylaws mission statement conform with Lee Plan language.

Other business: Quorum check for both months June and July to see whether July is viable. *Mullins*: Daughter delivered twins, at risk for pre-eclampsia. Schedule up in the air. Discussion.

Meeting adjourned 11:35 a.m.

Bylaws committee:

Attending: Jay Brown, Cindy Brown, Jack Cunningham, Doris Holzheimer, David Rohn, Susan Stuart, Jerry McClure, Ken Gooderham

Change numbers vs. non-voting president. *Cunningham*: Full panel rare, number may not matter. Discussion. *McClure*: Not much worthy of making change in bylaws otherwise. Don't like president not having a vote. Odd number no guarantee of no ties. Is it worth changing anything? *Rohn*: Fixing an problem that is not broken. *CBrown*: Agree. *Stuart*: Also. *JBrown*: Either way. *Holzheimer*: Don't like even number, but hear your points and support. Don't like president not voting. JBrown/Rohn motion to leave as is. Unanimous. Other changes?. Gooderham explanation. Discussion of status. Mission statement. *CBrown*: What is mission statement different? Make them consistent. *Cunningham*: Do we need to discuss that. CBrown/Stuart Make bylaws mission statement consistent with Lee Plan mission statement, present to panel for vote in July or August.

Captiva Community Panel

MINUTES

June 10, 2014

Attending: Jerry McClure, Paul McCarthy, Mike Mullins, Bob Walter, David Rohn (phone), Jay Brown (phone)

Audience: 8

The meeting convened 9:10 a.m. After introductions, the May 13 minutes were unanimously approved (McClure/Mullins).

CEPD: *Kathy Rooker*: Public hearing on June 5, board unanimously ratified assessment roll for beach project. Working with Florida DEP and USACE on joint coastal permit for the next 15 years. Will take time to work through the details, keeps us ready for any emergencies. Corps here inspecting beach to look at permitted area. FDEP next day had to see finished project, immensely impressed with it. Tough to do project, community being so supportive makes it easier. Next meeting is June 11 at 1 p.m., Tween Waters Inn in Wakefield Room, beginning budget process for FY 2015. *Harry Kaiser*: Beautiful beach on Captiva, want to keep it that way. I'm a fan of tourism, healthy for island. Need to get word out to travel and real estate people, when they rent need to inform people about beach protocols, no bonfires allowed. Explanation. Dog on leashes required, will scare kids and birds. Stay off the vegetation, sea oats and seagrasses, very dry right now so they're sensitive to abuse. Get the word out to people to take care of their beach. *Walter*: Can CEPD put together do's and don'ts? *Rooker*: Putting together an etiquette pamphlet to distribute to real estate offices and resorts. *Mullins*: Bonfires on beach always on New Year's Eve, not always tourists that do it. OK for fire on beach if in container, an open fire is illegal. Heard concern about boardwalk on the beach... there is no plan, just talking about people's ideas of what they might like to see in the future. Not a panel proposal, just ideas from citizens at our forums.

CFD: *Rich Dickerson*: Beach fire rules still apply, container OK but no open fires. Building: construction moving along, floor and walls under way. Website has weekly updates on progress. Hurricane: Daily or hourly updates possible. Have had several meetings with county/Sanibel officials, geographic zone meeting. Emergency Operations Center up to full staffing, new staff described. *Mullins*: Discussion. *Dickerson*: New helicopter program in place, paramedic on board. Fees can be high. Out island checked into additional insurance, Life Shield policy mentioned. Will pay for flight, up to $10K. Costs $49 per year per person. Will distribute information. *Mimi Schwartzel*: Can generator companies get on island before people post-storm to maintain generators? *Dickerson*: County decision as to access. *Mullins*: Gas companies make it earlier, but vehicle access to island is necessary first. *Walter*: We disconnect the automatic kick-on before we evacuate. *Dickerson*: That's a better idea.

Hurricane Committee: *Doris Holzheimer*: Have hurricane pass to get here, gas companies as well. *Dickerson*: Maintenance personnel get on first. *Holzheimer*: Do you have anyone checking house? *Mullins*: Develop a relationship with a realtor or maintenance company. Then send letter to authorize their access to your property. Discussion. *Holzheimer*: Hurricane season started June 1. Be sure to file your letter. Partnership with CFD to post information online. *Kaiser*: Will there be an off island HQ if a storm hits? *Holzheimer*: There's a hotel we recommend, not rooms reserved. Crown Plaza, also Sanibel and CFD HQ.

Fund-raising: *McCarthy*: Islandwide appeal to generate broader base of contributions. Letter drafted.

Email to all for tweaks, work to get it out this summer. Help us out while we work to protect your interests. Discussion. Properties vs. panel budget. *Walter*: Will be starting quarterly newsletter soon, section for panel included. *McCarthy*: Community Housing Resources on Sanibel, below-market-rate housing for employees. Charter said Sanibel and Captiva, just became Sanibel as they progressed. Is there interest to be eligible for CHR housing? Meetings to expand to Captiva if interest is there. What organization on Captiva would be the contact? I suggested panel as best choice. Read CHR letter, needs assessment study proposed. Does panel believe Captiva should be included in assessment study? No available land on Captiva to build anything, so this will fall on Sanibel. Motion to send letter to CHR (McCarthy/Mullins) that there is a need for assessment on Captiva for island employees, be included in assessment study. *McClure*: Will they want money? *McCarthy*: County could be involved if Captiva is included. *Mullins*: Tradition of island working together for those in need. Cut deal with county to keep deputies out here. *Holzheimer*: Assessment should talk to all business, not just big ones. *Ann Brady*: Don't forget about nonprofit businesses. *Rohn*: SSIR employee housing vacancies, could be income producer? *Walter*: Limited availability. Unanimous approval.

Financial: *Gooderham*: Status in handout, awaiting county reimbursement for Q1 2014, will submit Q2 after July 1. *Mullins*: Grants discussion. Great return on investment.

Planning: *Max Forgey*: Great symposium on May 16, glad Holzheimer could attend.

Plan update: *Gooderham*: Explanation of status and memo with suggested language as a starting point. Pulled language from other community plans to show what's done elsewhere and as a model, since if it's in the Lee Plan already it's harder for commissioners to turn you down if you want the same thing for Captiva. A lot of choices, not expecting decisions today but wanted to get ideas out so this group could ask questions and larger groups in attendance in July could give Forgey and I some solid direction to work on draft language for you all to review in August and September in hopes of being ready to present it to the public at workshops once season is back late this year. Forgey: Introduced Sharon Jenkins-Owen as new county liaison, contact info is 533-8535 or sjenkins-owen@leegov.com.

Brown: Pretty good ideas, liked building consistency and mega-mansions language. *Mullins*: RSC-2 discussion. *Walter*: Educating public? Panel as resource. *Mullins*: How panel operates. *Gooderham*: Note Boca Grande's options on language supporting specific agencies and policies – library, fire, police, etc. Something panel could consider if desired. Discussion. *Schwartzel* : Discussion of interaction. Undergrounding discussion. *McCarthy*: Ask Tween Waters how much it cost recently, not using figures from years ago.

River Hall: *Forgey*: June 23 Local Planning Agency hearing on plan amendment. Background explanation on history and issues. Depending on board action, community plans will be seriously compromised and will have an impact on Captiva.

Other business: *Holzheimer*: Hurricane Committee needs backup IT person to Beth Oden to post to website. *Gooderham*: What skills are needed? Will want specify.

The meeting adjourned at 11:05 a.m.

-- Ken Gooderham, administrator

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Captiva Community Panel
Tuesday, July 8, 2014 @ 9:00 PM
Cone Room South Seas Resort

Members:

Susan Stuart (Chair)
Sandy Stilwell
Jerry McClure
Paul McCarthy (quorum present)

Max Forgey and Patrick White, note takers

Sharon Jenkins-Owen, AICP; Principal Planner, Lee County Department of Community Development; . SJO@leegov.com or sjenkins-owen@leegov.com.

Mike Sawicki, LCSO
Jeff Pawul, Captiva Fire Department

Meeting convened at 9:15 AM by Susan Stewart who announced the presence of a quorum.

Kathy Rooker (CEPD update): Next meeting will be at Crown Room

Jeff Pawul (Fire Department, for Eric Dickerson): Making good progress on new fire house, and they're trying to keep dust down. Hope to have building with a dry interior by September when doors are installed, and hope to complete by year's end. They really appreciate community support. We had our first named storm on the other coast. Reminding residents and businesses to have plans in place.

Mike Sawicki (for Doris H): Want to reinforce that residents, guests, businesses have plans in place in event of a disaster. We are looking for a volunteer to work on MyCaptiva.Info to relay disaster preparedness info to website in storm events. The out of state web manager Beth needs assistance.

Sandy: Recommend talking with "Queenie" and perhaps link MyCaptiva to FD page for emergency updates. She is providing the same service for the Chapel and Historic Society.

Mike S: There is also a FB page that could benefit from this. Reinforces that this should be a volunteer post. A draft budget is due in September [presumably for beach erosion/hurricane prep?]

Jerry: Is that a lot of hours?

Mike S: Only when there's a storm. That's when you want a constant flow of information.

Jerry: It's PC based, which doesn't do much good for us Mac people.

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Mike S: We'll approach Queenie. We'll have a draft budget by September. Keep it volunteer based. There has been some summertime criminal activity. We rely upon people in the community to be our eyes and ears, so call us.

Question from audience (Mimi Schultz?): What's the best way to reach you?

Mike S: 477-1000 is **non-emergency** number. [Shared cellphone number with participants.] I answer 24 hours if needed.

Lady in audience: I live at 16898 Captiva Drive and there are problems with passing due to fast traffic moving way too fast just north of Blind Pass. I advise guests to look both ways

Mike S: I'll run some radar. We can't train vacationers as well as locals and employees. You'll always have slow sightseers and fast-moving people.

Paul McC: We have a low budget. I think it's best to reach out to property owners. Most of our expenses are donated—room, food, and the like. Peak-season fund-raisers are OK, but property owners should be willing to pay $100. Our spring brochure came out nice. Ken drafted a long letter; should try a short one. Some non-Panel members might want to provide an endorsement of the Panel's work. [General consensus that all Panel members' names should be in the letter.]

Susan S: I think it's overkill. I'll be happy to work on a shorter letter and help with the selected names.

PMcM: The great thing about summer is that we're not competing with all the other fundraising activities—Big Arts, the Shell Museum, and the like. Most addresses are out of state and our message to them should be that while you're away we're looking out for you, meeting every month.

Jerry: Authorize you [Paul] and Sandy to proceed. Don't need to bring it back in August.

PMcC: Give 10 or 20 copies to each Panel member and to non-Panelists who see a lot of people, like Dave J, Tony and Jeff. Add the brochure.

Sandy S: Do we want to list $100 donors?

PMcC: [Made comment.]

Susan S: Do we want Paul to share a draft with the rest of the membership?

Sandy S: I'm sure he'll do fine. [General consensus] Update on S Car Go. There has always been a need for transportation on the island. Years ago, Lee Plan was considering routes out here. It would be great if they come out twice a day. SCarGo—circle on Andy Rosse. I lost two parking spaces, which is a serious loss on the island. I paid for insurance. First

day, we weren't allowed at SSR. There are potholes at the post office. Can't buy gas here; have to haul fuel in. I'm looking for a vote of confidence from the Panel. Ultimately this should promote safety. We can't turn around.

Mike S: The post office property is privately owned. Get permission from property owner. If you have questions take them to owner of record.

Sandy S: It's a matter of community spirit.

Jeff P: The fewer pedestrians on the road the better. Appreciate the trolley. Tween Waters is cooperating.

Susan S: Love the look—it's beachy fun, a real service.

Sandy S: In September we may just run on weekends.

PMcC: We have addressed this for years—the passageway around the Rauschenberg property. I have some experiences. I owned a trolley. It was costly; it was clunky. People wanted to be included; everybody wanted their own stop. Sandy's smart to take the initiative. There is a property rights issue [at the post office.] If somebody falls off, who gets sued?

Sandy S: Right now we're only running to the post office. No other private property.

PMcC: When people use my private dock for this commercial use, I have a liability issue. It's a great idea, but you need

Max F: I have two things. First item is the River Hall case. You have a one page chronology in your packet that summarizes the current status of this amendment to the Lee Plan. For those of you who are interested in reading my letter to County staff, I have made five copies. If you want anything else relating to this case, and the packet was 895 pages long, email me at either of the two addresses and I'll see that you get copies. The local planning board recommended denial by a 4-3 vote at their and the panel should note this case as it's related to the long term viability of Community Plans and the determination of an "overriding public necessity" in the plans of Bayshore, Buckingham, Alva, and Caloosahatchee Shores.

Question from audience: How do we think they'll vote?

Max: Mann and Manning have been opposed from the beginning and are not likely to change their minds. I would be surprised if Kiker would change his mind—he has strongly supported this application from the beginning. If there is going to be a swing vote it will come from Pendergrass or Hamman. Pendergrass voted to transmit the last time, and Hamman was appointed to the commission after that vote. All we need is one of them. Please remember that this is a transmittal hearing; the tentative date is September 17th. If there are three votes against the application, it fails. If there are three votes to transmit,

there is still a chance at adoption time after the Department of Economic Opportunity conducts interagency review, although it is not DEO's practice to challenge local transmittals. Even if the BCC approves, it can still be appealed to circuit court if the neighbors are so inclined.

Sandy S: They should be pushing this hearing to after the elections, it's too political now.

Max: GreenPoint, the applicant, is not as eager as they once were. My second item is the Captiva Community Plan. I'd like to conduct an experiment. You have a handout in your printed packets. I have taken Ken's proposed language and marked it as KG. In most cases, I have offered an alternative with my initials. You will find that my version isn't all that different from Ken's. Then I leave space for YV=Your Version. I don't intend to go through all of this this morning, given the small group, but I would like to see if this approach works for us. We'll continue next week where we leave off today. The first item is alternative transportation options…

PMcC: Add "private provider" to list of options related to transportation language. Also safety is a big topic and should be added.

Susan S: Who is getting the toll revenue? Is Sanibel getting some of it?

[PD Police Dept? Patrick's note, presumably Mike S] Mike S: Some guests come to stay on Sanibel and then travel by car to Capitva, causing high parking demand from users that may be better served via another means.

Susan S: Bicyclists also a problem.

Mike S: Bikes need lights, most renters probably haven't been on bikes in years, and need some traffic safety rules. Problem probably best solved working with rental outlets. We may have a brochure we can distribute. I'll look into it.

Other comments: Add 'bridge' before tolls on Max's version. Consider having two policies—one for inter-island'; one for 'intra-island.' Mention 'private trolley service' as an option. Should Captiva get some of the toll?

MF: Our next topic is dark skies.

Sharon: Upper Captiva recently added lighting provisions to their plan to protect sea turtles. The Lee County Code addresses commercial lighting regulations that direct lighting downward.

Panel: What constitutes light trespass?

Sharon: When light shines directly on to a neighboring property.

Mimi: How about the rental properties frequently lighting the beach? Is it commercial when they're renting it every week of the year? See my neighbor Tinderly.

Sandy S: Can rental agencies help enforce turtle rules?

PD/Mike S: I think the ordinance applies to rentals as well. And will check out the Tenderly building for light trespass issues.

Other comments: Promote education and voluntary efforts.

Jerry: What does "actively promote" mean?

Max: That's my own effort to find a word stronger than 'encourage,' which planners hate. You can actively promote via avenues other than the code. For example by voluntary effort or through requesting help from non-for-profit organizations, or community associations.

Sharon: Lee County will want qualifying language related to 'actively promote' if it's to be used in the plan.

Max: Of course. Our next item is rentals vs. residential properties. You have Ken's version and my version, and there's an additional option, which is no policy at all.

Jerry: I don't like that version. [General consensus in agreement with Jerry.] Also, I think the Max version is missing the word 'not' as in "may **not** be rented…"

Max: Thanks for catching that. I guess I got in a hurry.

Other comments: Put pressure on rental agencies to maintain the rules. How will this affect SSR and neighbors in rental units? Septic tanks were reason for limiting the number.

Captiva Resident. There are many inconsiderate rentals, unregulated and unsupervised mini-hotels, unmanaged garbage, etc. There should be a rental complaint hotline. I have experienced outrageous behavior next door by Gold Coast tenants over the 4th of July weekend (over 20 people in one house, bonfires on the beach, lights on all night, trash piled up on the street, shooting off fireworks, etc etc.) I was "scared" to confront them.

Interactive discussion: There are ways to "regulate" this pattern of conduct via County regulations, but it would be a better first approach to reach out to the property owners and their rental agents, advise them of the community's intolerance of this situation, and recruit them to help solve the problem.

PMcC: Maybe a regulation is needed regarding maximum guests per room, and parking

PD/Mike S: If enforceability ordinance existed, how would we prove it in the field, or in court? Similar to biking, this should probably be handled through the rental company.

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PMcC: The rental deposit could be at risk if they violate maximum guest regulations. The key is working with rental association to place a penalty for misuse of properties. Is there a 7 day restriction currently existing? How about # of people in units?

Sandy S: We really need a workshop to put all of this together

Max: How about during Septembers regular meeting? That will give us time to invite the rental firms and other people. Let's try to limit it to one hour.

PMcC: We should prep the rental companies with info and seek their input, ask for their attendance

General consensus on having workshop at September meeting.

Susan S: Sorry, but I am going to have to leave. You are welcome to continue working. I think this has been a very good meeting.

PMcC: We need to not forget to factor in VBRO and AirB&B into our discussion on rentals.

Sharon: The minutes from the last meeting incorrectly stated my email address. I can be reached at SJO@Leegov.com

PMcC: let's look around for other successful rental regulations; surely Sanibel and FMB have tried.

Adjourned 10:45.

Captiva Community Panel

MINUTES

Aug. 12, 2014

Attending: Jay Brown, Jack Cunningham, Jerry McClure ,David Rohn (phone), Sandy Stilwell

Audience: 8

The meeting convened 9 a.m., with McClure serving as chair. After introductions, the July 8 minutes were unanimously approved on a motion by Cunningham/Brown.

CEPD: *Kathy Rooker*: The next board meeting would be tomorrow (Aug. 13) at 1 p.m. in the Wakefield Room at Tween Waters. She said the U.S. Army Corps of Engineers was processing the district's permit application for 15-year permission to put sand on the beach; the public notice would go out on the website a week from Wednesday. The district was collecting assessments on the project just finished, and more than half have paid in full already. Those funds will be used to pay down on the loan, which will save us in interest. *Cunningham*: What would be the highlights at the meeting tomorrow? *Rooker*: Budget for next year, possible millage rates. Resolution supporting Florida DEP funding request, monitoring costs. *McClure*: Chance of Corps involvement next time? *Rooker*: Board will be pursuing that, dialogues taking place. Government keeps changing its mind as to what it wants. *Brown*: How many projects has Corps supported? *Rooker*: Some of the last projects, last three at least. Federally authorized project doesn't always mean funding. Issue we had has affected other municipalities around the state, likely consequences of post-Sandy auditing. Some communities have opted out of Corps process due to interference.

CFD: *Rich Dickerson*: Busy this summer, like season. 42 responses in July, on track for August. A lot of people here. Hurricanes: Peak season starts next week. El Nino year so it could be quiet. New building is two weeks behind schedule, trusses expected tomorrow, dried in ASAP. Rainy season hasn't been too bad this year, helped us stay on track. Will pull barricades for triathlon road cleaning. Discussion of traffic impacts. *Brown*: Calls involving renters? *Dickerson*: Both renters and residents. Same kinds of calls summer and winter.

LCSO: *Mike Sawicki*: Busy summer for us as well. Traffic issues and arrests, higher than normal. North Captiva taking more time than usual. Quiet for thefts and burglary this summer. Elsewhere, resurgence in marine theft, mostly Pine Island.

Hurricane: *Terry McClure*: Still looking for volunteer to back up website. *Dickerson*: Will use CFD website as backup this summer. Also watch out for quick forming storms in late Sept. and October.

Financial: *Ken Gooderham*: Questions on update? Fund-raising letter is moving forward, expected ot go out later this month.

Planning: *Max Forgey*: River Hall hearing set for Sept. 15 at 9:30 a.m. Discussion of issues and likely vote. *Cunningham*: What is status of update and schedule for review and discussion? *Forgey*: That's the next item.

Plan Update: *Forgey*: Have given you draft language options like last meeting, let me know which you

prefer. Vegetation policies... *Stilwell*: prefer 1 to 2. *Brown*: Same. *Cunningham*: On rentals, prefer 1. *McClure*: Will you update language reflecting discussion from last meeting? *Forgey*: Should hold rental workshop first. Rental discussion, set up workshop for 9/9? *Cindy Brown*: Recap of last meeting? *Forgey*: Generally favored KG language on transportation and lighting. Rentals, make it no less than seven days. *Brown*: Landscaping? *Forgey*: KG version. Include actively promote? *Cunningham*: On rentals... concerned about change in community and image. Role of rental agents in policing that change. Explain logic as to how we came to this discussion. *Stilwell*: Check with agents on date availability for workshop. send email to confirm. *Fred Newman*: Royal Shell already has seven-day rental minimum for single family homes outside South Seas. *Stilwell*: People playing well together. Develop instructions on how to be a good neighbor. *Newman*: Book in block during off season.

Trees... preferred MF version. Pests... OK, check incentives as to what they are. Heritage trees... OK, define what they are. Find location of definition send to panel. Land Development Projects... prefer MF version. Degradation... OK as is. Look at “unnecessary” to decide if needed. Building heights... original intent? OK as is. Blind Pass... Never designed to be navigable. *Rooker*: Mostly for water quality. Will you bring language before the CEPD board before there's is a commitment made? Discussion… possibly remove navigable? *CBrown*: Transportation... bike/ped safety? Lee DOT issue, allows community to ask for improvements. *Rooker*: A new DEP rule about parking spaces counting toward beach access level says if you have four places on bike racks with a quarter-mile of the beach you get credit for two parking spaces. Several new changes in beach funding... hotels within a quarter-mile of beach access count toward public access. Community character? Services? Check on possible wording from memo.

Other business: *Cunningham*: Tween Waters section of Captiva Drive, both the road and s-curves road is getting dips in it. Talk to Lee DOT about it. *Sawicki*: Vegetative offset from roadway, check language. Invite Lee DOT to meeting? Dept. has said it’s reluctant to cut vegetation on private property. *Cunningham*: Draft letter to DOT on road and vegetation, and invite DOT to participate in an upcoming island meeting. McClure, Cunningham and Sawicki all interested in attending meeting. *Stilwell*: Schedule trimming and notify people it's coming. Discussion.

The meeting adjourned at 10:15 a.m.

-- Ken Gooderham

Captiva Community Panel

MINUTES

Sept. 9, 2014

Attending: Jerry McClure, David Rohn (phone), Sandy Stilwell, Mike Mullins, Jack Cunningham, Jay Brown (phone)

Audience: 15

The meeting convened at 9 a.m. Introductions and roll. The Aug. 12 minutes were unanimously approved (McClure/Stilwell).

CEPD: *Kathy Rooker:* Budget hearings held in Sept. Millage rate 0.3124 last year, will be 0.3053 due to increase in property values. No increase in taxes to property owners even through values have gone up. 9/22 last hearings, 5:01 p.m. Board meeting same day 1 p.m.

CFD: *Chief Rich Dickerson*: Tri this weekend, explanation of impact and staffing. Building... Good progress, will look far different than it does now. January still completion likely.

Hurricane: *Terry McClure:* No news. Still need web backup for Beth Oden.

Mullins: Move property discussion to October? Discussion of process, pay attention to bills.

Financial: *Ken Gooderham*: Update included in packet. Fund-raising appeal letter went out in late August, picked up a number of envelopes this morning, will have totals next month. Also county reimbursement check is in.

Planning: *Max Forgey*: River Hall decision delayed, Sept. 15 hearing moved to Oct. 22 at least, while "overriding public necessity" language is defined. Explanation as to why it is important to Captiva. *Mullins*: Need anything further from us?

LCSO: *Sgt. Mike Sawicki*: Last week two golf carts stolen from Jensens, recovered by Rauschenberg staff. Also some paddle boards stolen at SSIR, minor incidents. Keep your eyes open, call us or dispatch.

Rentals: *Max Forgey*: Introductions and explanation. Issues include intensity of use, frequency of use (how long and how many?), septic concerns. Renter information about turtles, noise, neighbors. Dealing with complaints, who should respond first if there are problems? Is this hurting the Captiva brand? How to mitigate if island loses prestige. What do rental agencies expect, how can we work together? Summary of suggestions. *McClure*: Are we looking at language to send to the county? Impact? *Forgey*: Possible policies if appropriate, perhaps Land Development Code language. Also how to reach informal agreement on island. *Cunningham*: What is county's position right now? *Forgey*: Introduced Bobbie Stewart and Rick Roberts. Explanation of county stance, which is complaint driven and as spelled out in code or ordinances. Rental agents in attendance introduction: Elaine Smith and Lisa Wheeler with AMRC; John Brooks and Brooke Pfautz, All Star; Fred Newman and Barb Harrington, Royal Shell.

Mullins: Most things have been addressed via survey and workshops. This issue got raised to a different

level, built in to the body of the meeting. Stilwell: Explanation, not just rules, but how to get along. Help to make problems go away, issue by issue. Not new code enforcement, but one-week rental periods. *Stewart*: Minimum rental period and intensity? No intensity or rental period now in place. There are some minimum housing standards for permanent occupancy, such as size of house, number of bedrooms and bathrooms. *Cunningham*: For any community? *Stewart*: Nowhere in county. *Stilwell*: State rules for hotels for less than one week. *Mullins*: There are RSC-2 regulations in place. *Gooderham*: Explanation how those were included in LDC update. *Mullins*: Look at a more broad area eventually? No rules basically. *Gooderham*: Explanation of how dwelling unit language was used to construct a de facto one-week minimum. *McClure*: Not RSC-2, but all Captiva. Not trying to bring up RSC-2 again. *Mullins*: Feedback from agents? *Elaine Smith*: Interested in being good neighbors. Outside of Village, we don't know about problems unless someone tells us. Rules in every home. Turtles, beach, septic system. Always complaint driven. *Mullins*: That's important, and also to go to agencies first. *Smith*: Owners can make their own deals, we can't always say no to that. When we speak to them, we're very clear about what they can and cannot do, numbers and usage, if we're handling the rental.

Mullins: Hotels have to post information, what about rentals? Poster for rentals? *Smith*: Flip chart that is by phone or modems, each is custom for that home. *John Brooks*: Same thing, no online booking, contact with guests. No partying, etc. but it can happen. Have to rely on neighbors to call us directly. Discussion. *Brooks*?: Legislature dealt with this in last session, in a rental homes bill. Length of stay cannot be restricted. Occupancy, code, parking restrictions allowed. We base occupancy on beds. *Mullins*: Control once was local, then went to state, move some control back to local issue. *Bob Brace*: Are you reachable at night? Response from agents was they can be called 24/7. *Harrington*: We do the same thing as well. Check in person get them info about island and home. Number of people clearly stated. We do rely on the neighbors, and we do respond. Very conscious of local residents. *Mullins*: Summary of discussion. Willing to keep this dialogue going in committee, contact me if interested.

Brown: Some concerns about occupants, reluctant to call police. More likely to call agencies. *Mullins*: How to find out who the agency is? *Smith*: Most have signs on single family homes. *Cunningham*: From workshops, issues that arise are time period and behavior. Agencies do have instructions, but we still have problems. This action impacts Captiva brand, image of a premier community, nice homes, concern about environment. Transition from owner island to rental island is changing its character. Agents have to control this, you're the ones bringing people in. Have to go beyond written instructions and 24/7 access, and work on more communication and advise to renters and neighbors. Consider if rental agencies would put someone on the panel to enhance awareness and our understanding of issues. *Mullins*: Subcommittee of panel faces Sunshine issues, encouraged them to form their own committee. Sharon Michie used report on that to us. *Smith*: Owners of rental properties also need to be engaged. They need to know the issues and concerns as well.

Nathalie Pyle: Agencies here are always responsive when I contact them. My neighborhood has a lot of rentals, only 3 full-time owners on one street, none on the other. Endorse proactive role for rental agencies. Don't like being in the position of being the policeman on my street. Not enough of us to be the eyes and ears on these heavily rental streets. Help renters understand this is just like their neighborhood back home. *Stilwell*: These were questions emailed to me. *Mimi Schwartzel*; Wish we had more agents here, thanks for coming. Issues she's concerned about... beach furniture and use, outside inspections, surprise inspections. *Rene Miville*: Smith was one of the first panel members. *???:* How many homes are not represented here? *Wheeler*: 75/25 maybe, but BRBO is becoming more popular. *Miville*: This is more a summertime issue, when state visitors come here. Always been a rental

community. Seven-day rule is unenforceable and will pit neighbor against neighbor. Why spend energy on a moot point? *Sawicki*: Handful of properties generate bulk of complaints. Design of house to accommodate people, and design of house to magnify noise or other issues. Identify some of the more persistent problem properties, address issues at those properties more.

Forgey: Read questions and possible solutions break into four areas. 1) Plan policy. 2) LDC regulation. 3) Some informal community action. 4) No problem, doesn't need to be addressed. *McClure*: Not sure if seven-day minimum would be allowed by state. *Stewart*: Keep in mind enforceability. County does not get a copy of your lease, so it's hard to make a code enforcement case here. *Sawicki*: Element of offense, with penalty behind it. Hard to establish this with some of these issues. I can persuade, but I can't always enforce. Agencies have more power over renters sometime than police. *Mullins*: Rental agencies contact me, try to create a non-panel committee to set up some meetings. YouTube video, other way to communicate. Look at things in context. Issues may not always be caused by renters, could be owners at times. BRBO people can be giving others a bad name, what can we do to address that? Discussion.

Stilwell: Thanks to agents for being here. Make things personal, gets renters to keep it better. Keep a notebook for guests to track problems. Be very proactive in your approach. *Pyle*: Include rules about dogs on Captiva in homes. *Mullins*: Contact me if you want to get involved. Issue of intensity and concentration, lots sizes in Village as an example. Home mass and scale. Address bigger homes on smaller lots? *Miville*: Look at how other communities address some of these problems. Way to scare off the 2% troublemakers. *Sawicki*: Anyone can call the police, but there are limits on what we can do. Writing that law is difficult, rental agencies can do more and we can support their actions. *Cunningham*: Envisioning one set of rules for all agencies? *Mullins*: Talk about issues and see what we have in common. Universal package to share with anyone. Facilitate to make it useful. *Cunningham*: More owners doing direct renting, agencies can tell them what the rules are as well. *Mullins*: Separate renters, rental agencies, and hybrid to two. *Harrington*: BRBO is an issue for us, since we still get the calls. We can contact owners, after that our hands are tied. All want to be good neighbors. Everything you're addressing we are doing in house. We have established a penalty for over-occupancy recently.

Forgey: Second iteration of plan language available for panel and community review. Email me or come to the next meeting. Send rental email to panel.

Mullins: October... agenda, rental progress. Tri, other issues. *Miville*: Panel should focus on sewers and underground power lines. Better issues than what's being done now.

The meeting adjourned at 10: 25 a.m.

-- Ken Gooderham

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Captiva Community Panel
Tuesday, Oct. 14, 2014 @ 9:00 p.m.
Cone Room, South Seas Resort

Members:

Mike Mullins (President)
Jack Cunningham (JC)
Jay Brown (JB)
Bob Walter (BW)
Paul McCarthy (PMcC; quorum present)
Mike Kelly (MK) joined meeting at 9:05.
Susan Stuart (via telephone)

Max Forgey (MF), note taker

Sharon Jenkins-Owen, AICP (SJO); Principal Planner, Lee County Department of Community Development; SJenkins-Owen@leegov.com
Sgt. Mike Sawicki (MS), LCSO
Kathy Rooker (KR), CEPD

Cindy Brown (CB?)
Doris Holzheimer (DH)
Harry Kaiser? (HK)
Fred?

David Depew, AICP (DD)
Bill Morris
Tina Ekblad, AICP
Jose Gonzales, AIA (JG)

Meeting convened at 9:02 AM by Mike Mullins who announced the presence of a quorum.

MM: Proposed to dispense with reading of minutes. Motion Cunningham, second Brown. Adopted unanimously. Kathy, can you explain the visitor's card which CEPD has produced?

Kathy Rooker: It's a two-sided card with rules for visitors. How to keep the island and beaches beautiful and safe for people and wildlife. Sea turtle season is coming to an end. This is important because it affects county permitting. The biggest two sources of violation on the island [among visitors] are lighting and items left on the beach. The newly adopted CEPD budget lowered the tax millage slightly and should keep taxes level for the next year.

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Paul McCarthy: The cards are great. I wonder if we could combine our resources and funding and produce a one-page "Welcome to Captiva" brochure with information from the Sherriff, Fire, Noise, etc., explaining the role of the Panel, CEPD and other resources.

Bob Walter: That's a great idea

PMcC: "Welcome" is the important word. Again, this is a great product but I wonder if we could get the main issues on one sheet.

Jay Brown: Last meeting we went through a litany of rental issues.

MM: Yes, and I think it would have been better if we had made that workshop a separate item from the Panel meeting. In the future, I would like to do it that way. Some people want to attend only that item, and they can arrive at 10:00 for example. Regarding CEPD, we understand that it was an independent effort and the result has been commendable. It would be a good to have the conversation that Paul proposed. Is Chief Rich Dickerson here today?

Max Forgey: Dickerson was unable to be here, but he sent word that the fire station construction is on schedule and should open on time.

MM: Mike, could you bring us up to date on the County's new noise ordinance?

Sgt. Mike Sawicki: Most noise disturbances are no longer pinned to decibels. The new standards are applicable when we arrive on scene — volume of noise, can it be heard from receiving end? Nature of noise, volume and intensity of ambient noise. Proximity to sleeping areas. Is it commercial or noncommercial activity? It does not work for all types of complaints — e.g. it's too bad that service vehicles are making noise, but the ordinance does not prohibit it; lawn care, leaf blowers, chippers, they're all OK with the new ordinance.

MK: What about construction noise?

MS: That's usually a code enforcement matter, but we sometimes get involved. When it comes to construction noise, decibels still matter; we do have the decibel readers to measure it.

MM: There are now apps that register dBs. In fact, Mike, you're speaking at 68-70 right now.

MS: Yes, and I'm allowed 72.

David Depew (Morris Depew Associates): Those apps won't hold up in court.

MS: Ours have to be calibrated. Again, not everything in the new ordinance is tied to decibels.

MM: Doris, can you give us a hurricane report?

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Doris Holzheimer: It's still hurricane season until Dec. 1. There is a hurricane near Puerto Rico, but it is not expected to reach Florida. We will monitor—remember to go to MyCaptiva.info, our website. Our January meeting is scheduled, and our information meeting will be May 7th. We've had poor attendance the last few years, now that the last hurricane was ten years in the past, people forget.

MK: Is there a better way to get attendance?

DH: They have good participation on Sanibel. [Encourage neighbors to attend.]

MM: Paul, fund raising?

PMcC: We have sent brochure to all property owners requesting $50/100 contributions to support our work.

MM: Also, let's remember that business owners are our constituents.

Harry: Do we send thank-yous?

PMcC: Yes, Ken does.

Susan S: Ken will be back next month and he can provide more details.

MM: We get reimbursed through planning and are expecting up to $50,000 this year, Max Forgey, would you like to explain?

MF: We receive funding through working on workshops, planning efforts like updating comp plans or land development codes. And as we bring in experts, rent buildings, or any useful items are billable to the county. Sharon, could you elaborate?

SJO: The county has a program where individual communities apply for funding and are awarded $50,000 towards community planning and development. Max here is your consultant and we have a contract to meet certain deliverables. We usually share the cost with the community.

MM: I did want to point out the budget this past year was very tight and we failed some of the gaps, but do you know if we have filed for reimbursement for some of that?

SJO: One invoice filed so far; one more is on the way.

MM: Max, would you like to segue into the planning portion?

MF: I do see a couple of new faces so I'll probably get into River Hall a little more in depth than I originally planned to. River Hall is in east Lee County, just east of I75, along SR-80. It is a part of the Caloosahatchee Shores Planning District. Important thing is the Board of

County Commissioners is struggling with a passage in that community plan that says that any conversion of currently rural property to a more intensive use has to be predicated upon a finding of "overriding public necessity." You have two commissioners who appear to be ready to make the finding (Hamman and Pendergrass), two who are entirely opposed (Mann and Manning), and one who has an evolving view of the issue, Kiker. This is important to this community because if they can set aside some of their community plan in C-Shores, they could do something similar to us as well. I will keep you informed about it, as it's coming back to the Board on Oct. 22.

JC: I want to come back to the statement that we are sharing some of the cost from the money given by the county. I was under the impression that the $50k was only from the county.

SJO: Correct

MM: On an ongoing basis, all of our fund-raising that we do here, the idea is that we raise a match to the grant, but we usually get well over.

JC: But we're not obligated to match this $50k grant.

MM: I think we either have previously, and we periodically get the grants and we match or beat them over time.

MF: For instance, when you pay Ken or me, it's part of your match.

MM: And any events we run for community purpose, like Paul's boat ride or South Seas.

MF: And I never bill more than my standard monthly fee so you get more for your investment.

MM: And you explained to me if the workload is light you bill less accordingly to fit the load?

MF: Yes, in August I charged less than my retainer because the workflow was so light.

MM: So you're using your numbers as a baseline operating number?

MF: Yes.

PMcC: Is the golf tournament on for the same time next year, Bob?

BW: Yes, at least for this year. It's still the Monday after the Masters' Tournament. [Monday April 15, 2015. Ed note.]

MM: SSR has always been a special supporter for this event and we appreciate it.

MM: I had an illness when the initial agenda came out. By the time I had a chance to read it—that was probably 10 days ago--I contacted Ken, and got a larger volume of contacts that had concerns that the Panel was originally developed as an objective of satisfying its

constituents that would be transparent and give people sufficient notice. Some people are upset about inadequate notice, but people are concerned about the effect on South Seas and hope we could get another round of discussion of it. Max contacted the proper people [at Morris Depew] and we are trying to schedule a second round.

The next item is the presentation of the proposed changes at SSR [South Seas Resort]. I have been getting calls from the public about this item. Since I missed two meetings this summer, this item caught me somewhat by surprise. There are 140 units that I understand will be moved from the south end to the north end of the property. Max called Tina and opened up a dialogue. I just want to make sure that this is not our last discussion on this matter. Dave, will give us a presentation?

DD: We will be filing an amendment to the administrative interpretation soon. We plan on coming back to keep Captiva informed. You will recall that a number of years ago the Board of County Commissioners adopted an order controlling SSR development [AI 2002-00098, Ed note]. It included employee housing. A modification of the site plan is associated with the administrative interpretation. We haven't engineered it yet; we haven't done the landscaping plans. When we have those things, we'll come back to you. The challenge is how to move 140 units from this area (on the south end, the front of the development). This is the first preliminary step.

MK: I'd like to know more about employee housing.

DD: Most don't want to live there. They aren't interested; we will retain some of them for those who want to live there; but we don't want to maintain empty units.

MK: What about the land where the employee housing was situated. Do you have plans for that?

DD: Nothing at this time. We may eliminate units. Conversion is difficult—we'll start construction on the other end and start demolition here [i.e. south end of SSR.]

MK: Are you adding rental units?

DD: **[**No net increase in units.] There are 140 employee units now. It's consistent with the administrative interpretation. [Introduced Jose Gonzales, project architect.]

Jose Gonzales: I'm with Gonzales Architects, a Miami-based firm. I have been coming to Captiva since I first got my license in 1980. This project will result in a shortening of the ninth hole at the golf course, but our golf course designers were able to assure that the remainder of the course will be unaffected. Units to north side won't have sight lines compromised. We feature a center court with pool on edge of lake. Units are two stories over parking with aspects of modern aesthetic combined with vernacular look—articulated rooflines. We always design to Category 5. We use impact windows and turtle glass. The basic pad is eight units per floor; two bedrooms, although we are allowed to go one bedroom on a maximum of 28 of these units.

BW: This doesn't make economic sense for most employees.

JG: We're not creating new units. We still have to accommodate employees in some cases.

DD: Employee housing won't be in *these* units. We have to supply up to 140 units of employee housing, but not specifically that all of those units are – just for employee use. I didn't mean to lead on that, but we have to supply units.

JG: We have 140 units.

PMcC: This could be an opening discussion.

DD: It's a community thing—we provide parking, opportunity for day trips.

Man in Back: Absentee ownership.

JG: We want you to love this, and we hope to have it finished by Christmas 2016.

DD: We're optimistic.

MM: There will be more feedback. Could you come back and provide us with more information in January?

DD: Yes.

JC: January would be fine. I'm not opposed to this project…yet.

MM: Are there any urgent questions?

Fred?: Does the sewage treatment plant have the capacity to handle the additional demand for service or is it already maxed out? Is there room for expansion?

MM: That's a good question but I think we should hold it in abeyance until we can get a good answer. I have some concerns about the scheduling of this presentation, which was very informative.

DD: We scheduled it as soon as we had the go-ahead.

MM: Ken scheduled it for us. The by-laws assign this task to the Panel. I disagree with Ken's interpretation of those by-laws. We might have scheduled this for November, December, or January. At any rate, this should have had the President's authorization. We should have been consulted before it was put on the agenda. On other Panel business, I put Rene's [Miville] name to the Nominating Committee. If anybody else is interested, they need to call me. Susan's, Paul's, and my terms will expire at the end of this year. Paul is on the committee.

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[Depew party left at approximately this point.]

JC: I volunteer as Panel rep if nobody else is interested.

CB: I think that Jerry McClure is interested.

PMcC: I think we can have two if there isn't a sunshine problem.

MM: We'll resolve that matter. The final choice is the Panel's call, but historically we have accepted the Nominating Committee's recommendations. I'll see if Ken has heard from anybody. My point to Ken is to be more sensitive. Two weeks are important. Panel, not staff, should decide what goes on the agenda.

BW: In the spirit of transparency, should we not invite anyone to appear, if that's what they want to do?

MM. Of course we don't want to stop people from appearing. It's a timing issue—should Ken be the keeper of the agenda?

JC: I think the current rules (by-laws) work just fine. Panel sets agenda.

JB: If we have future conflicts like this, we can resolve them on an *ad hoc* basis.

[MM?]: As long as they aren't asking for a final, it's not a problem.

PMcC: It's likely that they would want to come back.

MM: I gave my feedback. There's no harm this time.

MK: This item should be on the agenda every time. People from here will be going to the BoCC and griping. Just put it on the agenda for update. It really isn't an employee thing. Opportunity for major meeting.

PMcC: I'd like to see it every month as a ten-minute item. Give Dave or one of his people an opportunity to update us.

JC: Would company entertain a site plan change if it affects the Agreement?

Adjourned 11:13 AM.

Sharon's notes follow.

<u>Project Summary:</u>

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- Dave Depew said that they would be filing to modify the administrative interpretation with the County sometime in December.
- Plans are still conceptual at this time. Engineering plans have not been prepared. (They will come back to the community once the engineering plans are ready. Later in the meeting, Dave committed to present at the January 2015 community meeting.)
- Dave Depew said that the current agreement contains a provision for employee housing up to 140 units onsite.
- Employee housing onsite is underutilized. Only 90 of the 140 are used for employees. Most employees use the van service.
- The new buildings would be built and then the existing employee housing would be demolished. There are no plans at this time for the site that will be demolished.
- The new 140 units would not be used for the employee housing. Instead, the employee housing would be provided elsewhere within the existing buildings.
- A portion of golf hole 9 would be redesigned to accommodate the buildings.
- Buildings will be on the other side of Coastal Construction Line.
- There will be seven 2-story buildings, eight units per floor, 16 units per building.
- Contemporary Florida Style
- Most will be two- bedroom units . However, 28 units may be converted to one bedroom units.
- Units will be built to Hurricane 5 standards to withstand 155 mph winds.
- Units will have “turtle glass” that will allow residents to keep their lights on without disturbing the turtles with light pollution.
- The new units will be “resort units” and not individually sold.
- Property to the south will not be impacted.
- They studied the sight lines from the end units on the property to the north to verify that they would still have an unobstructed view of the water.
- Dave Depew said that the community could anticipate more redevelopment within South Seas over the next few decades as they replace obsolete buildings.
- Estimated Project Timeline: Submit modification to Administrative Interpretation around December, followed by SFWMD and Lee County Permits, followed by construction (15 to 18 months). Units could be ready by end of 2016.

Community Concerns:

- Impacts outside of South Seas
  - Parking
  - Traffic
  - Evacuation
- People density – how many people will be in each unit
- There will be no restriction on the size of the units – 20% more square footage than today
- With nicer units, more employees may want to live onsite.
- Board needs to talk among themselves and community regarding the impacts and how it fits into the overall long term plan (Lee Plan and LDC amendment updates).
- Is the Sewer Plant at capacity? If not, and if there is room for expansion, consider expanding services to Captiva Village.
- Mike Mullins’ (President of Captiva Community Panel, primary concern is that not enough residents are back yet to provide input on the South Seas Plan. Dave Depew said he would present at the January meeting to give a project status report.

Captiva Community Panel

MINUTES

Nov. 11, 2014

Attending: Mike Mullins, Jay Brown, Susan Stuart, Jerry McClure, Paul McCarthy, Bob Walter, Jack Cunningham, Sandy Stilwell, Mike Kelly.

Audience: 15

Meeting convened at 9:05 a.m. Following introductions and roll, the Oct. 14 minutes were unanimously approved (Cunningham/McCarthy). *Mullins*: Recognized today is Veterans Day.

CEPD: *Kathy Rooker*: Change of meeting location, in Crow's Nest Wednesday at 1 p.m. Put out for bid DEP and USACE permit for beach tilling, year one. Three bids back, board will decide tomorrow. Tilling right after New Year's Day, since it's a slower time. This is a wildlife requirement to make it easier for turtles to nest. Pleased with how beach has held one year later. Grass has worked very well.

CFD: *Rich Dickerson*: Season starting, more calls now. Discussed mutual aid assistance, mainland depts. will send backup if we have a major incident. Goes both ways if there's a major event on mainland. Station... moving along, starting planking on exterior. *Kelly*: Financing? *Dickerson*: Loan 20 year from Fifth Third Bank. Discussion.

LCSO: *Mullins*: Mike Sawicki asked to be excused. Analysis of complaints... working on it, with crime analysis person with county. Initial info, one complaint per month per house? *Cunningham*: 115 complaints January 2010 to October 2014, only those called to LCSO, not others.

Hurricane Committee: *Doris Holzheimer*: Still season until Nov. 30. Educational program planned May 7, afternoon, probably at new fire station. More later.

Fund-raising: *McCarthy*: Transition to generating funds from mailing rather than from events. Discussion of funding to date. Mailing to every property owner, asked for $100 each to fund panel operations. Inform them about what we've done and get them to participate financially. *Brown*: When did it go out, when was it processed. *McCarthy*: Raised about $13,000, should have gotten more. A lot of people missing. Reach out to those missing from the list. People you know who should be there. *Stilwell*: More coming in by the end of the year, a lot of people wait until December. Also put in on the email list. *Mullins*: Monday After The Masters also valuable. *McCarthy*: Worth it, needs to be done regularly. *Cindy Brown*: Write article for papers, annual fund-raising, this amount to our goal. Remind people what panel does. *Mullins*: Money to panel has brought in other benefits, grants and funding for other projects. *McCarthy*: Post PDF of letter and brochure. Didn't get it, misplaced it, need a little encouragement. *Gordon Hullar*: Sending again not overkill at all, thanks and need to see where we are with our goal. *Mullins*: Wait until end of year. *Rene Miville*: Consider having a party at my house to meet the congressman, something like that.

Communications: *Stuart*: Organize a more formal communications committee. People have moved on, need new blood and plan to communicate. *Mullins*: What about plan to distribute information to SSIR homeowners? *Walter*: Quarterly update is emailed to owners.

Financial: *Gooderham*: Summary in packet. If you have any plans to spend funds in 2015, let me know

before December to include in next year's budget.

Planning: *Max Forgey*: River Hall update. BoCC vote shows commission has the ability to change the rules on any planning issue. Approval transmitted to state, they have 30 days to respond, then commission has 180 days to adopt or reject. A lot of opinions back and forth. Amendment 1 overwhelmingly approved last week. One-third of doc stamp funds dedicated to land acquisition and management. Keeps best programs funded, concerned how Legislature will manage money. Need to watch carefully. Could have good effect on barrier islands and harbor. *Mullins*: Give us more info on River Hall and what you want us to do. *Forgey*: Will have plan perhaps in January.

Rezoning: *Tim Murty*: Introduction. *Mullins*: offered background on issue, two properties were subdivided in error to make three. Discussion. *Murty*: I represent owners of three parcels, all within one family. Main home with guest cottage. In 2003, first of two lot splits. *Brown*: Both lots had sufficient acreage to meet RSC-2? *Murty*: One had 102 feet of road frontage, the other 104 feet of frontage. *Brown*: How did that happen? *Murty*: Zoning designation not pursued at that time . Nobody looked into what else could be done with the property. Zoned appropriate for the use. Estate size lot with one house, complied with zoning. Second lot subdivision was designated RSC-2 improperly. Lots are estate zoned but substandard in size, about 80% for each one... 36,000 SF rather than 44,000 SF. We are asking to amend zoning for three parcels to allow them to meet lower minimum lot size. Northernmost lot went under contract, buyer went to the county to determine use, discovered error in land attribution. Discussion of change.

McClure: This could allow 20,000 SF lots throughout RSC-2 area. *Brown*: would That would allow 50% more density than the zoning indicated. *Mullins*: Mistake had been made by county staff, person did not look at all the nuances. *Nathalie Pyle*: community is being asked to get the county off the hook. MM: Landowner is on the hook. MM: If approved, when can you do with RS-3 zoning? *Miville*: Survey measured on beach itself. If property was measured on Mean High Water Line, would lots comply? *Mullins*: Need to clarify if measured from high tide line. LCPA database shows a higher number, but still not an acre. *Murty*: Can build primary and auxiliary units. *Mullins*: Two lots with three buildings, vs. three lots with two buildings? *Murty*: Problem arose a month ago, I need a little more time to respond to these questions. *McCarthy*: Applicant introduced new zoning into that area. Discussion.

Murty: Looking to a solution to a problem that was created when lots were made unbuildable. *Brown*: Mistakenly allowed to make three unbuildable lots out of two buildable lots. You want to perpetuate that mistake by changing zoning. *Cunningham*: Is there three acres total there. If not, there are not three lots to build on. *Mullins*: County needs to clarify lot measurement... Coastal Construction Control Line or high tide line. *Mimi Schwartzel*: How was house built that close to the road? *Miville*: Built as a guest house years ago, the family changed home size later on. Haggerty family created RSC-2 zoning. *Mullins*: Come back with county person to explain measurements, look at options. *Brown*: Hate to see you spin your wheels if island is not going to support anything you propose. *Murty*: County suggested rezoning as a solution to the problem. *McCarthy*: Do adjacent lots have excess land you could purchase? *Hal Miller*: Could the county mandate change to avoid lawsuit. *Miville*: No taking to warrant that action.

Schwartzel: How did county approve main house that close to road? *Murty*: It was an addition to an existing structure. *Mullins*: Need to have someone from county to explain setback, main vs. auxiliary structures. Also administrative decision on CCCL exemptions. *Brown*: Why move forward if there's no

chance for panel approval? *Mullins*: Discussion of prior rezoning errrors by county, circumstances where research was not properly done. *Miller*: Seems to be unanimity that three acres are required to get what owners want. *Mullins*: Allow Murty to get facts. *Miller*: Can he come up with any possible solution? *Brown*: Zoning exists to control density. *Mullins*: Allow him to come back with a better proposal, bring county with him. *Cunningham*: Motion for Tim Murty to go back to client to see if they have three acres (to meet current guidelines) to avoid zoning request. If they have to request a rezoning, the panel will not support it. Stilwell second. *Henry Kaiser*: Depends on where they measure. *Schwartzel*: County needs to define line of measurement. If it's the CCCL they comply, if it's the vegetation they won't comply. *Holzheimer*: There's been court rulings on CCCL. Vote 8-1 (Mullins opposed).

SSIR: *Gooderham*: Discussion of how conflicts of interest are handled and defined. Much materially benefit from possible vote to abstain and declare a conflict, the only way you can abstain from voting. *Walter*: I will not benefit from this proposed development, do not work for the same company… no conflict. Have attended numerous HOA board meetings in the resort, very positive response so far. Will provide materials I've been distributing to post to panel website. Mullins: Expect more extensive presentation in January as requested, keep on the agenda monthly to discuss until we take it off.

Plan update: *Gooderham*: Plan a full presentation in December or January about possible changes. Wanted to give you opportunity to discuss language format and review process. *Forgey*: Explanation of formatting. Added short titles. Is there anything missing? *Kelly*: County staff may have things you can't change, such as mangroves. *Brown*: Good presentation, things I want to discuss. *Mullins*: RSC-2 change when? *Gooderham*: Plan policy approved in 2002, LDC change in 2003. *Forgey*: Will prepare longer document by January. How to approach in December, just go through text? *Brown*: Each panel member should review draft and put together questions, discuss with Forgey, send issues to Gooderham to compile for panel. Document schedule and distribute. Comments to Forgey, amendments to Gooderham, send to panel. Include 13.1.1 in motion.

Nominations: Two panel seats open. Miville, Cunningham and Harry Silverglide on Nominating Committee. *Miville*: Panel has legacy of nominating people active with panel and meetings. Discussion of process. *Miville*: Names submitted: Sarah Wackerly with All Star Vacation Homes, delighted to recommend her. David Mintz, participated in workshops and committed to panel. Mike Boris also has added his name at this meeting. Will have five openings at end of 2015, panel needs to look at bringing in more people interested in getting things done. *McClure*: Clarify which seats are open. *Mullins*: Ask Sarah to attend December meeting so we know who we're voting on.

Miller: How many meetings do people need to attend? *Gooderham*: Bylaws say can miss no more than three, but it's not enforced with members who go north for the summer. Can attend via phone, but won't count towards a quorum. *Mullins*: Presenting two or three for slots? Also approached by Barb Harrington to be considered. Need letter today if interested. Panel can decide on the spot perhaps? Expand number on panel. Discussion. *Mullins*: Narrow down to two selections. *Miville*: Nominate Wackerly and Mintz, encourage Boris to get involved. *Cunningham*: Read bylaws citation on committee process. *McCarthy*: Two from committee, one by letter, possibly one more to come. *Mullins*: Board can accept additional choices in December. Committee recommended two people, Mike Boris has submitted letter to be considered. Discussion. *Gooderham*: Distribute Boris letter to panel.

Motion to waive rules to allow officers to be nominated in December once lineup is clearer (McCarthy/Stuart). Vote 8-1 (Cunningham dissenting). Discussion of bylaws committee, reinstate it to

work on minor issues and set timetable for it to complete work.

Budget & schedule: *Gooderham*: Enclosed schedule includes CEPD plans for 2015. Review and let me know if you have any issues with dates.

Other business: *Kathy ???:* Lands End owner, concerned about proposed development at South Seas. Road in poor condition, impact on walkers and people. Impact of construction traffic. Worry about impact on sewage treatment and water pressure. When will we get details on the impact of what's being proposed. *Mullins*: When is your homeowners association meeting? *McCarthy*: Good questions for January public meeting. There will be people there who can answer those questions, committed to returning in January. *Mullins*: This will be a running agenda item at every meeting. *Kathy*: Has this proposal been downsized? *Walter*: 112 units now proposed.

Meet adjourned 11:15 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Dec. 9, 2014

Attending: Jay Brown, Jack Cunningham, Mike Kelly, Paul McCarthy, Jerry McClure, Mike Mullins, David Rohn, Sandy Stilwell, Susan Stuart

Audience: 12

Meeting convened 9:05 a.m. Following introductions and roll call, the Nov. 11 minutes (Brown/McClure) were unanimously approved.

CEPD: *Kathy Rooker*: District has contracted with Advantage Construction Co, of North Port, low bidder for beach tilling. Good references from other cities. Must be done before Feb. 1 for plover nesting, looking at starting Monday after New Year's Day. Start on Sanibel for one day, then move to Captiva going north to south, Out of here end of that week, weather permitting. Required to go down 36 inches to ensure sand is not compacted. *David Mintz*: White ropes along dune vegetation deteriorating rapidly, will there be a systematic replacement of that or piece by piece? *Rooker*: Looking at options, board needs to decide. *Mullins*: Ropes were meant to protect plants, if they don't hold up as long as vegetation is established it's OK. Intended to be temporary.

CFD: *Chief Rich Dickerson*: Volunteer of the year was Ron Gibson. Explanation. Employee of the Year was Lt. Paul D'armen. Be aware of Xmas tree fire safety, home fires rare but higher instances of fatalities. Water trees daily. Good video on You Tube showing importance of Christmas tree fire safety. We will be in the new station by the end of February or first of March.

LCSO: *Sgt. Mike Sawicki*: On noise complaints, analyzed 115 data points for violations from 2010 to present. Andy Rosse was center of problem, as expected. Possible design issue may be resolved, Osprey Way another hot spot, used for wedding receptions and other activities. Looking into solutions for that. Trolley service interest expressed by owner, seem committed to idea. Want to avoid multiple trolleys and confusion for visitors. If interested in meeting about this, let me know and I'll facilitate. *Cindy Brown*: Route? *Sawicki*: Not sure right now. Sounded like entire island. *Mintz*: Issue of interest to panel in workshops, this person should come to panel to present their plans. *Sawicki*: Not bound to come before you, but I'll see what I can do to get them engaged. *Mullins*: Panel might want to appoint committee, CEPD may also be interested. *JBrown*: Private person can start up service? *Sawicki*: As long as they obey traffic laws and rules, we have no issue as long as they do not pose a traffic hazard. *???:* Golf carts, extending access to Tween Waters, where does that stand? Underage drivers is a major problem. *Sawicki*: Inside resort there are a, different set of rules, we would need an agreement between resort and county to enforce traffic laws. We can enforce criminal acts. Explanation of cart ordinance. Not misdemeanor so we cannot write citations, can stop and warn. Have rental agents get tough on rules of use, might be best approach. Discussion of issues. *McCarthy*: Pedestrian safety is a huge issue, people seeking to add to traffic should come to us to discuss. They operate on public roads, so they should explain their plans for use of our roads.

Hurricane Committee: *Doris Holzheimer*: Nothing to report. Committee will meet in January, will confirm time for Daniel Noah and SkyWarn presentation. Applying for NFEM designation? (Stilwell joined meeting.)

Fund-raising: *McCarthy*: Recap of efforts. Expected more checks between last meeting and this one. Send another mailing out before year end, or people can encourage neighbors to contribute. Hope someone picks up this effort after I leave panel this month. Shows buy-in. *JBrown*: How many went out? *McCarthy*: 1,000. *McClure*: Should send another mailing. *JBrown*: How many responded? *McCarthy*: About 50? Follow up with a reminder to people we know? *Mullins*: List of annual contributors? For January*? McCarthy*: Want to spread the contribution network. Disproportionate number of businesses, need to include private homeowners in support list. Also panel members should support and take on efforts such as this. *Mullins*: Post on website? *Cunningham*: Proposed second mailing goes out to those who have not contributed yet. *Dave Jensen*: Reach out those people we know personally? *Mullins*: Send list to panel members before mailing. Why can't we get more money from county for our work here from county's Unincorporated MSTU funds? Increase grants from the county?

Communications: *Stuart*: Also leaving, reach out to new people in January, put new panel members in papers and on website.

Financial: *Ken Gooderham*: Explanation of statements provided. Noted that 2015 budget would be discussed later.

Planning: *Max Forgey*: Introductions. Background on River Hall, being reviewed at state level. New board of community is resident-controlled now. They have withdrawn all common lands from calculation of density, which is crucial in this case. Explained why it matters to development request.

South Seas Proposal: *Gooderham*: Background. *Sharon Jenkins-Owen*: Planner Nettie Richardson and Zoning Director Pam Houck will be here for January meeting, also to discuss Tim Murty rezoning request as well. Discussion of RS-3 request. *Hans deVaughn*: Background of ownership history at SSIR, on four timeshare boards. Believes this plan will change resort and island. More units without more amenities will tax our capacity, traffic issues as well. Employees did not use roads and downtown amenities, so these new units will increase intensity. Traffic, amenities, sewer, water. *Gooderham*: Send questions to me before next meeting to forward to South Seas team.

Plan update: *Forgey*: Undertaking a review of proposed Captiva Plan language based on workshops and meetings, what's next explained in the last slide. *JBrown*: How will changes be addressed? Discussion. *Mullins*: If something needs more work, we can break it out into workshops. Other issues that we agree on, move forward with them. *Forgey*: Taking a global look at community plan to add, subtract or amend. Explanation of steps... survey, workshops, summary draft reviewed by panel over the summer, developed draft to work from today. *Mintz*: Building heights and underground utilities options, should they be in the plan with wording flexible enough to respond to needs? *SJO*: If you think you might want it, put it in the plan. *Forgey*: Include details only if you really want them to be enforced in court. *Kelly*: Rather than wordsmith the entire thing, go through the entire plan and identify those areas you need to spend more time on. Need some semblance of order on going forward next.

Forgey: Continued presentation, discussion of vision statement introduction to plan. Discussion on next steps. *Mullins*: Main issues are vegetation, sewer vs. septic, underground utilities, building heights, transportation. Mintz: Importance of plan, code and existing code enforcement regulation. Add bullet point to vision? *Mullins*: Enforcement as a carve-out? Building heights as a Village issue? Require a separate survey? Carve out. *Mintz*: Can Village language be done independently or will plan need to be amended? *SJO*: Put in performance standards? *Mullins*: What about RSC-2 zoning issues on south end

of island.

JBrown: Panel needs a special meeting to hash out changes. *Kelly*: Schedule a panel work session on changes. Flag things that need to be changed. *JBrown*: Motion to table discussion to a workshop at some other time (Stilwell). *Cunningham*: Special meeting before next meeting? *McClure*: New members in January, should you finish with the current set of members? *Stilwell*: People work to attend panel meetings, need to acknowledge that. Motion passed unanimously. *Mullins*: List of issues to address? Plan meeting Jan. 13 at 1 p.m., possibly into the next morning if we need that time. Panel to identify issues that members want to discuss at length to allow presentation to focus on those. *CBrown*: Keep comments with original language. Stilwell: Remember this is a fluid process that never stops. *Stuart*: Make it simple and understandable *JBrown*: Can we ask the people going off the panel today try to attend the Jan. 13 meeting?

Nominations: *Mullins*: Spoke with Sarah Wackerly with All Star Vacations, happy to wait or work on committee. Nomination withdrawn. We have Mike Boris and Dave Jensen plus David Mintz as the Nominating Committee nominee. *Cunningham*: What about Barb Harrington? *Mullins*: No follow through so assumed she wasn't interested at this time. *Cunningham*: What about the CPOA appointment? *Mullins*: Board asked me to consider being its appointee. Explanation of process, term limits, precedence of Mike Kelly in 2011. *McClure*: Don't have CPOA seat open now. *Mullins*: We have three seats open, two to fill from panel, one from CPOA. Three names have been offered... Dave Jensen, David Mintz, Mike Boris. Rohn/JBrown motion to accept Mintz. Unanimous approval. Kelly/ JBrown motion to accept Jensen. Unanimous.

Cunningham: Why doesn't CPOA appoint Jensen as rep? *Mullins*: CPOA has right to appoint their own person. *Cunningham*: Not aware Jensen was a nominee. *Mullins*: Bylaws say nominations can come from the floor. Review of bylaw provisions. *Cunningham*: Completely object to second vote. Discussion of bylaws, Mullins status. *JBrown*: Thought we had just two candidates, or CPOA option to keep Mullins on. Mullins: Reiteration of who was available to appoint. *Cunningham*: Bylaws say letters must be submitted in advance. If CPOA wants Jensen on the board, they can appoint him. At large should be Mintz and Boris, Jensen does not fit under terms of bylaws. *Mullins*: In event of dispute decision made by panel president. Distinction of appointments by panel or by two organizations. *JBrown*: Should have been explained before vote that we had three candidates for two seats. *Stilwell*: Ballot to vote for two out of three. *Rohn*: Could not weigh all candidates in the order of submittal. *Cunningham*: Jensen not eligible to be candidate.

McClure: Motion to increase panel to 11 add at-large candidates (Stilwell). *Mullins*: Proposed at last meeting, have done this before. *Stilwell*: Can make bylaws change. *Cunningham*: Should be going down in number, not up. Do not agree that Jensen should be a candidate. Bylaws should not be up to the whim of the president. *Mullins*: Need to understand the intent of the drafters of the bylaws. *Rohn*: Let's change way we vote to a secret ballot, will resolve the whole thing. Discussion. *Mullins*: Question whether method of voting was proper. Happy to change method of voting if you do not want to enlarge panel. Vote was 7-2 to deny motion (Mullins/McClure dissent).

JBrown: Recap of nominees. Cunningham thinks Jensen is not a legitimate nominee, Mullins says he is. Silent vote conducted. Results were: Mintz 9, Jensen 8, Boris 1. Mintz and Jensen elected to at-large seats. *McCarthy*: Third person could be CPOA person, replace McClure or change bylaws. *JBrown*: Could still participate in audience. *Mullins*: I still need to decide if I will accept CPOA offer . Will let them know before the next meeting. *Stilwell*: Something to be said for continuity, could create a past-

president seat to achieve that. (Brown leaves meeting.) *Cunningham*: Still want to change the way members are elected.

Officers: The panel then voted for 2015 officers (all votes were unanimous, nominators in parentheses.

- **President**: Kelly (McCarthy/Stilwell) Discussion, needs a good VP due to summer absence.
- **Vice-president**: Stilwell (Kelly/McCarthy).
- **Treasurer**: Cunningham (Stilwell/McClure).
- **Secretary**: McClure (Kelly/Mullins).

The 2015 budget was unanimously approved (Rohn/Kelly) as presented. The 2015 panel meeting schedule was unanimously approved (Kelly/Mullins) as presented. A suggestion was made to consider making the change of officers to January with new panel.

NOTE: Subsequent to this meeting, in a Dec. 16 phone call Gooderham was informed that CPOA appointed Mike Boris to its open seat, to begin service in January.

Bylaws: *Cunningham*: We have a number of issues that need to be changed, plan to present at January meeting. Include this at that time? *McCarthy*: Don't want to tie him into controversial issues. Act on it today, we can vote on it at Feb. 10 meeting. *McClure*: Motion to increase at-large positions by amendment to the bylaws, from a total of 10 to 11 (McCarthy). Article Two, Section 1, "... consist of eleven (11) voting Members..." "an additional four (4) members." Unanimous approval.

Other business: *Holzheimer*: Thanks to Susan Stuart and Paul McCarthy for their service on panel. *Mintz*: Sanibel prohibited buses carrying 10 or more passengers from parking or unloading at city parking lots and beaches." *Mullins*: Need to investigate whether Turner is included in that. Will they all come to Turner Beach now? Or Captiva beaches in general. Ask city for clarification. *McCarthy*: Will it help our public access ability to gain federal funding? Bus could eliminate our traffic. *Mullins*: Lee county TDC is holding meeting at Tween Waters Thursday afternoon, good opportunity to see them in action and show island interest.

The meeting adjourned at 11:45 a.m.

-- Ken Gooderham, administrator

CPA2015-00009
2015
MINUTES

CAPTIVA COMMUNITY PANEL
MINUTES
Jan. 13, 2015

Attending: Mike Kelly, David Rohn, David Mintz, Jack Cunningham, Dave Jensen, Mike Boris, Bob Walter, Jay Brown, Sandy Stilwell

Audience: 40+

The meeting convened at 9 a.m. After introductions, approval of the Dec. 9 minutes was requested. Cunningham asked for a clarification on the bylaws motion, and was told that the motion was passed to begin the 60-day period before a vote in case the panel wanted to address the issue at its February meeting. A motion to approve the minutes as submitted (Cunningham/Brown) was unanimously approved. Kelly welcomed the three new members (Mintz, Jensen, Boris) to the panel, and county planner Sharon Jenkins-Owen introduced.

CEPD: *Kathy Rooker*: Beach tilling required by permit, completed last Thursday on schedule and under budget. Had to go down 36 inches by permit, makes it softer than before. Not one complaint, vendors appreciated that and it helps with bidding. Thanks to Gulf-front resorts, a big inconvenience and they have to move all their beach equipment. Rope & post discussion... to protect new sea oats, growing and prospering. Plan was not to worry about ropes, but everyone likes them so we're looking at replacement. Put out for bid, using better materials. Board meeting tomorrow at 1 p.m. in Crow's Nest.

CFD: *Deputy Chief Jeff Powell*: New station, getting closer. Thanks for continued support. Concern about gutter and drainage, which is not part of station project, a DOT decision. *Stilwell*: Good idea to flatten. Easier to walk and bike. *Gooderham*: DOT willing to discuss options if panel wants to pursue this. Consensus to look at what can be done from the S-curve south. *Walter*: In when? *Powell*: March 1 if no other setbacks.

Hurricane: *Doris Holzheimer*: No report. Arrangement for Daniel Noah being made, CIYC spring program, open to public. In conjunction with Hurricane Committee. 10 a.m. Tuesday, March 17.

LCSO: *Sgt. Mike Sawicki*: No significant trends, influx of tourists and seasonal residents. A lot of parking and traffic enforcement. Let us know if you see problems.

Fund-raising: *Gooderham*: Update and questions. *Kelly*: South Seas now, planning review this afternoon. Discussion of process and schedule.

CIYC: *Paul McCarthy*: Captiva Island Yacht Club asking for floating dock adjacent to current slip for its summer youth sailing program for islands, partners with Edison Sailing School. Buy boards and hire instructor. First time last year, reached out to community kids. Description of program. Floating dock to use with boats. Sked Florida DEP to allow extension of land lease to put dock on other side of the slip. Asking for support letter to go to DEP to write this. Small extension of land lease for summer sailing program. *Mintz*: Any objections so far? *McCarthy*: No. Temporary only for now. Dock and use are temporary. Might include vacation program if there is demand for that. Motion to write letter of support (Stilwell/Rohn), unanimous approval.

South Seas: David Depew & Jose Gonzales introduced. *Gonzalez*: Lots of questions, goal to answer them all. Proposing 112 two-bedroom units on north end. Two story over parking, all parking under structures. 140 spaces for 112 units. Will reconfigure ninth hole, same length. Moved away from path to beach. Key West design, designed to 155 mph wind load. Pavilion across from Harborside. History of admin interpretation... Density set in 2002 at 912 units. Amended in 2008 – 20 large units at north end with restaurant, 80-unit hotel on south end. 100 hotel units, 40 units reserved for employee housing or alternate to hotel use. Now moving south units north with no change in density. No new units, not increasing density from original. All infrastructure – sewer electric water – remains in place. Sewer plant is operating at 60% today. Move unite to serve facility better and helps hotel operations. *Brown*: Review 2008 allocation. *Gonzalez*: 80 hotel rooms south, 20 on north end, 40 undesignated. *Rohn*: Will this build South Seas out? *Gonzalez*: 28 units left. No plans currently to do anything. *??* Ideas of what you'd like to do? Prior plans described. *Gonzalez*: Nothing currently planned, a lot of designs done over the years that never went anywhere. As economy changes as needs and markets change, property evolves. Nothing else envisioned for foreseeable future. Discussion.

?? Change infrastructure from 2008. Any analysis done of utilities? *Gonzalez*: Original design was for 912 units, capacity is there. *Walter*: 60% was at peak. *Gonzalez*: Electric is unrelated to units, just line and delivery. *??* Statement from each utility as to capacity. *Sarah Spector*, South Seas Club attorney: 2002 interpretation required certain factors... increase density or intensity buffer, under-utilization of public resources. Open space reduction. Not adversely impact surrounding land use. If not proved, cannot be approved administratively. 4 acres vs 6 acres open space analysis. Landscaping and preservation area reduction? Pristine area being developed. No explanation of preservation. Adverse impact... no proof included. Golf cart barn and pro shop removal... where will amenities relocate? Parking, current use for overflow is not addressed. Pro shop and barn removed, adverse impact on facility and traffic. Increase in units without increase in facilities. Prior plan preserved pro shop, this one does not. Application not complete until these issues and impacts are addressed. Traffic impact statement required, not done for this application. Final phase, upgrade facilities, small clusters of development. Improve amenities. 2008 did that, this one does not. Ask people to insist info be provided.

Kelly: Panel is providing this forum to discuss impact. We have not discussed our feelings and needs with this project. A lot of emails, never gone into detail yet. Did not ask questions yet to allow public to hear and ask questions. *Depew*: Effort to engage in cooperating planning project and receive input. New we're hearing it will be adversarial, this was a threat. *Gonzalez*: Can come to as many meetings as you like. *Walter*: Did not take it as a threat, a lot of good questions. *Gonzalez*: Every question is valid, we need to provide the answers we can. This is one resort, planned with a multitude of ownerships. An entity, everyone is an owner. Moving units, density is a non-issue. Arbitrary boundaries, not a separate parcel. Golf... had not resolved golf component. About 19 rounds a day on golf course. Pavilion an undetermined area, probably will become a clubhouse. Put golf staging offsite (by Marina Villas?). Concierge service for golfers. Not fully designed at this point. *???* Harborview owners, 50 vehicles at 5 p.m. in November. Carts will increase traffic. 112 more cars coming to the north end to these units. Parking also an issue, what will happen by Harborview. *Tom ??* Separate association own separate pieces of land. Road to old gate is Lee County owned. Road an issue with association for years, who should pay and maintain? Will it become a county road again?

Gonzalez: Resort trying to deal with road, commitment to renovate road. Resurface since we can't widen or relocate. Do you want this to be a county road? Would impact security and privacy. Is the road

going to be fixed? Yes. *???* Developers have to make improvement to public roadways, could that happen here, have Blackstone take care of that expense? *Gonzalez*: Blackstone will carry the bulk of improvements anyway due to unit allocation. Timing will be crucial, do road upgrade once construction is done. *???* Where are we in the process? *Gonzalez*: Admin approval is sought. We will discuss with community, then county has to act. Then we'd finalize plans and go through further review and permits. Earliest start if everything goes well, sometime in the summer. *Harry Kaiser*: Is this part of employee housing move? *Gonzalez*: Explanation of allocation in 2002 agreement. 2008 modified to 40 units for employees/hotel, 100 straight units. At peak resort has 500 employees, 40 core employees are housed on site, rest offsite or on-site contracted. Discussion of employees, most prefer to live on mainland. *??* What will be done with employee housing site? *Gonzalez*: Right now is units, nursery, equipment, employee cafeteria. Tear all that down and sod it for now, keep maintenance and cafeteria components there. Open space, no plans at this time.

Powell: Parking and ingress/egress how to get truck to west and north units? Discussion of issues. *???* Height of this development vs. existing buildings? *Gonzalez*: 35 feet total, South Seas Club varies. Discussion. *???* You can move people around for density, what about natural ambience. Why choose path of most disruption at the north end? Why not build in path of lease disruption at south end? *Gonzalez* More desirable for guests and resort ta north end. Development is always disruptive. Will final project be disruptive or enhance values? We think it will enhance. Want to do this with public review and awareness. *??:* South Seas Club owner, am adversely affected. Originally, this land was not available. Charley hit and reduced scope of golf course. 2008 proposal increased intensity, so does this one. Open space at south end is not the same as north area, which is enjoyed by more of the residents of the resort. Intended to always be open space. Sprinkle units throughout the resort. *Brown*: Big picture, density is entire resort without looking at intensity and location. South end would not be as financially attractive but would be more acceptable to community. *Gonzalez*: Redevelopment will evolve, will be increase of localized intensity. No change in overall resort operations. We just want to make this a better project, but we're all property owners seeking to enhance that property's value.

Stan Barton/South Seas Club president: Interval owners are taxpayers. Owners unanimous in concern over adverse impact on their value and ownership. *??* Consider removing end building? *Gonzalez*: We consider impact of building, worked for unimpeded views to Gulf. If you look to the south, you will see us... but not if you look to the beach. Removing building will affect numbers. *Chuck*/Lands End: Intensity is changing, north end density is changing. We did buy here for financial reasons, we also did it because we love this island. This project will have an impact on the north end of the island. As developer this may make sense. As an owner, this will change the island. *Mary Ann Cowart*: Harbor Pointe still in play? *Depew*: Still in litigation with federal government. Separate from the 140 units, but part of the 912 total. *Dave Saunders*: Low density attracted us to the island. Change will affect entire island, current units are underutilized now. Room counts the same, but impact will be different for entire island. *Gonzalez*: Not changing density for facility, north or south. Impact is localized to north end. *Mintz*: Occupancy of employee housing? *Gonzalez*: 89 this morning. *Mintz*: Max capacity? Discussion. Capacity is based on extremes, design is for the norm. Many things impact effects of density in a community. Are we moving units in resort, vs. are we impacting local conditions?

?? Will be a change in density during peak periods. *Gonzalez*: Actual density will not increase, Potential for increase in localized density. *Mintz*: Effect of what people will feel... 90 vs. 672 in peak season. *George* Lands End: Board has same concerns raised here – traffic, congestion, effect on fragile ecosystem. What is the tipping point for the island? Lose pristine quality of beaches, for birds and fish. Quality of life endangered. Xmas season was the highest yet, an omen of what could happen with more

units. *??* Consideration to split units or make buildings smaller? *Gonzalez*: Anything can be negotiated. But is it fair to deny growth? Willing to work with you if you are will to let something happen. *???* What will owners do about providing facilities at north end with more intensity? Have lost north-end amenities over years. *Gonzalez*: Have lot of facilities, market has not allowed consumption of what we have. We can open them up to expand services when necessary. Have to make the numbers work seasonally. *??* Condo or hotel units? *Gonzalez*: Hotel only. *??* Resort needs to look who uses restaurant, not providing what owners want. *???* Will residents in new units have access to amenities? How will it be paid for? *???* Most people started here as hotel guests. This is how resort areas bring in new blood. Condos kill off tourism and bringing in new owners. Hope we can find a way. Timeshare units are highest density units, used 52 weeks a year. Be open to options, a resort can die. *???* Will there be a traffic study for the north end? *Gonzalez*: No magic to density allocation and traffic, people will want to go where amenities are. We think north end will keep traffic at north end. *??* What about an EIS? *Gonzalez*: Not normally required.

Cunningham: Panel responsible for future planning on the island, mostly outside the resort. Traffic – cars and people – parking, view, impact on value. Units will have impact outside the resort, need to look at traffic islandwide. We need to measure impact for the entire island. *Gonzalez*: Agreed, past studies have looked at that. Have studied entire density impact, how we move them around is another issue. *Cunningham*: A lot more people and a lot more impact. *Gonzalez*: Island buildout will impact islands. Has it been figured in? Yes. Has it be done properly? Don't know. Property has rights, don't want to increase units. *Depew*: Employee housing was where they lived, traffic was comparable to resort unit. *Hal Miller*: We should have bought all those cottages to keep density down. Reality is people have rights and we have to respect that. Need to work together. As buildings get bigger, traffic increases. What can we do to address that increase? *Gonzalez*: Hard to get people to let go of their cars. We don't use mass transit as we should. Some communities cut out all cars internally. Impacts today can go away tomorrow. *??* We're all hoping to work together. 2008 study vs. now? *Gonzalez*: Will do study, but people will use their cars to get to amenities. *??* If at north end, have to go and park there, no option of trolley and bikes. *Walter*: Surprising how many people from the south end drive to the north.

Barton: Ninth hole difference? *Gonzalez*: Doesn't have to be shortened. *Rohn*: Tennis Villas, compete with current owners for rentals. *Walter*: Will compete, comes down to what buyers want to buy. Trying to improve group rooms, pushed demand to south end. Discussion of policy. *Stilwell*: Send in comments to panel and project. I pay for my trolley to help move people around. Need enough trolleys to get people out of their cars. *Gonzalez*: We will back to discuss this at future meetings. Discussion. *???* Next steps? *Depew*: application pending with county for amendment, will modify plan and work with county staff, back and forth until we get this ironed out. Pending approval. Goes to Development Order, all horizontal improvement considered. Then to permits, which is for vertical improvements. *Miller*: Extrapolate on numbers, what does data show us, number in room and occupancy. *Gonzalez*: Industry standards can discuss that. That's the basis of infrastructure planning. Slowing road speed increases capacity, study can seem not rational to lay people.

Kelly: Panel is a forum, need to keep you on our agenda monthly to follow up on issues and next steps. Schedule of end points to get feedback to community. *Mintz*: Is this an amendment to 2008 amendment vs. a Planned Unit Development amendment? *Gonzalez*: No, don't want to water down our rights. *Mintz*: Is this a minor change from 2008 plan? Traffic study, expand it to include Village impact. *Gonzalez*: Let me review last report to answer that. *Mintz*: Originally had 5 acres of commercial, where do we stand? 20 acre preserve parcel? Temp firehouse property plans? No Septic capacity, can you certify it?

Adjourned panel meeting to allow further questions of Gonzalez at 11:40 a.m.

CAPTIVA COMMUNITY PANEL
NOTES
Captiva Plan update workshop
Jan. 13, 2015

Attending: Kelly, Mintz, Boris, Rohn, Jensen, Cunningham, Brown, Stilwell

Audience: 7

Workshop convened at 1:05 p.m.

Discussed Lee DOT action on Village drainage area, consensus for Gooderham to contact DOT officials to pursue next steps. Discussion on Sanibel ban on bus drop-offs at beach access, does not apply to Turner Beach according to city attorney, even though Turner is managed by the city.

South Seas: *Kelly*: What do we do about this? Stay apprised of status and benchmarks being achieved. How can community have input before determination is made? *Brown*: What is our priority? Write a letter. Take a position be a forum. *Holzheimer*: Implications for plan. *Mintz*: Taking a position takes some work and responsibility. Minor change vs. major change. Full hearing vs. admin decision. *Jensen*: Are we meddling in South Seas issues. Analogous issue? *Cunningham*: Traffic, people and parking major impacts outside resort. *Brown*: No issue about 912 units. Impact is on the north part of resort. *Stilwell*: Charley changed the land options. South Seas owners not happy, heard that loud and clear, can pass on concerns to commissioners. Act as buffer for county to gather island concerns. *SJO*: All administrative at this point. Staff waiting until they have all the information. Letter or input, sooner is always better. Admin changes allowed with PUD as long as you don't make external changes. *Cunningham*: Just updating the plans. *SJO*: Would have to show how changes will be external to trigger public hearing. *Kelly*: Sewer capacity still a question. *Boris*: Needs to be at highest use. *Stilwell*: Plus additional demand from washers in 2-bedroom units.

Kelly More than a letter, need certification of capacity. Traffic. Density should have been traffic rather than unit, capacity rather than simple units. Density is not intensity. Something that is affecting the community. Nothing wrong for panel to outline those things to county staff. Forum and having views expressed, look at an external situation for its impact on the island. Hate to say nothing. Listen to islanders and presentations. Discussion about road issues. *SJO*: At minimum, use minutes from the meeting to outline concerns. *Mintz*: Timetable? *SJO*: Don't know, need more information. Another letter just went out. *Gordon Hullar*: Wouldn't permitting require verifying the sewer capacity. *Mintz*: Increase in intensity is significant. What is impact on Village? Then we need to get South Seas to mitigate that impact. *Kelly*: Send minutes to register concerns. *Mintz*: Ask them for a traffic impact for Village? *Cunningham*: If we know this is coming, we have to reflect it in the plan. *Stilwell*: Trolleys inside the resort have been cut way back. *Kelly*: A lot of people in South Seas who have no right to be on a trolley. *Mintz*: Trolley could be a mitigation.

Cindy Brown: Looked at survey, what are the issues. Underground power. Wider bike/walk lanes or shared use path. Maintaining Village look. Sewer service. Put mandate in plan to promote biking and walking as a priority. Can be difficult with land issues, obviously a priority now. *Stilwell*: Have Dennie Hamilton come out again to discuss outages. *Boris*: Thought consultants killed that discussion. Hullar: Allowing South Seas to have say killed it, unable to get Municipal Services Taxing Unit support needed by county.

Gooderham made a presentation on the current Captiva Plan and the changes being proposed in this update (handout). Max Forgey made a presentation on the proposed language being proposed, based on prior draft from workshops and panel discussions, input from Mintz/Brown/Kelly. Presented in a new handout with clean language (no strikethrough/underline) for clarity. Julia Davis took notes of the changes and issues raised. Plan will be updated for February panel meeting, public workshops will be scheduled after February and March panel meetings, April as well if demand and discussion warrants. After that, panel will get another opportunity to review at April and/or May meetings before submittal to county for review and eventual adoption.

Workshop adjourned at 5 p.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Feb. 10, 2015

Attending: David Rohn, David Mintz, Jack Cunningham, Mike Kelly, Jay Brown, Jerry McClure, Bob Walter, Dave Jensen, Sandy Stilwell

Audience: 25

Meeting convened 9:05 a.m. Following introductions, the Jan. 13 minutes were unanimously approved (Rohn/Cunningham).

CEPD: *Administrator Kathy Rooker*: Next meeting is Wednesday, open to public, Tween Waters Inn in the Wakefield Room. Post and rope to protect plant, 4800 linear feet of rope replaced, nylon will stand up better to sun and weather. *Rohn*: Blind Pass status? *Rooker*: County monitoring shoaling. *Walter*: Comes and goes? *Rooker*: Sand moving around based on waves and tides.

CFD: *Deputy Chief Jeff Pawul*: Station end of this month for completion. Move in end of March, open house in April. *Mintz*: White line on curve needs to be repainted. Parking for contractors... will they fix damage from vehicles? *Pawul*: Not supposed to park there, can discuss with contractors. *Walter*: Common courtesy to do that. *Cunningham*: Flooding in Green Flash area. Lee DOT needs to address.

LCSO: *Deputy First Class Joe Caiazza*: Nothing major, typical parking. Working with bike clubs on sharing the road. Nathalie Pyle: Dogs on beach, worst 7-7:30 a.m.

Hurricane: *Doris Holzheimer*: Daniel Noah at Captiva Island Yacht Club March 17 at 10 a.m. Open to public. Storm prep at new fire station in May 7, 3:30 p.m.

South Seas: *Jose Gonzalez, David Depew, Bill Morris*: Introductions. *Gonzalez*: Where we are today... back to the drawing board to react to comment made. Recap of old plans. Impact on golf course, club, parking from South Seas Club. Removed northern building, 16 units. Retain clubhouse as is, carts will be kept elsewhere. Reworked parking on north side. Extends parking on Harbourside side further north. Five more spaces. Showed new renderings. Now 96 units north, 44 units south? Three buildings in employee housing site. Completes development rights at that point, other development would come from other parties. Identical units in quality and appearance to those proposed for the north end. Expand one unit to make a larger suite. Security issues, would rework entrance to keep it inside the secure boundaries of the resort. Translated units within the larger resort. Limit impacts on north end neighbors. Feel we've done the best we can to mitigate impacts. Traffic impacts... *Morris*. Discussion of peaks winter/spring and summer 74% occupancy average at peak, 60% annually. Concerns we have with traffic. 471 units under our control.

McClure: 140 included in peak occupancy? *Walter*: No, occupied but not part of occupancy, counted in traffic. *???* 140 empty units at peak, what's need for additional 140? *Gonzalez*: Money. Guests request changed needs for units, rooms can limit occupancy if people want larger or smaller units. *Mike Frascati*; 140 fully occupied, how many people does that add? *Gonzalez*: 640 if four per room, 840 if packed at 6 per room. *Frascati*: Impact on amenities in peak? *Gonzalez*: Critical mass for hotel allows you to support critical mass for amenities. *???* Resort and associations. Ownership issues. Could associations add density to bring down fees? *Gonzalez*: Not an option today. Rights are owned by

resort, not individual property owners. Discussion of property rights. *Frascati*: Lockout issues... put resort over 912 units. *McClure*: Tear down 140 and return lockouts? *???* Worker housing in agreement, this is a swap to create hotel units. *Gonzalez*: 2008 agreement, 100 units for hotel, 40 units either/or hotel or employee. Still committed to employee housing. *Walter*: Can use rental units if we establish a lease. *Gonzalez*: Most live on mainland. *Walter*: 78 units occupied at peak. *Gonzalez*: Can put housing wherever it wants to as long as it meets the commitment to on-site housing. Demolishing housing and rebuilding housing. Housing throughout the resort, but must provide units we committed to. *Walter*: Contractor will be responsible for housing their employees. *???* 2008 agreement should have gone to public hearing, end run around process. County failed to address public needs at that time. Really dropped the ball by doing this administratively.

Mintz: 912 unit cap was from 3 units per acre. Why does resort have control of 140, usurping units from the PUD overall? *Depew*: 2002 agreement allocated those units to each development and property. *Walter*: If they owned land they could build units if they destroyed the same number elsewhere. Discussion of zoning and density. Which section had how many units, list read. Discussion of Mariner units and right to build. *Gonzalez*: Can rearrange on any lot we own, but not other's lots. *???* Projections of occupancy after new units are online. *???* How will units be addressed? *Gonzalez*: Straight hotel rooms. *Walter*: Max of six people, expect four. *Lisa Riordan*: Projection of shifted from current rental units to your hotel units? *Gonzalez*: Can't predict movement, hoping to provide desired products and ranges to bring in people who aren't here now. *Riordan*: Percentage of income, rentals vs. hotel. Discussion of rates and product. *Walter*: Buyers for all units, changing design will have an impact as well. *Gonzalez*: Goal to make money and improve resort. As palatable and convenient as we can. *???* Population density, unclear on concept. B&B example. *Gonzalez*: Discussion of units and mix of products. Traffic isn’t always tied to units. *Frascati*: Improves cash flow for hotel. Kitchen doesn't sway guests. *Fred Newman*: Are you taking in new rental units into the resort system? *Walter*: Case by case basis. 60% occupancy so why would I take on units I can't fill. Discussion. *Cunningham*: Why not build on Resort Island, or use as parking facility. *Stan Barton*: Views compromised with 7 buildings, will six buildings improve views? *Gonzalez*: Everything on the golf course stays the same, and clubhouse.

Rohn: 74% average occupancy... units hotel owns and guaranteed lease and in rental program. *Mintz*: Where did units come from in allocation? *Depew*: Changed inn 2008 form employee housing. 100 hotel or 40 hybrids. Same allocation, changing and specifying where units are located. *Brown*: Bulk of housing now at south end of resort, has right to distribute throughout the resort or to north end. Moving units from underutilized area to overused area. *Gonzalez*: 2008 complex as identical footprint to what we're proposing, included restaurant in the middle. Works better for resort now, but impact will be same as 2008. We can build 2008 plans now, impact will be just as large. We just think this proposal is a better product for revenue and resort. *Mintz*: Take away Building A and B and I'd agree with you. Density on north end will be higher with this. *Morris*: Internal traffic distributions, 96 north and 44 south... AM and PM peaks 54 trips and 56 trips with proposal 14 kept internally. Employee housing gross numbers high 78 & 83, marginally different for internal 10 & 11. During the peak hour. *Gonzalez*: Did not study current, since it fluctuates all the time. Have to set out counters and massive traffic study. *Depew*: What is internal impact on resort was question we tried to answer. *Frascati*: Timing for workers and deliveries factored in. *Gonzalez*: Figured out in overall traffic calculations. Overall buildout is calculated in infrastructure.

Mintz: Major change that will have real impacts in the real world... not calculations. Low density development and emphasis on pedestrian traffic in 2002. The 2008 amendment talked about keeping

people on the resort through amenities. This proposal will mean more people traveling on Captiva or Sanibel. What will impact on Captiva be from these new units and guests, traffic it will produce in this community? *Gonzalez*: Traffic capacity is already there, not adding units to rights already existing here. Change has an impact, but we're also preserving our rights to build. *Brown*: Can you tell us what to expect when you build these units? *Gonzalez*: Wish we could limit cars and increase shuttles and walking. Peak hour and peak occupancy, impact is similar to what is here now. *Walter*: Not an exact science. *???* Just trying to understand impact on top of what we have now. Discussion.

??? Did try to mitigate impact based on the last meeting. What can be done from the gate to the north end to make experience of walking and biking better. *Gonzalez*: More use of shuttle, less use of cars. *???* Mitigation by improving road, putting in bike lane. *Gonzalez*: Not directly linked, but it will happen. *Depew*: Hotel doesn't own all of the road. Some associations do object to cost. *Stilwell*: Traffic improvements could make flow better. MSTU to improve road? *Gonzalez*: Traffic improvements will take all the associations and owners as well as the resort operators. Some increase north to south, trying to show peak impact. *???* Way to show split north to south with traffic calculations? *Gonzalez*: Internal movement depends on amenities, not just units. *Frascati*: Blackstone wants all associations to participate in road costs. We think it's a resort issue. *Mintz*: Increase in daily trips in old proposal, does this change that? *Morris*: No real change. *Mintz*: External trips the community has to recognize. 500 daily trips by 100 new hotel units in 2008, is that the same number we need to deal with now? Discussion. 100 units to 479 daily trips, what would 40% more units men?

??? Not to your advantage to create a traffic nightmare. Huge influx of traffic on a daily basis. *Gonzalez*: No question there will be an impact with new units. We are not exceeding our rights to develop and how can we mitigate impacts. *Morris*: 478 trips not adjusted for peak occupancy, so at peak will be off by 25% and lower off peak. *Ann Bradley*: Will be impact on traffic throughout the community. Will need to be some kind of mitigation to handle cars and bicycles. Needs to be part of the plan. *Kelly*: Tried to use our meetings as forum to talk about the issues. Either administrative or requires a hearing, based on county decision. Panel interest is looking at impact on Captiva overall. Can't use units as representative of density, but it's better reflection of demand on the community. Additional people on South Seas, no question, will impact the island and how we mitigate it. Can't increase width of road due to mangroves. Movement of people around the island. Trolley is a partial solution, not the answer. Everyone is increasing density, not units, and we need to try to deal with that impact. Have taken all your messages to panel and transmitted to county, taken minutes of meetings and also sent those to the county. A lot of movement from the resort so far. *Depew*: Thanks to panel for allowing us to come and present this to the community. We will come back to share more of our thinking and design. *Kelly*: New things or new commitments, come back to share with the community.... road, traffic, movement. *Jensen*: Timeline from county for decision? *Depew*: Still have to resubmit plans to county for review. *Kelly*: Panel can track that and inform community. *Stilwell*: CFD issue with access to building? *Gonzalez*: Solved it with removal of building. *Mintz*: Certification of wastewater capacity? Plantation preserve parcel in original agreement? *???* Evacuation timing? *Depew*: Part of total 912 units. *Walter*: Trolley limited access a few years back. Is there a noticeable difference in traffic north and south? *???* Yes, open it all owners and guests. *Walter*: Will consider that. *Depew*: Eliminate parking on north end and no one could take a car up there... and nobody likes that. Discussion. *Walter*: Twice annual meeting with all association presidents to discuss our common interests.

Bylaws: *Cunningham*: Re-establish bylaws committee: Jack Cunningham, Jay Brown, Jerry McClure, David Mintz, David Rohn, Doris Holzheimer.

Mintz: Send letter to Rachel Peach and Sandy Stilwell for enclosing dumpsters in Village. Two houses, end of Wightman and duplexes binder and Old Lodge. People have reached out to county for more than a year, no change and attractive nuisances. Discussion. Nationstar has it now, both of them. Can panel ask county to expedite action. Bike/ped easy fix in Village. Need action on this. Figure out long short and medium term priorities for panel set a discussion time.

Meeting adjourned at 11:20 a.m.

Captiva Plan update workshop

Session convened as public workshop on Captiva Update: Kelly left... Stilwell chaired.

Max Forgey: Introduced county staff... Sharon Jenkins-Owen, Pam Houck, Nettie Richardson. Introduction. Changes since Jan 13.

Changes...
Village exception... *McClure*: Too broad. *Jensen*: Shows that change is possible. *Stilwell*: Specifying Village not a bad thing. *Cunningham*: Don't name Village maybe other places. *Mintz*: Why did this come up? *Brown*: No encouraging of variances. *McClure*: Allows more restrictive rules. Specify change or you'll run into issues. *Brown*: Plus to have the ability to customize rules. *McClure*: Tie to lot size? *Mintz*: Specify areas – Village/TW/Gold Coast/ SS. Limit to those areas.

Research lot platting issues in Village. Mintz will send info.

Utilities: Will be consider if supported by the affected property owners.

Mixed use... discussion of commercial /res units.

Policy 13.4.1 – exclude South Seas units from rental limits (Brown/Cunningham), unanimous approval.

Set meetings – after panel meetings in March and April, see if more are needed.

Workshop adjourned 12:15 p.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

March 10, 2015

Attending: Sandy Stilwell, David Rohn, Dave Jensen, David Mintz, Jack Cunningham, Jay Brown, Jerry McClure, Mike Boris, Bob Walter, Mike Kelly

Audience: 25?

Meeting convened at 9 a.m. After introductions, approval of Feb. 10 minutes (Rohn/Walter) was unanimous.

CEPD: *Kathy Rooker*: Accepted contract from engineers for Year 1 post construction monitoring, a survey of the shoreline to see how the beach is performing in project area, and adjacent beaches as well. To check damage to adjacent shoreline, see how the beach is performing. Survey from the top of the berm and dune to the waterline, also offshore monitoring towards the beach by boat. Determine which areas are erosional, which are accretional. Will be sent to FDEP, we have to do in year 1, 2, 3 5 and 7 post construction. CEPD meeting tomorrow in Wakefield Room, 1 p.m. *Mintz*: Status of Blind Pass? *Rooker*: Met with county staff two weeks ago, very aware of infilling. Planning another dredging project, but not in 2015. There are constraints on how often they can take sand out of the pass. DEP has to approve dredging. Looks worse in winter, improves in summer. Question about Turner Beach, LCEC replaced pole there, top was flaking off.

CFD: *Deputy Chief Jeff Pawlus:* Fill the boot drive for MDA March 20-22? Andy Rosse Lane. Station awaiting finishing touches, awaiting CO as well, expect it shortly.

LCSO: *Deputy First Class Joe Caiazza:* Call volume up, mostly traffic and parking, minor accidents. Crime down. Checking dogs on the beach as called, some spring break complaints. *Cindy Brown*: Traffic data? *Caiazza*: Crazy all through Lee County. Response time can be slower due to volume. *Kelly*: Golf carts? *Caiazza*: If licensed, they can drive them. We do stop those who look too young. If blatant, we will write a ticket. Discussion of incident, OD and suicide attempt.

Hurricane prep: *Doris Holzheimer*: On March 17, at 10 a.m. Daniel Noah will do an event at Captiva Island Yacht Club on “Environment and the Weather,” how to read the weather, here and back home. Also free cruise to be offered on Captiva Cruises, meteorologist on board to apply what you learn. Also photo contest. No date set for cruise yet. On May 7 there will be an educational program for hurricanes featuring Jim Borestead with county Emergency Operations Center, Gerald Campbell's replacement. 2 p.m. at new CFD station. *Rohn*: Hurricane passes? *Holzheimer*: Same as used last few years, will get more details from Sanibel. Apps there, not passes. *???:* Was told 2012 pass still valid.

Financial: Gooderham noted that the monthly report was included in the packet.

South Seas: *Kelly*: Had several panel meetings to ask questions, plan has been modified from the first submission. The resort has listened to your concerns, but there are no changes since last month. Panel is interested in talking to the project architect about his experience in expansions and traffic/alternate transportation options. Our opportunity to ask him questions. Plans have not been submitted to county, will make forum available when that happens. *Jose Gonzalez*: Actually we have submitted revised plans to county last Friday, reflects what we presented last month. Staff reviews application in context

of codes and amendment. If they find all the criteria have been met, they can administratively approve an amendment to 2008 plan. Everything here is done under a Planned Unit Development, with specific overlay requirements that dictate how things can be done. Can be amended in a certain way, as was done in 2002 and 2008 and as is being sought now. Within constraints of that order, can be done administratively; if it exceeds those constraints, it would trigger a lot of other reviews. Read quote from existing amendment and LDC. Density and intensity, number of units, buffers or open space. More open space in this new plan than in the 2008 plan. Same number of units. We have taken your input and tried to accommodate concerns within our plan amendment. *Brown*: As long as there is no change over the entire resort, you can win admin approval? Change in location density is not a relevant issue? *Rohn*: What was 2008 plan? *Gonzalez*: Reiterated 2008 plan. *Rohn*: Employee housing was located where then? *Gonzalez*: Allocation of units, ability to use regular units for employee housing. *McClure*: Includes numbers and schedules and dates? *Gonzalez*: No, but have discussed before. 15 month construction estimated, subject to when plan is approved. Plan details and further review 5-6 months from approval to new construction.

Jensen: Does county set date to make decision? *Gonzalez*: No. *Jensen*: Concern with the road, is improvement a part of plan? *Gonzalez*: Not in plan now, probably in final plans. What can we do about traffic, road will be addressed but we don't know how right now. *Mintz*: South end drawings, were they final? Entrance, how they interface with Captiva Drive? *Gonzalez*: Entrance inside the gate. Description of current site. Sealing off entrance to outside. *Mintz*: Panel has not seen any drawings. Have you thought about how construction will affect resort, other units and Captiva? *Gonzalez*: We have set some limits on movement of workers, trucks, etc. Construction will have an impact, no avoiding that. We will develop a logistics plan when appropriate. *Mintz*: Sewage treatment capacity sufficient? *Gonzalez*: Working on full report to bring back to you, not to capacity, some operational issues we are looking into. Required to submit certification of capacity for county approval. *Kelly*: You'll have a battle if you want to expand that plant, discussion of past issues. *Boris*: I live in a community with a similar plant, a lot of issues over the years. Issue is peak usage, not average usage. Capacity needs to speak to the highest demand, not average. *Gonzalez*: Sometimes not used to capacity, less efficient if not fully used. Not looking to expand plant, not necessary for this project. *Walter*: Power surge fried pump, affected backflow. Asked them to include a backup on station. Panel should ask them to come and update on plans to update outdated equipment.

Mintz: The 2008 plan included a 20-acre Plantation Preserve parcel, walkways and exhibit. Still a commitment? *Gonzalez*: We have not addressed it, but we can if necessary. We can meet commitment. *Mintz*: Where is preserve parcel? *Gonzalez*: Don't know. Obligated to conform fully with the agreement. Habitat we need to protect, parcels where we can look into this. *Mintz*: Could county ask for units to be moved to south end to reduce density? *Gonzalez*: Not desired by client, so no. Zoning does not dictate size, you have the right to build within constraints of property as long as you abide by the rules. Property value is tied to zoning and location. *Mintz*: Current plan could be made better in discussion with the county. *Gonzalez*: What is best for the client within the constraints of the law. *Brown*: Still not comfortable with rearranging density within resort, from low density to high density area. *Gonzalez*: Think of this as one parcel, moving within. *Brown*: But there are other owners within that parcel. *Gonzalez*: 2008 plan also had other assumptions, one resort overall. *Brown*: Within your rights as proposed? Not an alternative plan with density in south as economically attractive? *Gonzalez*: A reasonable proposal that complies with the law. *Cunningham*: New units will be taxable? Can you determine what in new taxes that will be generated? New money to the county that could be used on Captiva? *Gonzalez*: Ad valorem rate times property value times number of units. Plus sales tax that goes to state and bed tax component as well. Estimate approx. $50 million in new taxable properties.

Discussion.

Mintz: Traffic... zero increase in auto traffic desired. In the 2002 amendment, pedestrian traffic movement was emphasized. In the 2008 narrative, the applicant emphasized keeping people tied to north end and out of cars. Biggest construction project out of the box, no emphasis of pedestrians over autos. Impact of construction on traffic will be considerable. How can we mitigate to traffic impact? Creative green approach? *Brown*: Does that come from an architect? Or through management? *Gonzalez*: I'm here, so ask. Intent is good, but building code does not encourage good acts. Certain parking requirements, etc. Hardest thing is to convince residents to commit to reducing traffic. Force all residents to agree to stop driving at peak times? Options discussed. Unique opportunity to deal with one resort, perhaps. Discussion. *Mintz*: Are there consultants who address this? *Gonzalez*: Yes, they evaluate all your movements, compile data, then ask you how far are you willing to go? It hurts a little to do it. If you improve road, how do you handle options? More bike/ped and less driving lanes? Commitment that has to be communal in nature. *Mintz*: Things you could do right now. Food options can be broadened at both ends of resort. Discussion. With new units at the north end, will there be options offered to keep them there? *Gonzalez*: Commercial always follows demand, so more units should bring more service. *Stilwell*: Trolleys would make it a lot easier to move. Also consider a park-n-ride off island for workers and tourists. Enable people to do things without vehicles. *Gonzalez*: Have water shuttles ever been looked at? Much more reasonable now. Or amphibian planes. Explore all your avenues to alleviate traffic. *Walter*: Need to change mindset before we spent millions on infrastructure. A lot of cost involved. Discussion of shuttle use and costs, access.

Brown: Percentage of business from South Seas? *Stilwell*: Don't know, we pick up a lot of people throughout the Village. A good percentage. *Mintz*: Education to encourage people to use the trolley, at check-in and through rentals. Could make an impact in season. *Walter*: Impact only during season. *Stilwell*: If they're underutilized right now, a good opportunity for an experiment. *Kelly*: I cringe at the walkers in the dark. Start with the resort to invest in moving people throughout the island. Safety factor will be overwhelming, will get some bad accidents and it will be our fault. *Gonzalez*: Need everyone's input on how we improve the road. Opportunity to make it a better roadway for how it works. More trolleys, more lighted pedestrian components which some will object to. We need your guidance. Reduce traffic, encourage trolley use, make walking safer, look of road in the future. *Mintz*: What's timing to design road? *Gonzalez*: Now and when project is complete, all done at the same time. *Walter*: Identify what we can’t do to the road. *Gonzalez*: Can't widen it due to habitat. How you stripe it, light it? Narrower lanes and more walk/bike lanes. *???* Jams are getting off resort, internal traffic can be managed, but external roads will see impact from increased density. *Gonzalez*: Roads designed for island capacity, but not timing of use. Regardless of our units, capacity of the islands is an issue. Overall planning needs to be addressed as a community. Discussion of Periwinkle Way and four-way cops – where traffic fixes actually slow down traffic flow.

Walter: Prudent for us to look at some of the things you’ve suggested. *Kelly*: Golf carts? Maintained, lighted, driven by adults. *Gonzalez*: Resort could self-police, by residents. *Walter*: There are rules right now we enforce. *Mintz*: Sometimes carts double up on traffic, use car as well as carts. *Gonzalez*: Develop the most draconian set of rules, let everyone thing that's what you approve, and you'll see compromises and accommodations made. *Mintz*: Make Captiva less car-dependent, offer options and make it a signature of the island. *Jensen*: Sense of enlightenment, thanks for your comments. *Kelly*: Conclusion. Get plan before the community? How will south end look, entrance, beach, parking. Send contact information for the appropriate county staff to the panel email list, post plans on website.

Terry O'Sullivan: South Seas Club... isn't an inside the gate problem, but a problem for the island. 2008 amendment said 20 units at north end 80 at south. We bought into resort based on what we say then, not at a higher density north end. South end has more room, more walkable, more convenient. More density should be at south end. Everything funnels south into the island and Village. If allowed to proceed as planned, traffic will be more of a problem. If you can't expand road, why dump more density on the north end? *Mike Frascati*: Sounds NIMBY to me. Difference between 2002 and 2008 amendments? *Gonzalez*: 2002 had no design changes, just density. *Frascati*: Units density, not location. Six people times 140 units equals 840, impact on waste treatment? *Gonzalez*: Can meet demand. *Mary Ann Cowart*: Road owned by associations and resort? Will resort pay for improvements? *Gonzalez*: No, we need to agree on design before we can make commitments on renovations. *Vern Polladero*: South Seas Club... in a timeshare poll of 290 owners, 87% said density shift is negative impact to owners on north end. *Gonzalez*: Empty lot analogy for neighbors. His rights vs. my desires. Discussion of rights and relief. Shift of density, all within the resort. Who is final arbiter? The county. Zoning is something you can go to the bank with, it's a right and denying it is considered a taking. Discussion. Within the laws a community accepts. *???* To Blackstone, doesn't it make sense to move things to the north end, what is business reason? Long-term benefit vs. short-term creation of value. *Walter*: People at south end will want to go to the north end for amenities.

Sarah Spector: South Seas Club lawyer: Issues include open space calculation. No administrative approval if you cannot show impact to buffers and surrounding lands. No traffic study, only report. Discussion of language. Open space, south end existing and what's approved in north end? Why not compare approved and approved, or existing and existing? *Gonzalez*: Do not increase what's approved in the requirement. *Carol Crantz*: Timeshare owner since 1987... own 50 weeks a year, feel we should have a voice. We drive when we can't use the resort amenities. Who regulates occupancy of main pool? Dept. of Health but for in-pool only and not deck? *Walter*: North pool amenities will be added in new construction to keep them in the complex or on the beach, could take load off main pool. *Jim Simpson*: Also timeshare, getting people out of cars, need viable alternatives. Trolley not conducive to use by some, not best to get people out of cars. Carts and trolleys available but not best thought out for impact ion people and community. Alternative to encourage use. Electric alternatives, quieter and slower. Better access to trolleys, electric would be nice too. *Walter*: Resort is working toward that end as well. *Frascati*: Downside to open use for trolleys? *Walter*: Looking at options. *???*: Amenities fees an issue. Discussion. Make them free and add more trolleys.

Bylaws: *Cunningham*: Read statement. (Walter left meeting.) Bylaws require 2/3 vote for approval, 60days or two meetings between motion and final vote. *Mintz*: Major changes… Increased panel to 11 members, which was proposed earlier, unsure of status but good to have odd number for votes. No change in appointments, extra would be panel appointment. Went to three-year terms, lessens turnover. Second term is not automatic. Everyone on panel extended one year except David Rohn and Jerry McClure, then goes to normal staggering. Nomination process, clarified and streamlined process. Nominating Committee makes presentation at October meeting with submitted resumes. If no appointment from CPOA and CCA, that becomes at-large position. Additional names at November meeting, plus CCA/CPOA/NC suggestions. December vote. Officers elected in January. *Boris*: Individual terms, not tied to seats so that can't roll over from one to the other. *Mintz*: Midterm vacancies filed in 30 days, either by panel or appointment. *Cunningham*: Midterm appointment reverts back to original status when the seat is up again. *Mintz*: Officer election in January, one-year terms but can be re-elected. Quorum: Majority of panel members with four physically present. So 6 with 4 present. *Rohn*: Need to improve telephonic links. *Mintz*: Included mission statement from plan. Notice 7 days. President interprets Robert's Rules/procedural, panel determines bylaws. Panel member must

be accessible to the community, invite constituency groups to present positions as part of meetings. *Jensen*: Why a concern? *Cunningham*: Want to encourage more of that. *Mintz*: Indemnification provision. Attendance... meetings in person or telephonic. *Kelly*: Analyze the review at next meeting. *McClure*: Significant change will restart clock. Discussion. *Mintz*: Expectation is there will be other changes and we will address them as we move forward. Send issues to Gooderham prior to next meeting.

Monday After The Masters: Gooderham explained the current situation and request from Siouth Seas for panel volunteer to spearhead event. Limited time, a lot of work for all. *McClure*: Sponsors may be reticent to participate due to treatment by resort in past. *Brown*: Hard way to raise $20,000. *Stilwell*: Paul McCarthy's cruise was nicer. *Cunningham*: Cruise for 100 people at $200 each would make our goal. *Kelly*: Would prefer that. *Cunningham*: Tourney a lot of work for resort. Would they be willing to donate? Kelly agreed to pursue. *Cunningham*: McCarthy was instigator for fund-raising. Need someone to replace him. *Mintz*: Finance and fund-raising committee. Bring people from community in to assist, but make committee responsible for meeting financial needs. Get out another mailing. Look at more money from the county. *Cunningham*: Get McCarthy on committee, Boris agreed to serve on finance committee, *Brown* as well. Discussion in April on different levels of sponsorship.

Plan updates: Forgey did a Lee Plan update review, asked for comments from panel and audience. Panel asked to invite LCEC and FGUA to discuss utility issues and usage. Discussion of who is responsible for review of wastewater treatment capacity: Florida DEP or DOH? *Mintz*: Set panel priorities, short/middle/long. When to discuss. Rauschenberg property as an example, could it be sold and developed? Raising money to preserve property. *Brown*: What about public concerns as expressed in the survey and input? *Mintz*: Which ones do we want to address first? *Kelly*: Don’t want panel to end up being a proxy for South Seas, providing a public forum for community instead. Discussion of issues needed. *Cunningham*: Put on the agenda to decide panel action next month. *Kelly*: Key issues representing the county on what we've heard. Mintz to do summary of key points to use in review. *McClure*: Their view is we're OK, do we want to take a different position than that? *Brown*: Do we want to take a position at all? *Mintz*: Key planning elements, should it go to hearing or not, taking as position in general. Willing to do a synthesis of issues to start the discussion. *Kelly*: County expects us to give them some feelings on this major project. *Stilwell*: Road is a bone of contention with associations. Discussion. Should panel be involved in resort road? *Kelly*: This is a money issue. Should be a requirement to upgrade road.

The meeting adjourned at 12:45 p.m.

-- Ken Gooderha,. administrator

Captiva Community Panel

MINUTES

April 14, 2015

Attending: David Rohn, David Mintz, Bob Walter, Dave Jensen, Jerry McClure, Mike Kelly, Mike Boris, Jay Brown, Jack Cunningham, Sandy Stilwell

Audience: ~20

Meeting convened at 9 a.m. Following introductions and roll, the March 10 minutes were addressed. *Jensen*: Add "road within the resort, comments prompted by neighbors and friends who live within South Seas" to comments on page 2. *Mintz*: Why are there question marks with some comments? *Gooderham*: Not able to identify speaker. The minutes were then unanimously approved (Boris/Walter).

CEPD: *Administrator Kathy Rooker*: Sanibel County and CEPD working to issue solicitation RFP for Blind Pass Inlet Study. County will pay for with TDC money. To meet the needs of all concerned, issued on Friday if all goes well. Not just sand, looking for inlet management plan to address erosion problems the inlet causes. May 1 beginning of turtle nesting season, May 1-Oct. 31 rules go into effect. Past violations have included lightings County will do regular lighting surveys, enforcement process explained. 42 different properties that had some type of violation, some multiple violations. Still Joined meeting. Lights visible from beach, even from inside the home, reflected lights off buildings. Hanging white lights, ceiling fans lights, under floor Xmas lights, laundry room lights. Stair lights, pool lights, porch lights, exterior sign lights. Turn off landscaping lights during nesting season. Change blubs to amber or orange LED lights, lower watts. Turn off up lights on plantings. Close blinds and curtains. Look for turtle-friendly light fixtures and bulbs. Google turtle friendly lights and it will take you to Florida Fish & Wildlife Commission. CEPD meeting tomorrow 1 p.m. at Tween Waters. *Walter*: Turtle etiquette cards again this year? *Rooker*: Still have copies of last year's, let me know if you run out.

CFD: *Deputy Chief Jeff Pawul*: Hurricane preparedness seminar May 7, 2 p.m., in Auger Room. Encourage everyone to attend to stay prepared. Great turnout for SkyWarn training. Numbers up 50% compared to last year. *Rohn*: Station? *Pawul*: Don't know yet, in final inspections right now. *Mintz*: Dumpster? *Pawul*: Will be removed once work is finished. *Cindy Brown*: If numbers for seminar are down, have you considered moving it earlier? *Pawul*: Not who's here, but who's paying attention about storms. *???* Restoration after dumpster is moved? *Pawul*: Contractor issue with property owner, a lot of different contractors parked there, I have brought it up to them multiple times and they have tried to clean it up. Discussion. *Waite*: Private property, can't charge with trespassing without owner's permission. Other property back under control of bank, seeking to sell it.

LCSO: *Deputy Waite*. Season winding down, high increase in kids, more nighttime wave of people. Changed hours to work later at night. Most just having fun. Golf carts, a number of accidents, mostly hit and run. Stayed on top of that. Parking a real issue. Day-trippers parking wherever they could. Try to find owners, if not we have to ticket them. Lot more compliance with dog violations once we started enforcing rules. Conflict with Sanibel rules an issue for understanding. Discussion of golf carts.

Financial: *Cunningham*: Really fund-raising. Cancelled Monday After The Masters due to time, looked at cruise as alternate. Also too late to do anything while people were still here. Brown, Boris, Mintz and Cunningham on committee, with Paul McCarthy to assist. Plan is to look at cruise in fall, welcome

back to Captiva late October or early November, combine with barbecue, more full-fledged fund-raising event. Need to make up $20K from golf event. Cash flow, OK until then we hope. Did do mailing last year raised $15K from that. Send something this summer to get us through the period. List of possible donors? Trying to get community to pay a consistent amount annually. *Brown*: When to get together? *Cunningham*: May or June for mailing, start in August for fall event.

Planning: *Max Forgey*: Workshop after today's meeting on Captiva Plan update. Some county personnel changes ahead, Planning Director Paul O'Connor and Community Development chief Mary Gibbs both retiring in May.

Future priorities: *Mintz*: Long-term goals chance to discuss. Looked through surveys, minutes, discussions. Short/medium/long-term projects. Choose which we want to purse, then how to pursue them. Review now and discuss at next meeting. S-curve, trolley service outside SSIR to mitigate traffic, Captiva code violations and education committee, taxes paid vs. services in return. *McClure*: Short is how long? *Mintz*: Short year, medium two years, long three years plus. Trolleys, commercial base in Village. Septic regulations and enforcement. Noise from landscapers. Switch to electric golf carts. Beach access documenting actual use and public access. Sewers and working with Sanibel. *Brown*: Opportunity to share infrastructure costs. *McClure*: Sanibel resisted it in the past. *Mintz*: Underground utilities, purchase of density rights on undeveloped lands. Rauschenberg and Buck Key still out there. Bike/ped facilities. *Brown*: Long list, how do we translate from ideas into projects. *Stilwell*: Plan a session with facilitator. *Kelly*: Look at this at a start, plan session for next month to discuss our preferences, eventually go to a facilitated workshop to thoroughly review. In May with enough time to discuss. Also bylaws to be discussed in May.

Bylaws: *Cunningham*: No feedback from anyone. Initiated March 10 meeting for vote at May 12 meeting. *Kelly*: Make changes for next meeting or hold your peace.

BPAC & Village bike/ped access: *Gooderham*: Made presentation at March 18 BPAC (Bike Pedestrian Advisory Committee) meeting. Supportive and aware of issues, but would need to go through county process for ranking to be put on the project list. Ranking would not be favorable for Captiva as it's tied to schools, parks, connectivity. Current project list is lengthy, major backlog without major funding to address it. Lee DOT suggestion short-term was to marked roadway for shared use ("sharrows") and long-term to consider forming a Municipal Service Taxes Unit to fund improvement on your own. Other option would be to raise private funding either to request county to engineer and construct something or hire your own engineer to permit and construct project. Need to balance drainage issues and lack of right-of-way with bike/ped uses. Interesting suggestion from BPAC member was to put in a beach boardwalk from the Hagerup access to the end of Andy Rosse to give people an alternative to the road. A lot of other issues there, CEPD would have to support and beachfront owners might object. *Mintz*: What kind of costs for roadway upgrades? *Walter*: We've been quoted $850,000 per mile for widening and paving. *Gooderham*: Assume a half-mile, would depend on drainage enhancements. Also need to understand right-of-way boundaries, if anything could be done with road-front property owners to keep ROW clearer. Discussion of past issues and options.

Priorities: *Mintz*: Send letter in support of Lake Okeechobee storage acquisitions. *Jensen*: Get on SCCF email list for background. *Mintz*: Send letter in support? *Jensen*: Rae Ann Wessel with SCCF can draft something based on current status. Consensus to send letter in support. *Mintz*: Insurance coverage... needs clarification. Request letter of coverage or clarification from insurer.

DRAFT

South Seas: *Kelly*: Introduction... Jose Gonzalez, Bill Morris, ???: Any new issues? Anything the panel wants to share with the county? We need to act as island planner, not SSIR planner. *Walter*: Planners from county have attended every meeting since November presentation. *Gonzalez*: What are we actually submitting and approving? 2008 plan approved to add units and restaurant at north end and a boutique hotel at the south. Showed graphics of approved vs. proposed south and north end. Compare what's approved (not built) vs. what's proposed. Explanation of differences between approved and proposed. *Brown*: How many units? *Gonzalez*: 20 plus restaurant in 2008, 96 smaller units now. No change in numbers resort-wide. *Mary Ann Cowart*: Whole ownership in 2008? *Gonzalez*: Always hotel rooms. *McClure*: Occupancy/capacity? *Gonzalez*: 10-12 per unit perhaps, not consistent throughout year. *Gonzalez*: Possible changes in roadway. Be redone and move all bike/ped to one side, expand 1-2 feet without habitat endangerment. Ownership of road is shared by up to a dozen associations and resort. SSIR will take care of the road improvement, but all ownership entities have to be in agreement on design and solution. *Brown*: Prior position had been each owner needed to pay a share, so that's changed? *Gonzalez*: Yes, I can be very persuasive. You as a community need to decide how to fix it.

Mintz: Pedestrian highway from resort to Andy Rosse, mostly from resort. If you add units on the south end, you add pedestrians to the highway. Help mitigate S-curve issues primarily used by South Seas people. *Walter*: Not all South Seas guests. *Gonzalez*: Very little ROW. No eminent domain issues, how can you best rework the ROW. Community action and initiative. Willing to help with planning process. Wrap-up, working our units within the resort. Will pay for resort roadway but all owners must participate in process as well. *Kelly*: Road must be improved, with or without consent of owners. *Walter*: Everyone wants the road done. *Gonzalez*: If you want it to be better than it is now, we will participate. But if you want it improved, we need your input and your permission to do that. *Mintz*: Reiteration of offer. *Stilwell*: Good time to make it better, not just fix it back to as is. *Kelly*: Have not seen a plan or proposal to this point, this is new. Discussion. *Lisa Riordan*: Has trolley service been discussed? *Gonzalez*: If you improve road, also improve trolley service to manage traffic better... need predictable service. Conduct community study on how to reduce vehicular traffic overall. *Walter*: Full access inside the gates, outside the gates is a community issue.

??? As bike rider on that road, have issue with two-way traffic on one side (as shown in mockup), will invite accidents. *Gonzalez*: Would be curbed to separate vehicles. More for a casual rider, not higher speed cyclists. Could put cyclers in road with vehicles and make side path ped only. Design is up in the air, but South Seas will pay for the road. Road will happen regardless, not linked to development, but would only be done at the end if development moves forward. Last item in sequence. Discussion. *Mintz*: Add funding to fund S-curve. *Gonzalez*: Will add planning to the solution, don't know what that will yield. *Mintz*: Harbour Pointe units pending, how will that come into play. Agreement with Mariner to build those units elsewhere? Gonzalez: Those units have a value if viable, could sell to someone else. Always a possibility, would come with a full public hearing. *Mimi Schwartzel*: Outside gate, give us a sense of what we're looking at? *Gonzalez*: Would ask you to have a community meeting first. Tied to a tangible solution though community input. *Walter*: This is our first short-term priority. Put it into a designed package. *Gonzalez*: Give me the best possible data to develop that.

Mintz: Sewage? *Gonzalez*: DEP letter issued about flow concerns exceeded allowed rates. Operator investigated, an error in reporting. Misplaced decimal point, error verified, DEP confirmed it's a non-issue. Capacity... verified in writing there is capacity in place. Explanation of treatment and dispersal. How rates are calculated and set. Apartment vs. resort units factored differently, higher factor for resort... Still under design capacity of plant. Operation vs. capacity, have plenty of capacity but will always worry about operations. Permitted vs. real flows. *Lisa Riordan*: Reason for sewer trucks lately?

Walter: US Water had maintenance issues with plant due to personnel issues, more waste than they could use for irrigation. *Gonzalez*: That's why it's crucial plant is operated properly.

Kelly: Thanks for update, take a quick break. *Brown*: What should panel do in terms of project. Stay silent? Request public hearing? Admin action OK with conditions? Express support? Where are we on this? *Kelly*: Look at planning issue with respect to Captiva. Not to critique master plan of South Seas. Act as forum, improve roadway, sewer capacity. Personally, I'm satisfied on those issues. *Cunningham*: Had enclosure on issues. A lot of the explanation was "inside the resort" issues. Some outside issues, traffic and bike/ped. More hearings on external issues, or are we done? *Walter*: Does panel need to take a position on variance? *Gooderham*: Not required. *Stilwell*: Satisfied, no need to take a position. *Mintz*: before Mariner purchased, resort originally zoned for 3,900 units which they downzoned to 912 units. Have right to those. Administrative interpretation emphatic about not creating more vehicular traffic for the island. That alone raises the issue about going to a public hearing. Do mitigation to meet criteria of administrative interpretation. Original resort was all-inclusive, now they are part of the Village and the island. That's my opinion, not a panel statement.

Kelly: You're looking at it as a lawyer, not what panel should be looking at this as a Planned Unit Development. Look at traffic, road, sewer only. Not prepared to make that recommendation. Satisfied to do nothing further, no recommendations beyond what has been addressed. If someone wants to raise legal issues, that's not the panel's role. *Jensen*: Agree with that. A lot of community input, voiced position and gotten clarifications. *Boris*: Support not taking a position. Still concerned about impact outside the gates. Stilwell: County is hearing these concerns. *Walter*: High priority regardless of this project, need more county support. *Cunningham*: Tremendous input, support no position but providing forum. Some coming together, building some level of trust back among owners. *Kelly*: Not prevented from commenting on overall impact on Captiva by any project or effort. *Brown*: Impressed with response on road issues , commitment to fix the road and even improve it. Concern about location of units, but you have right to have those somewhere. *Rohn*: Agree on not taking position. Need to convey concern about density to county overall. Number of units vs. number of people, not necessarily through this issue. Motion (Stilwell, Brown) that panel not to take a formal position and let the county proceed as it determines is appropriate. Unanimous approval.

Rohn: Can we improve teleconference options for summer panel meetings? *Walter*: Resort will address.

Kelly: Move on to plan discussion. *Cunningham*: Motion to accept draft amendments as presented (Stilwell second). *Tom Terrell*: Looks good, slight awkwardness. Bottom of first page... pollution issues... during evening walks, there's a lot of music noise. Lack of enforcement makes this difficult in terms of the other goals. Motion unanimously approved.

Meeting adjourned at 11:45 a.m.

-- Ken Gooderham, administrator

DRAFT

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Captiva Community Panel Meeting Notes

Tuesday, May 12, 2015 @ 9:00 AM

Auger Room South Seas Resort

Members:
Mike Kelly (MK; President)
Jack Cunningham (JC)
Jay Brown (JB)
Mike Boris (MB)
Jerry McClure (JMcC)
David Rohn (DR)
Dave Jensen (DJ)
David Mintz (DM)

Max Forgey (MF), note taker
Julia B. Davis, Forgey Planning Services, note taker

Sharon Jenkins-Owen, AICP (SJO); Principal Planner, Lee County Department of Community Development; SJenkins-Owen@leegov.com
Rich Dickerson (RD), Captiva Fire District
Kathy Rooker (KR), CEPD
Ann Bradley (AB) Librarian
Cindy Brown (CB)
Doris Holzheimer (DH)
Debbie Oneta (DO) and Jeff Shuff, Tween Waters Inn

Meeting convened at 9:00 AM by Mike Kelly who announced the presence of a quorum.

Minutes of April 9, 2015 meeting approved unanimously. (Brown/Cunningham).

KR: I have results of our survey**.**

JM: Can we get a copy of the results?

KR: Yes**,** but it will take months to publish results of data. Erosion Control District—Blind Pass erosion control study. Last Thursday proposals were sent in. Committee of three (Lee, Sanibel and CPOE) is analyzing the six proposals received. They will short list to three finalists on May 21, and they will be interviewed by Lee County BCC. Our hope—DEP will consider it as their management plan. Want to manage, cut back on infill. Open inlet causes erosion, but it must be managed. The need is for more science and less prejudice. I have a good sense that Lee County and City of Sanibel share our views.

JB: In 2008, when we did the re-dredge, I thought we had a commitment for continuous monitoring.

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KR: This was monitored but there is no adopted management plan.

JB: Lee County feels an obligation to keep it open?

KR: Yes.

JB: Lee is the driver?

KR: We're all stakeholders, but Lee County Tourist Development money is helping.

DJ: Lee Co is permit holder?

KR: Lee Co is the responsible party.

JC: We do not have an agreement with State?

KR: Different parts of State submit plans. We hope they will adjust. Will sit down. There will be tweaking. State gets some money for inlet management, but maintenance will be County funded.

JB: Balance of funding. Could use a better sense of the balance of funding. [There's a disparity between what we contribute and what we get in return.] Who would pay for this?

KR: Lee County. The results have been positive. Last time TDC gave us twice what we asked for. Redfish Pass – need study. TDC put it on short list. Very positive response. County does appreciate the funding they get from us.

CB: Science. Another jetty on Sanibel side wouldn't work, we have been told [in the past]. Is it a possibility?

KR: It is. Sanibel is open minded and willing to consider hard structures. Everybody is open.

MK: Kristy was here about turtles and left message [but had to leave before meeting started.] Kids are not filling in holes [after they play on the beach.] People are not removing chairs.

KR: It is monitored. CEPD monitors and taxes furniture. It's a constant problem.

JB: Do we have enforcement capability?

KR: We don't. Lee County does, I don't have the authority.

MK: Holes make a difference?

KR: They do, [and our volunteers fill them in every night during season]. Shields over lights also make a difference. Saying something to a neighbor is a fine way [to protect turtles]. Next month I'll bring you the turtle count.

RD: [Back after being out 2-1/2 months. Getting better]. MDA Boot drive $4,436 raised. We beat Sanibel! Hurricane meeting best turnout in years. Jim Bierstadt, the new director of

Lee County EOC, and Amy Hoyt, the GIS specialist, made presentations. It has been 11 years since Charlie, [and memories are fading]. LCEC – takes weeks to rebuild [after storm]. New fire station has received final CO from county. Slope of handicap parking [was off and needed to be fixed.]

??: Dumpster issue. Will contractor take responsibility?

RD: One small orange dumpster. Landscapers used it a lot. Other two dumpsters have left the site. Orange remains. Building phase is finished.

??: It's an issue, every time there's construction on the island. Debris management from H. Charley, 10 years of dumped landscape debris. Once firehouse is done, he thinks someone will contact owner.

RD: Grand opening late June. We will clean as much as we can, but we didn't put it all there.

DH: Hurricane season starts June 1st. Nobody told Anna (which was going up the east coast at this point). Beth will send out emails if it impacts us. Go to mycaptiva.info or E.O.C. link at Fire Department website.

RD: There are daily updates on our website.

DH: I was not able to be on island for the education program.

RD: Jim Bierstadt talked about storm surge. Lee Co is divided into 10 zones. We're in the same district with Sanibel. We are likely to evacuate the island if there is a storm, and will return to do search and rescue.

AB: Brought materials from training. All Hazards Guide. Shelter and hotel information. Lee County Pet Friendly Guide. Accommodations Booklet. Lee County Homeowner authorizations. Energy Information Contact forms.

DR: Are the old passes still good?

RD: Orange passes from 2012 are still good.

DH: When storms do hit, we'll have a person in the room at the EOC. Nathalie Pyle will communicate. We'll have June meeting to prepare for the season.

JC: Finances. In April, we decided to send letter requesting contributions. We raised $15,000 last year. We need that as carry-over this year. Welcome Back for Season event night with Paul McCarthy in October. Jay, Mike B, and Jack will be a subcommittee. Will set dates.

DO: Tween Waters will help.

Communications

Planning

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MF: Nothing to report. We will be sending the Captiva Community Plan language to Lee County very soon.

MK: Introduced Sharon Jenkins-Owen, Principal Planner, Lee County**.** How Code will be used. Code is where big issues are encountered. **Future priorities**. In last [iteration of Code amendments], we wanted mangrove section in County Code. County said no, it's a State issue, shouldn't be in there. To greatest extent possible, when someone wants to cut them, they go to the State [for a permit.] In Mariner days, there was mitigation on Pine Island.

JC: Cement walls behind Paradise. They pulled out mangroves with state permit. Bought 2-3 acres [200-300 acres] of mangroves on Little Pine Island. Paul Garvey is talking to Matt Uhle [attorney] who was unavailable for today's meeting.

JB: Is this CCA issue?

JC: Absolutely.

JB: Prevailing DEP opinion, mangroves are for the whole neighborhood including Pine Island. Impact can be offset. Entire mangroves population can be mitigated elsewhere. Does CCA not accept?

JC: Something of a sacred cow. You can be fined heavily for not obtaining a permit. Is that a County or State issue? Implication is that you can't touch them. We probably can't do anything about it, but we want MU to give us options—we asked him to look at what people *think* they can do vs. what they *can* do. Want to protect them on the island.

MK: I proposed mangrove [language] the last time we worked on amending our Code. [Unpermitted] removals would have to be replaced where they were before.

JB: Big consequences.

MK: County responded.

JB: Re. current practice of [Florida] DEP. CCA opposes this practice.

JC: I think we all agree.

JB: I don't. Either we should protect the whole mangrove population [which JB advocates] or we can be Captiva-specific.

JC: Let Matt come back. If there is something we can do [we can consider it at that time.]

JB: Maybe this is something DEP will reconsider.

MK: We've never been bashful. No problem with trying it.

JC: There has been authorized cutting and trimming.

MK: Some people have elected to pay the fine. We don't have the [metaphorical] club. Panel has made good effort and failed.

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DM: Permits for a pool [for example are] granted by county.

JB: DEP permit comes first. I have some experience with this.

DM: Does state come to the site?

JB: Yes, [to my experience]. The owner hires environmental engineer. How are mangroves affected? Show topo photography. Tide lines. It goes to DEP. They approve or not subject to these mitigating measures.

MK: **Setting priorities**. Last meeting we had a catalogue of past priorities. At last meeting, asked Panel which should be removed. Looked at Sunshine Laws. One panel member per subcommittee [is preferable]. Fact finding committee not subject to Sunshine. Then we asked you to send options. Committee can give options. Not recommendations.

JB: Example – underground sewer and power lines? May be two issues. Panel could have two or more members. Study facts. Pros and cons drawing on past research.

DM: We consulted. Our findings. Options. Sunshine Law. General prescription.

I define 'short range' as ca. 6 months or less. Mid-range 1-2 years. Long-range two years and up.

JB: We're picking today? [Consensus, yes.]

MB: We can't do everything. Other things may be important.

JB: Many of these are established issues.

MK: Haven't run it past the people.

JC: We have, at the workshops. Public should be allowed to add more when they [have the opportunity, and we may find other things to add.]

JB: Mangroves possibly should be on this.

JC: Advise postponing the mangrove issue [until we have heard from Matt U.]

DR: Short term item #1—**Improve S-curve, etc.** Jose and SSR are working on these. Ann Brady at Rb F. Doesn't this tie to M1 (Traffic solutions to reduce automobile use?)..KG will take it on when he returns.

JB: Nominate DM for this one.

DR: Does it fit in with the trolley? [S2 "**Coordinated Island trolley service**"]

DM: It does. Have to solve SSR to Rosse safety issue. These are large issues—keep them separated as issues. [Consensus.] Sandy has S-Cargo; there should be a way.

Jeff Shuff: We had one for a year; it worked well in high season.

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DM: Don't want competing services. Sandy could share [on subcommittee]. Coordinate with S-car go.

JC: Let's ask Sandy to chair that subcommittee.

DO: 17 years ago a lady named Debbie Anita[?] ran a trolley.

DM: Paul McC's 'automobile-free' concept. Bus or jitney; no need to rent a car. It can be low cost. Jitneys work in Hamptons. Musical ferries.

JB: Apple T. van service from airport.

JC: Let's get information, results. This is a related, but a different, issue.

JB: Longer term issue is how to transport without autos. What if we defined it as public transit on Captiva? What are the implications for the long term?

DJ: Would Debbie and Jeff (SSR) be interested?

Jeff: Yes.

DM: And Paul?

JB: I'll volunteer.

DM: "**Funding Panel through property owner direct contributions and other mechanisms**" [S3]

JC: Volunteer.

DM: **"Captiva Plan and Code Education."** [S4] There's a need for Code education. People don't know what's in there.

JC: Communications – Education & Promotion.

DR: I'd like to see a Homeowners Guide with information about mangroves etc.

JC: Talk to Paul Garvey, maybe CCA would help. They have a new secretary. [Possible] united communication effort. [DR chosen for subcommittee]

DM: "**Review of Captiva/ Lee County tax distribution**" [S5]

MB: I'm interested.

MK: Mullins also interested.

DJ: Tax bills. Schools are biggest thing. I think everybody needs to take a close look at their bills.

DM: Facts.

DM: "**Garbage/Recycling**" [S6]. Boca Grande – no containers visible. Is there something we can do to improve look? Time of visibility. Rental property problem.

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JC: Jerry, could you?

JM: June 1st I'll be moving off the island. Doing some work for Ventura Captiva.

DM: **Zoning review/ Master Plan to maintain commercial/ residential balance in the Village"** [M2]. Important MK issue. Island economics-- want to keep business in commercial district. Create another plan for the area.

JC: Tough one. Mike K?

MK: Yes. [Volunteered.]

MB: Educating Panel.

DM: "Village Building Height/ size review" [M3]. [Do we want to reintroduce this one?]

MK: We make some choices. Assumed that people in Village would just build on two living levels. It's done.

JM: Two years ago decided not to treat Village differently from rest of the island.

DM: South Seas, Village, could go back to old standards. There was a special survey.

JB: Density or appearance issue?

JM: Both.

MK: FEMA moves the lines; we're trying to look ahead.

JC: David, you have lived in this zone. Please ask your neighbors if this is an issue.

DM: Agreed to do so.

JB: Conclusion.

DM: "**Septic regulations/enforcement**" [M4] Septics aren't working. Tanker truck pump them -- too much volume. This is closely related to [M5] **"Prevention of over-booking and overcrowding of rental properties."**

JB: Near term.

MF: It was the State that pre-empted.

MB: If we had a survey, people would say this was the issue.

DM: Rule of thumb. Septics are pumped every three years.

JB: Tie in with the sewer issue.

DM: If not doable, consider others. Overbooking.

JC: Get Realtors involved.

DJ: I volunteer.

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JM: [If you want to put 15 people in a rental house, what is to stop you?]

Jeff: At Tween Waters, it's two per room maximum occupancy. We enforce.

JM: It's the private homes that overbook [the water.]

DO: Over bookers are on their way.

??: They overbook all winter.

DM: **"Reduction of noise from Gas Leaf Blowers"** [M6]. We have a noisy paradise. Golf carts/leaf blowers. Captiva Homeowners Association. Monday, Saturday AM. Options – gas to electronic over five years? Or stagger days?

JC: Battery power are plug-ins, but technology is evolving.

DM: We want to reduce noise.

MB: Is it a priority? Keep it on the list.

JC: Blowers and carts are separate issues. [**"Transition from Gas to Electric Golf Carts";** M7]

MB: Rentals typically have gas golf carts.

JC: Ask Bob and Marcel. Could they advise?

DM: More _____.

JC: Ask Bob.

DJ: We got out of electric carts [at Jensen's.].

JB: Las Buenas Costa Rica, hundreds of electric carts. Every unit has plug-ins. Bob W should be on this committee.

DM: **"Map beach access"** [M8]

OJ: That's a CEPD issue. [Consensus; scratch it off list]

DJ: New Jersey learning from storm.

DH: Crow's Nest tomorrow.

DM: **"Sewers"** [L1]. [Dave J and JB volunteered.] **"Underground utilities"** [L2]

JB: Kevin.

DM: Invite Mayor? [of Sanibel]

[Decided no; premature.]

JC: Who has study? Ken.

JB: CCA opposed.

JM: Study said it didn't make sense.

MK: Time has passed--engineers said that it was a bad idea because of all the digging up that would have to be done every time there was a storm. Things have changed.

JC: Let's put it on hold. Ask Ken to send study.

DM: **"Purchase undeveloped land and density rights"** [L3]. How to raise money.

DM: 10 acres at Buck Key. Rauschenberg property. Is it deed restricted? Ann Brady said no. This is an important Rauschenberg legacy.

MK: Master Plan for zoning classification may be available.

DM: Want to keep it as is. It's non-profit.

MK: Could be a good PUD. Must leave open space. Single purpose buildings, giant studio.

JB: Could confront them with a plan.

MK: Biggest undeveloped [tract] on island.

DR: Mariner Point is in Federal Court.

DM: **"Pedestrian walkway and bicycle path through Captiva"** [L4]

JB: Dream vision. Captiva more attractive place. Safety. Don't know if it's doable. Along Tween Waters. Jay, Cindy, Jack agree. Would be great [to be auto free].

DM: There was a plan to do this. [in the past]. Objections [came up.] County thought they got burned.

MK: Substantial Gold Coasters. Need substantial separation. Tom, Dick and Harry using trees easement. [Perfect for Cindy.] Bring back to Panel. WWT issues. Tanker trucks in/out of South Seas.

JC: They didn't come from Island water! [They want you to know that.]

DM: Major operational issues – effluent not sufficiently processed. Bob said invite US Water. Ken trying to invite USGA & US Water.

JC: Is there permitting conditioned upon certification for sewer people? We heard they had capacity.

MB: Educational benefit for Panel. Learn more about their operation. How did they allow it to fail?

MK: Ken has schedule. We can learn – Condo Association can't address costs.

DM, JB: Insurance. What's taking so long? If CPOA can't……

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JM: Pressing issue. My interpretation. Letter from JM to MK offering resignation.

By laws

DJ: Do by-laws allow you to stay?

DR: Let's table the resignation. [This was not in the form of a motion. MF.]

MK: Should there be qualifications requirements in the by-laws?

[Consensus**:** Yes, but let's not try to put them in today.]

MK: Last opportunity to commit. The vote.

DJ: Move to accept by laws as presented.

JB: Seconded.

MK: Discussion—there's a 2/3s vote to change by-law.

DM: Mike Mullins decided procedural issues. By-law require majority vote.

MF: You had a strong presiding officer in that case, but last time I checked Robert's Rules a procedural ruling from the chair is appealable by any member and subject to an up or down vote. It's a privileged motion, and not debatable.

MK I still think two-thirds should be required. [General agreement with MF interpretation.]

Members expressed enthusiasm about the meeting and how the Panel is "doing things.'

ALL Ayes.

Adjournment 11:25 AM.

Captiva Community Panel

MINUTES

June 9, 2015

Attending: Dave Jensen, Sandy Stilwell, Jack Cunningham. David Rohn (phone), David Mintz (phone), Jay Brown (phone), Mike Boris, Jerry McClure

Audience: 15

Meeting convened: at 9:05 a.m. Reviewing the May 10 minutes, corrections were requested on page 3 (dumpster comments were not Mintz) and page 5 (should be Jeff Shuff from Tween Waters, not Jeff SSIR). They were unanimous approved as amended.

CEPD: *Administrator Kathy Rooker*: Meeting in Crows Nest tomorrow. No meeting in July. District is looking for firm to do study of Blind Pass for management plan. Where is erosion happening, what steps can be taken to cut down erosion, cost of options. Work to keep the pass open, look at maintenance, cut down on erosion, have state adopt management plan. Discussion of process and shortlist. Interviewed three finalists, ranked finalist for BoCC consideration. Top firm was CB&I/CPE. Will take regional approach to passes in general. Sanibel open to listening to all the options and the science behind them. Brown: Any constituencies who don't want to see this happen? *Rooker*: Sanibel open to all options, no objections yet. *McClure*: Noticed small groin on Sanibel side, new? *Rooker*: Always there, just uncovered by erosion. *Cunningham*: BoCC approval, next step? *Rooker*: Will start study once authorized. Could take up to nine months to complete. Presentation of findings to follow, so could be a while until something is actually done. Build support and educate, them go back to BoCC and FDEP to help with cost. *Rene Miville*: Will this interfere with 2016 dredging plans? *Rooker*: Don't see that. *Miville*: No structures allowed on Sanibel by comp plan, could circumvent by calling it emergency repair. Going to BoCC rather than TDC. *Rooker*: TDC funds county beach efforts.

CFD: No report

LCSO*: Sgt. Mike Sawicki:* Nice to be back. Not much going on right now. Lull before summer starts. Hurricane prep, time to think about it is now. Working with parks to clarify rules and iron out problems. *Mintz*: Signage issues? *Sawicki*: Turner Beach is county property, some conflict with Sanibel rules since they manage it. Dog amenities in place, creates confusion.

Utilities: *Assistant County Administrator Doug Meurer:* (Jensen intro)... committee background offered, wanted someone to speak who knows more about subject than we do. Had sent questions in advance...key factors to consider whether to pursue sewer. *Meurer*: Background on prior efforts with Sanibel. Three components – collection, treatment facility, discharge of treated water. Key factors: Public good, right thing to do for water quality issues. Referendum to show support and establish system to create utility. Or mandate, like Keys went through due to water quality issues. No choice but to establish authority. Perception or reality of water quality issues. Also, septic takes land, removing frees up property for additional uses. Agreement of service area customers. *Brown*: How do you assess community support? *Meurer*: Petition or vote. County sponsored MSTBU to set up collection system, 50% plus 1 vote. *Boris*: Property owners vote? *Meurer*: Yes. *Stilwell*: Development impact, limits on construction? *Meurer*: Size to serve community. Standards of community have to be met during planning review. *McClure*: City participation? *Meurer*: Would have to approve if they have capacity. *Brown*: Conversations with Kevin Ruane about this, very positive about tie-in to Sanibel.

Jensen: Throughout state, perception or mandate driven? *Meurer*: Bonita Springs Utilities good example, private not for profit utility. If county service area does not reach to area where people want service, people can form their own. *Jensen*: Science behind that? *Meurer*: Wish there was, example of Lehigh Acres. Science can show contaminants, but had to proof it's septic causing the problem. *Cunningham*: Do existing septic systems have to be removed if sewer is installed? DM: Yes, it's required. Vacuum system might work better on flat terrain, does not always require joining it. State statutes might not apply for that, would need to check. *Cunningham*: What happens to system? *Meurer*: Removed or filled in place to avoid collapse. *Brown*: Taxing district to create system, would pay for collection and connection. How is each individual owner connected, part of district or individual responsibility? *Meurer*: Pay proportionate share to connect to Sanibel, assign annual cost for maintenance and repairs. Additional charge from city for capacity usage. MSTBU is one mechanism, better choice might be to form utility, monthly billing for services. *Mintz*: All of island connected, or parts of island. Or not considered. *Meurer*: South Seas would continue its utility, other properties would connect.

Cunningham: How to determine cost? *Meurer*: Consulting engineer would look at elements of system, develop an estimate of probable cost before any referendum or petition? *Cunningham*: Who pays for studies? *Meurer*: Depends on financing mechanism, county has engineer and cost could be folded into taxing unit. *Cunningham*: If not goes forward? *Meurer*: Responsibility of who forms utility. *Stilwell*: Is fee based on demand or usage. *Meurer*: All single-family homes pay same connection fee, monthly fee is based on usage. *Brown*: Any idea of range of cost? *Meurer*: Hesitate to throw out a number, it will be remembered. Cape Coral expansion cost $20K per household... half for sewer expansion, so $10K. *Mintz*: Keeping and improving existing septic systems, any argument? Policy reason not to go forward? *Meurer*: Resistance by any individual to prevent majority support. *Miville*: County easement/ROW left? Can it fit within ROW? *Meurer:* Yes. *Miville*: Other utilities, electrical? *Meurer* : Yes. *Jensen*: Issue where there is no ROW left along road. *Sherell Sims*: Excited to have gotten to this stage, concern over water quality. Are we sure that private systems are adequate to serve customers? *Stilwell*: Optional or mandated? Some may want to connect. *Nathalie Pyle*: Cost to individuals... $20K per household. *Meurer*: $15K? *Brown*: Amortized or lump sum. *Meurer*: Paid all at once or spread out over years. If utility, they will borrow to build and bill over time based on payments. *Brown*: Cost discussion...

Hullar: Distance to connect affects costs. *Meurer*: You are responsible for cost of connection, some defined limit but don't know what it is. *Brown*: Cost of septic vs. sewer over time? *Meurer*: One way to look at it. Discussion of pros and cons. *Rohn*: Installation impact on property values? *Holzheimer*: Who can mandate other than a referendum: *Meurer*: DEP due to water quality. *Mintz*: Criteria? *Gooderham*: Who can manage system if utility? *Meurer*: Need to look at it. Lee County Utilities could look at it, FGUA, role to take over distressed utilities. Lehigh, NFM, South Seas, U.S. Water operates system. County can take over system at any time for cost of debt. *Mintz*: If tied to Sanibel, would we have representation, or fee for service? How long to construct a collection system? Funding sources besides residents? *Meurer*: Sanibel... bulk service customer, rate for quantity that goes to their system, no representation. Length of project... Design and construction 4 year effort. Funding... depends, if not mandate, not likely. If mandated, sources available. Will check. *Hans*: FGUA distressed.. case with South Seas? *Meurer:* Part of larger purchase of operator, would not break it up so FGUA bought them all. *Hullar*: Study done by panel years ago, need to bring that back for discussion. No contamination shown from septic systems. Discussion.

??: Requirement for septic maintenance? *Meurer*: No, state effort was shot down. Discussion. *Stilwell*:

Commercial owners are required to maintain regularly, individuals are not. *Miville*: Water quality... weakness made in surrounding water a lot of movement. *Jensen*: Did test ground water. *Miville*: With septic everything goes to groundwater. Is it monetary or quality of life decision? *Rohn*: Can we hear from septic community? *Mintz*: Discussion with Sanibel? *Brown*: Next step to discuss at panel level how to proceed. *Cunningham*: Need to hear both sides of the story, we all have septics out here. Look for septic expert to discuss issues. *Meurer*: Bob Himschoot? *Rohn*: Enforcement area could be interesting. *Stilwell*: Dept. of Health person? *Hullar*: Need facts to make decisions. Examine that report to determine where we are, look back at data. *Stilwell*: Panel discussion. *Jensen*: Committee will come back next meeting to recommend ideas.

LCEC: *Dennie Hamilton, Tricia Dorn, Karen Ryan*: Presentation by Hamilton. Service issues on Captiva unacceptable. Nonprofit investor owned utility, your fees help fund operations, excess is returned to membership. Equity ownership account and cash returned to customers. Distribution cooperative, do not generate any electricity. 1913 services on islands. Reliable service balanced against lowest cost and quality customer service. Power starts in Cape Coral, to Pine Island. Three water crossings to Sanibel substation. Single line to Captiva from there. Limited alternatives to where we can put power lines on the island, in ROW mainly. Challenge to get support on the island due to traffic and crowds, keep things necessary out here when possible. Reliability... system average interruption duration index. Discussion of service improvements and issues. Explanation of service issues recently. Things we can look at to increase response time and location of facilities/poles.

Stilwell: Underground in certain locations? *Hamilton*: Can look at that. *Stilwell*: Whose responsibility will that be? *Hamilton*: Look at cost, reliability and repair, best thing for our membership. *Jensen*: If Captiva was willing to pay more for increase service, is that possible? *Hamilton:* Rates have to be the same throughout area by PSC, limited opportunities to charge more in certain areas. *Jensen*: Technology to warn you if a certain number of properties are out? *Hamilton*: We often know when there is a problem beforehand. *Rohn*: Would burying lines improve reliability and on an island is it a good idea? *Hamilton*: Finding issues, saltwater intrusion, wind issues. Cost of service is biggest issue for us. Open to looking at underground if sewers are being considered. *Brown*: Individual owners burying lines? *Hamilton*: Estimates available and we do work. *Hans*: If residents could pay for improvements, wouldn't rate be left untouched? Discussion. *Brown*: Massive economies if done with sewer project? *Hamilton*: Maybe not massive, but yes. Coordination an issue. *Cunningham*: Unit to pay for lines all up front? *Hamilton*: Number of options, we're not in financing business. *Hullar*: Discussion of background, issue was size of taxing unit included South Seas. *Hamilton*: Discussion of recent service efforts. Replacing Matlacha Pass line, a 3-year project.

CFD: *Chief Rich Dickerson*: Dedication for former volunteer this afternoon. Got Certificate of Occupancy for new station, move in tomorrow if possible. Planning a July 11 grand opening tentatively, plus open house in March every year for seasonal residents. 60th anniversary this year, David Rohn is working on it for us.

Mangrove: *Cunningham*: Background on mangrove removal. State permit allowed work to be done. Discussion of state/county/COE options. *Hullar*: Current language is not as weak as it sounds. Has some legal basis. *Brown*: Long process to get permission to remove mangroves. Will be fined for removal if not done right. *Cunningham*: No one was aware of it, is the issue. *Brown*: Description of process... plan, removal, mitigation. *Mintz*: Plan states need for protection, but county and panel is not engaged in any requests. *Brown*: Ask panel be noticed about any mangrove removal by COE and FDEP. *Cunningham*: Letter to DEP and COE. *Mintz*: Reference policy. *Cunningham*: Write letter to

both agencies, requesting to be noticed on any request for removal of mangroves on Captiva Island prior to a decision. Cunningham/Boris. *Brown*: What is best way to be noticed? *Gooderham*: Letter and follow up with specific people. *Rohn*: Mitigation not done on Captiva. *Gooderham*: One issue at a time, work on notification first. *Hans*: You get noticed, then what? *Cunningham*: Evaluate situation and make recommendation. *Hans*: Have to have a criteria. *Brown*: Description of hearing process he'd like to see. Unanimous approval. *Mintz*: Palmflower letter? Cunningham/Brown. Letter to COE, numbers don't add up, need hearing, impact could be greater. *Cunningham*: CCA is also writing a similar letter. Unanimous approval.

Hurricane: *Doris Holzheimer*: Meeting Thursday, to talk admin matters and efforts and plans. *Sawicki*: Have current letter on file with CFD and LCSO. Hans: CEPD did a good brochure on beach impacts. Brochures for timeshare owners to update them on hurricanes. *Cunningham*: On website and agencies. *Ann Bradley*: Also at library or contact Lee EOC.

Finance: *Cunningham*: Sent out meeting notes. Planning another letter, events in fall and spring. “Welcome Back to Captiva” event in late October, a Lady Chadwick cruise and Tween Waters dinner; minimum $100 per person. Will set meeting in late July to work on letter and invites. Then look to do South Seas event in December/January (tentative), dinner and drinks at Kings Crown. Invites will be sponsored by island orgs to fund payment. Hope to raise $17,500 at each event to stay on track for annual budget, plus $15K from letter. *Mintz*: Letter needs to be updated, addresses were wrong. Would like to account for each event in terms of donations to track results. *Hans*: Fro timeshare owners, can track moves and use email. *Mimi Schwartzel*: Follow up with specific businesses?

Communications: *Cunningham*: Restarting CCA newsletter, include panel points. Reference minutes in newsletter.

Financial: *Gooderham*: County reimbursement planned, awaiting necessary paperwork to submit.

Plan: *Max Forgey*: Mary Gibbs and Pal O'Connor retired in May. Interim successor is Dave Loveland, from Lee DOT. Mary named the new Estero Community Development Director as of yesterday. Consider Oct. 30 for symposium on land use. From ordinary citizen to professionals and local govt people. Description of sessions. Will be held at Miromar Design Outlet. $40 including lunch, contact me for details and reservations. *Cunningham*: Mintz should attend.

Other biz: *Jensen*: Recycling bins. County lets contracts for new bins and garbage bins. Continuity for service. *Mimi Schwartzel*: Is there an ordinance about when people have to bring in garbage cans? *Gooderham*: I think so, but it’s not enforced. Move August meeting to bring in FGUA person?

Mangrove letter: Request public hearing to explore mangrove impacts based on the Captiva Plan policy to protect mangroves to the greatest extent possible, and look at options to minimize any impact to the wetlands and mangroves on the property in question.

Adjourned 11:30 a.m.?

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

July 14, 2015

Attending:
In person: Sandy Stilwell, Dave Jensen, Bob Walter, Jack Cunningham, Jerry McClure
Via phone: Jay Brown, Mike Boris, Mike Kelly, David Mintz, David Rohn

Audience: 8

The meeting convened at 9 a.m. The June 9 minutes were unanimously approved (Cunningham/Walter).

CEPD: *Kathy Rooker*: Millage discussed in June, property values have increased on island and in county, will keep budget flat again this year. No increase in millage, so no increase in taxes. No meeting in July, next will be Aug. 12 at Tween Waters Inn.

CFD: *Chief Rich Dickerson*: ISO rating just done, 1 best and 10 worst, every 7-10 years, went from 4 to 3 for island. Will save on your homeowners insurance. Notify your insurance company just to be sure they're aware of the change. Sanibel went 5 to 3. Community, water system, fire training are big items. Grand opening this Saturday, BBQ and kids events, more. Island busier this summer. Hose uncoupling, starts at 10 a.m. Thanks for volunteers and commissioners, community. Will do an annual open house Feb.-March every year.

LSCO: *Sgt. Mike Sawicki*: Busy for summer. Traffic issues, parking overflow. Delivery trucks blocking road around Andy Rosse and SSIR dock. Block intersection and hydrant at Andy Rosse. Warnings now, citations soon. Turtles: following up on ordinance enforcement, tagging furniture and violations. SCCF lighting survey identified Captiva as one of the worst in county for lighting violations. Will try to address with rental companies, emphasis on compliance at check-in.

Hurricane: *Chief Rich Dickerson:* Geographic zone meeting with Sanibel, fire, and EOC. Evacuation plans and other systems. Safety personnel will be leaving if storm surge predicted. *Ann Bradley*: Guide and lightning pamphlet provided. 17 fatalities so far in 2015, only 9 in 2014. Take it seriously. *Rohn*: Online? *Bradley*: Yes, on brochure. Lee EOC website, and mycaptiva.info.

Sewer: *Brown*: Committee met June 30? Appropriate next step to develop broad cost estimates before doing more work on project. Share with panel to see if panel thinks it is worth proceeding with project. Jensen had some sources – Doug Meurer, Tween Waters, contractor for Sanibel system. Also sent to Cunningham... IWA access to information? Breakdown by usage, residential vs. commercial? More interest in businesses in pursuing due to septic issues, want to determine if it is true. Would CCA have any initial opinions on project? Get estimates by Oct.-Nov. To discuss face to face.

Mintz: Nail down Sanibel's interest in having Captiva hook up to their system. *Brown*: Has been nailed down according to mayor. Not necessarily the only way to go about it, but could be best way. Discussion. *Walter*: Have had same conversations, but need something in writing. *Brown*: May be too early to pursue that, need to know cost and scope. Broad pros and cons, so we can decide as panel how to proceed. *Walter*: Panel should have document in hand, not out to the community. *Jensen*: Simple to do, agree with Bob. *Brown*: So I should go back to Ruane, and tell him what he's said is not good

enough. *Stilwell*: Would be a council decision likely, could trigger negative response. On the fence on this. Discussion on background. Cost of connecting to Sanibel vs. other options.

Rohn: Impact on property value offsetting cost? Life of septic systems. *Stilwell*: Island is saturated, starts to smell. Moisture issues in houses, etc. *Kelly*: Sanibel would have to go to council to get anything in writing, really premature right now. Do they have capacity? Are they planning to upgrade, that would be the time to discuss issue with them. *Brown*: Agree, have level of commitment from community first before starting discussions with Sanibel. Just get some basic facts first. *Kelly*: Find out Sanibel's long-term plan for sewer system, what is timetable? Discussion. *Jensen*: Get cost from Sanibel without letter, need best estimate first. *Mintz*: If community goes forward, develop protections against over-development. Limitations on sewage coming from the island. *Brown*: Agree, sewers not reason to expand development. *Stilwell*: Meurer back this weekend, can reach out to him once he gets time. Could it be a mandated thing rather than voluntary.

Jensen: Recently saw some Keys papers, a lot of articles on sewers. State funding relies on mandates, but still tenuous to get money from Tallahassee. *McClure*: Meurer clear it would be difficult to get mandate here. No water quality issue sufficient to trigger state mandate. *Brown*: Water quality study did not indicate a problem. *Cunningham*: Appreciate committee's work, a lot of angles to it. IWA can identify by user amount of water being used, commercial or residential. Need to define area, exclude SSIR, perhaps Sunset Captiva. Has there been a CCA discussion? Yes... lengthy discussion after Doug Meurer's panel presentation. Brought up memories of past efforts on this, about the fifth time it has been discussed by some estimates. Is there media present? (A reported acknowledged her attendance.) The article published after Meurer's panel meeting made it appear there was a bias by committee members toward project. We need to make it clear to the media that this is preliminary, not taking one side or the other.

Jensen: First time the panel has looked at this, sure a community organization can address this properly. *Cunningham*: Not radically different to other priority projects by panel, a hot button issue. Cost is a critical component. Mandate interest indicates bias. Issues to mandate, property usage, will of the people. Latter is most germane to Captiva. Need to be careful not to put cart ahead of the horse. Looking at survey, 241 responses out of 1,000 owners... only 44% said sewer was an issue. Not indication of community support. *Brown*: Is there not enough interest to pursue this now? *Cunningham*: Need to consider it. *Brown*: Do you want us to stop now? *Cunningham*: No, but good to consider survey. *Brown*: Without costs, how could anyone have an informed opinion? *Mintz*: Survey will be needed at some point. What about long-term viability of septic systems? Mandate discussion was as source of funding, not presumption of bias.

Kelly: Fear of overdevelopment would generate a NO vote without facts. Other reasons why sewer would be appropriate, take a look at costs and options. Hot button issue over development alone. Need a good answer if you're going to proceed with analysis. Get facts and an idea of costs. If Sanibel will expand system, that a new factor for island to discuss. Need a real discussion on fear of development first. *Mintz*: Agree, a clear sense of what was expressed in workshops. Restrictions you can place on systems that would assuage concerns. *Stilwell*: Tom Loomis vehemently opposed idea of sewers in the past, fear of high-rise development. *Cunningham*: Respect going forward on costs, before we proceed need to determine if there is a community interest on this subject. *Jensen*: Sewer Committee to gather info? *Walter*: Costs of sewer system? *Jensen*: Costs without doing a formal study? Get the cost for a study? *Stilwell*: Sunset Captiva would be interested. *Mintz*: Need a consultant on long-term viability of status quo?

Kelly: Correct way, doing a quiet study first to determine facts before action. Eventually will need a referendum, but need to get the basic to be able to discuss it intelligently. *Brown*: Just a basic fact-finding mission, I don't have any opinion, just responding to community input and interest in this issue. Discussion. *Kelly*: Need to look at alternatives to handling our waste, knowing what goes into the ground on this island. Discussion. *Cunningham*: Get costs and bring it back to panel. *Kelly*: Continue to study issue then bring results to the community. *Brown*: Committees can't be making decisions. *Rohn*: As to the SSIR plant, can it accommodate the additional development proposed?

Mangroves: *Cunningham:* Read statement. SCCF request denied on Cahill mangrove removal. Debating whether to re-file for administrative hearing, 15-day window to re-file now. USACE has made no ruling on involvement in Cahill matter. Discussion on Corps notification and permits. *Gooderham*: How broad a range of permit requests do you want to see? *Brown*: Captiva and Buck Key only? Consensus was Captiva and Buck Key only. *Walter*: Barrier islands if it could impact Captiva. *Kelly*: Reason to get county involved in mangrove protection? Get involved with building dept. to forestall removal. Need an ally in the county to be effective. Discussion. *Brown*: Monitor projects or impact results. *Mintz*: Way of dealing with it in a consistent manner. Otherwise it's an empty policy. *Kelly*: That's what the county wants us to have. *Mintz*: Subcommittee to work with county on how to have more impact on this. *Jensen*: What could have been done differently with this removal request? Discussion.

Finance: *Cunningham*: Should be fund-raising. Thompson mailer to go out Thursday, receive by Monday. Return service requested. Hoping to raise $15K. October event... boat trip and Tween Waters food. Will set date in August to plan ,objective to raise $17.5K. Late January second event hopefully, SSIR willing to participate, perhaps at Kings Crown? October... a “Welcome back to Captiva.”

Planning: *Max Forgey*: Working on summary of plan update. Combining all info – surveys, workshops, meetings – into one report. Great deal of raw material to refine. Need your pictures to include in report. Illustrate issues and ideals of Captiva. Pedestrian and motor vehicle interface, visual issues on Andy Rosse, building heights, mangroves. If you have any that illustrate challenge and ideal of issue, email to me to include in report.

Insurance: Gooderham summarized the process of working to include the panel explicitly in the CPOA D&O policy, and the current quote received from BB&T. Concerns were expressed about the aggregate $1 million coverage and the retention (deductible) that would now be included. The consensus was to ask what the premiums would be for higher aggregate coverage, to confirm whether the coverage was per occurrence or aggregate, and the claim limit vs. aggregate limit. All also confirmed that coverage should be secured by the July 18 expiration date for the current policy.

South Seas misc.: *Mintz*: Explanation of letter from county Zoning Director Pam Houck (in packet), in response to a request for an interpretation from an attorney representing some South Seas timeshare boards. *Walter*: How is this a panel issue? Discussion. *Mintz*: Jose Gonzales offered help with Captiva Drive S-curve redesign. Will schedule a call in early August to discuss options, owner engagement, panel role. Harbour Pointe, Plantation Development Ltd. lawsuit settles, $2.4 million to developer for transfer of development right (TDR) to U.S. government for conservation. Units still could be built? Unsure of scope of settlement at this point. *Kelly*: Is there an existing agreement on transfer? *Walter*: Apportioned to Mariner, Plantation Development. *Stilwell*: Could be transferred to Buck Key? *Walter*: No, only within Planned Unit Development footprint of SSIR. Discussion of Buck Key. *Mintz*: Can

units be put somewhere else, or do they disappear? *Walter*: The 912 total remains. If they want to develop inside SSIR, there would be a public hearing to approve. *Mintz*: Nominating Committee needs to be formed to fill one vacancy. *Cunningham*: President needs to make recommendation to the panel at the August meeting. Discussion. *Cunningham*: One panel member and two non-panel members, panel ratifies and to serve one year. Discussion. Communicate with Kelly with suggestions for non-panel members. Rene Miville, Denice Beggs, Paul McCarthy, Jeff Shuff?

The meeting adjourned at 10:55 a.m.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Aug. 11, 2015

Attending: Jack Cunningham, Jerry McClure, Jay Brown, Dave Jensen, David Rohn (phone), David Mintz (phone), Mike Boris (phone), Sandy Stilwell

Audience: 12

The meeting convened at 9 a.m. After introductions, approval of the July 14 minutes was waived until September since many of the panel members had not read them.

CEPD: *Administrator Kathy Rooker*: Next meeting tomorrow at Tween Waters Inn, will include a presentation by CB&I engineers about the one-year post-construction engineering and monitoring report. May also include an update on the start date for a Blind Pass Inlet Management Plan study, negotiations under way for contract with Lee County. Also working on Redfish Pass inlet study, the first time they're being studied at the same time. Looking in shoal inside pass as possible sand source for beach projects. *Brown*: Not aware of one inside pass. *Rooker*: Taking samples from a number of areas, is sand good enough and is there enough for a beach project? Keep sand in the littoral system. A cheaper source for sand, not a navigational issue. *Brown*: Huge bars on either side of the pass. *Rooker*: Used that area many years ago. *Mike Mullins*: Compatibility issue, Blind Pass sand looked good but was not used. Have they changed standards? *Rooker*: DEP and USACE very strict, need to prove compatibility. Discussion. Budget hearings in September, at 5:01 p.m. Sept. 10 in Ding Darling Room and 5:01 p.m. Sept. 21 in Wakefield Room.

CFD: *Chief Rich Dickerson*: ISO rating going to 3 from 4, homeowners need to call insurance company direct to let them know the rate has gone down, reduction will vary based on company. Every 7-10 years to evaluate fire depts. Communications, hydrants and personnel response. Grand opening went well, 150 attended. Thanks to all who helped out. Planning annual open house in March. Tri coming, Sept. 13 road closed.

LCSO: *Sgt. Mike Sawicki*: Three arrests for grand theft stealing golf carts around SSIR. Policeman recognized kids from Miromar as ones he had arrested numerous times. Explanation. *Cunningham*: Will Lee County jail them, since Dade did not? *Sawicki*: Two are juvenile, one adult, a long rap sheet. Sanibel has seen a couple of auto break-ins, so far noting here but monitoring parking lots. Fishing violations around Blind Pass Bridge, takes constant monitoring. Rules violations and no licenses. Discussion. *Jensen*: Customer asked about chances of getting caught with a deputy standing right there. *Sawicki*: derelict vessel in Roosevelt Channel. Being towed and went aground. Left it behind in the middle of the night. Tagged and going through process for removal, working on it. Tri traffic disruption. Turtles, working with SCCF and county to address violations, lighting and beach equipment/furniture violations. *Mullins*: Analysis of noise complaints, ever get completed? *Sawicki*: Completed, no complaints since then. Had meeting with problem stakeholders, they've worked out boundaries and lessened complaints. *Stilwell*: Ed is leaving? Can we encourage them to send us someone good for the island? *Sawicki*: Has to retire due to DROP, could leave sooner. Conducting interviews and four qualified people, one tentatively selected. We did seek someone who understands how things work in the island, community policing attitude. Discussion. *Stilwell*: Interim basis rather than full-time? *Sawicki*: Don't know what will happen in the future. Looking for a good fit for the island. A lot of issues need to align, relocating out here. *Ann Bradley*: Want to keep that kind of

position filled, perception that the role is needed. Discussion. *Sawicki*: All good candidates that applied. *Stilwell*: Thank Ed at panel's boat cruise in November? *Cunningham*: End of October or early November, date not set yet. *Sawicki*: Will also do something for him once we know when he's planning to leave, will keep you posted.

Hurricane Committee: *Ann Bradley*: Not reached peak season yet, quiet so far but a lot of rain. Distributed Guide for Elders for disaster preparedness, covers hurricanes and other incidents. Dept.has Facebook page and more, a lot of good information for everyone. No hurricane meeting this month.

Captiva Plan: *Max Forgey*: Draft amendments to Captiva Plan. Typo on second page: Jay Brown, not Jerry Brown. All the information gathered in the past 3-4 years of planning survey, workshops, meetings and amended language. Discussion of report contents. *Forgey*: Captivans did a really good job of explaining their vision of their community, will make a huge difference in planning process. Goes to staff for review, then Local Planning Agency and Board of County Commissioners. *Stilwell*: My name misspelled as well. *Mintz*: Question about 13.1.18, underground utilities: "and approved by the community." *Mullins*: Moot point, can bury wires on one parcel if they want. *Forgey*: Will review language.

Brown: If individual owner wanted to bury lines, not precluded by anything here? Are you suggesting I cannot bury lines? *Mintz*: Thinking about the converse, if it was detrimental to the community. Flooding risks, say, that could impact whole community. *Brown*: Not a typo, a big deal. You would have control over my property. *Mintz*: Covering all bases in case of problems. Not most important point. Come to panel for discussion if you want to bury your power lines. *Brown*: Assumed it was a wider concern, not individual properties. *Mintz*: Benefit to community and support of affected owners, a larger scale project. *Gooderham*: Would have to go for a vote to form taxing unit, so community support would be verifiable. *Brown*: All of us are clear this is not intended for individual property owners. *Gooderham*: Send us typos within a week so we can make final revisions and submit to staff. *Forgey*: New directions in planning, explained. *Brown*: Saw some areas where language was different.

Discussion of Policy 13.1.10. *Brown*: Process of review? *Gooderham*: Staff has to implement, often will ask clarifying questions. *Forgey*: Staff has been here for much of this. *Gooderham*: Any changes will come back to you for discussion and approval, unless the commissioners change something at the last hearing.

Planning: *Forgey*: Explanation of handouts from Florida Bar conference. First if agenda, most items have white papers I have access to. If you see something of interest, I will get it to you. Analysis of Reed ruling on signs. Unanimous but separate concurrences. Probably no effect on Captiva. Too many signs in the ROW, church moved around and used signs to tell members where they were holding services that Sunday. Did not take them down within the allotted time, got tagged by local government. Court said town did not give them enough time to remove. Vacation rentals PPT handout, authority of duration and density of vacation rentals. Seven-day minimum enshrined in statutes. *Mullins*: Dunbar property... two parcels sold, update? Discussion. Is Realtor disclosing problems? Discussion. *Forgey*: Sewer service discussion, called Kevin Grace with GSG in Orlando. Asked about cost of sewers, cost-benefit study. County has commissioned study on Captiva of cost to extend services from resort WWTP. *Brown*: Can we contact him? *Stilwell*: Quick study to see what's feasible. Raw numbers. Doug Meurer will likely come to a panel meeting in the fall. *Brown*: Good idea to look at this. *Mullins:* SSIR facility was not large enough when they looked at it in the 1990s. Interest from Sanibel to hook Captiva into their system. *Mintz*: Capacity study or effluent study of what island would produce. Get sewer

committee engaged to avoid conflicts or confusion. *Mullins*: Reach out to Doug Meurer. *Stilwell*: Investigating costs now, down and dirty. *Forgey*: Oct. 30 seminar on planning and land use in local governments, teaching morning and simulation in the afternoon. Estero 8:30 a.m.-3 p.m. Can reserve seat, will be held in Miromar Fashion Outlet.

Mangroves: *Gooderham*: Explanation of mangroves questions. Reached out to local Florida DEP office to see if someone would come out to explain state regulations and options. Offered to get them some questions from the community in advance to help them focus in on what you wanted to hear from them. In discussion, some of the questions were:

- What is scope of mitigation,
- What is limit of removal with mitigation?
- How do we protect Captiva and its mangroves...specific language and interface with DEP other regulators?
- Scope of net loss in regs... island, watershed, county?
- Notification for permits... time frame, responsiveness?
- Can we get a special designation to protect fringe?
- Describe permits, field permit process, what's allowed.

Committee updates: *Mintz*: Conference call with Jose Gonzalez and Ken Gooderham to discuss Captiva Drive in the Village. Consensus to do something quickly to improve safety for bike/ped, within existing ROW... four foot path both sides and "sharrow" signage. Need to confirm ROW width and road location in it, drainage issues. Overlay of ROW and road, determine whether private property is involved, drainage needs and options. Get info in format that can go to Jose to map out ROW and road. Get sense of what's possible and bring ideas back to panel for discussion. Then bring property owners together to discuss options and seek remedies. *Stilwell*: Approach Rauschenberg Foundation to donate property at S curve, trade or tax benefits? *Mintz*: Once we know where road is and what it needs to be safer, will reach out to foundation at that point. Stilwell: Trolley, not met but will meet.

Transit: *Debbie Almeida*: Met with Jeff Shuff, got vendors information for trolley/shuttle. Adventures in Paradise $100/night for three months. Estimate from one to provide service during season. *Mintz*: Issues with past service, needs to be addressed at some point with service additions. Discussion of prior issues. *Cunningham*: Add Walter to committee.

Fund-raising: *Cunningham*: Funding... Review of budget needs, $50,000 needed for general operating costs. Mailing went out in July with $15,000 target, raised $14,840 so far. 41 individuals and 5 businesses. $17,500 each from two more events. Committee will meet today on October cruise. Final one will be in spring with SSIR support. Today's meeting will get us date and more specifics for cruise. Discussion of tax-exempt status, needs to be mentioned in solicitations.

Plan & Code education. *Rohn*: Looking at a homeowners guide... native plants, dark skies, island organizations. other background.

Garbage: *McClure*: Talked to garbage pickup to try to get garbage and recycling on the same day. Would require changing entire county schedules, not possible now. Recycle and horticulture picked up Wednesday, garbage on Thursday. Will stay the same. Got copy of county ordinance on can removal from streets. Put out no more than 24 hours before and 24 hours after pickup for cans. Send letter to all property owners reminding them of schedule and can removal? County has means to enforce this. Biggest issue is removing cans after collection. *Mullins*: Sometimes don't pick up horticulture, include

contact info for pickups in the letter. *Mintz*: In Village renters put cans out on the right day but don't bring them back in in a timely fashion. Rental agents need to be engaged in this process, to be effective. Reach out to them in the education process. Discussion of recycling pickup. *Almeida*: Solid Waste willing to do islandwide mailing for us. Lehigh pilot project would start next October, new containers and more automation.

Sewers: *Brown*: Handout from email last night. Long-term project, trying to collect information to see if it's worth pursuing a system over time. Three broad areas: Environmental impact of current systems; economic benefits to the island (pocketbook issues); impact on density/intensity. *Mullins*: Discussion of financing, paying interest only now with principal paid on sale of property. Putting information in public gets input from community that can be very valuable. *McClure*: Polled Ventura Captiva owners... might take a referendum requiring 50% plus 1 support. Found eight out of ten would not approve at this point. *Brown*: Education not on this list, will be needed if panel comes to the conclusion this is a good idea for the island. *Mullins*: Smart growth group, thought the long-term direction of state was to eliminate septic systems. Broader environmental viewpoint and direction of state. *Mintz*: Is there an inevitability aspect to this that behooves us to be ahead of the curve? Will we be required to do it? *Mullins*: Also did ad hoc study during visioning, there is was 50-50 support. *Brown*: Time to get input from the panel on this topic. Hearing about cost study report could be extraordinary for information on this issue. *Mullins*: Also consider aesthetics, removing drain field and odors. Add me to committee. *Cunningham*: Address media? *Brown*: Trying to collect information and data, no opinions right now. *Mintz*: Fact finding. *Mullins*: Post office issue, things taking a lot longer to be delivered. Discussion of issues. Local office very cooperative. *Gooderham*: Having issues nationally with other clients, may be systemic. *Mullins*: Takes longer to get thing to Captiva than in other locations. Communicate to our congressman as it's federal issue.

Financials: *Gooderham*: Usual update, note that donations are in to date.

New business: *McClure*: Mike Kelly called me to chair nominating committee. Denice Beggs and Elaine Smith will also serve. One new seat to fill, asking CCA and CPOA members when they will appoint, one seat each. *Stilwell*: Could Rohn be CCA appointee again? *Cunningham*: No, has termed out. *Jensen*: Who will run next meeting since Stilwell cannot attend and Kelly is not back? Cunningham will run meeting a treasurer. *Mintz*: Insurance? *Gooderham*: Paid for new policy July 18.

The meeting adjourned at 11:30 a.m.

Ken Gooderham, administrator

Captiva Community Panel

MINUTES

Sept. 8, 2015

Attending: Jay Brown, Jack Cunningham, Mike Boris, Dave Jensen, David Rohn (phone), Mike Kelly (phone)

Audience: 12

The meeting convened at 9 a.m. Following introductions, the minutes from Aug. 11 and July 14 were unanimously approved (Boris/Jensen).

CEPD: *Kathy Rooker*: Thursday budget hearing 5:01pm at TWI, Darling room. Last three years, kept budget flat, millage shows no increase this year. Explanation. *Brown*: Blind Pass? *Rooker*: BoCC OK'd CB&I to do study, start in October, Also Redfish Pass study at the same time.

CFD: *Cunningham*: Thanks to CFD and LCSO for service to community. *Chief Rich Dickerson*: Saturday fire in home, in wall. Investigation under way. Two fires in last three months, small fires. Tri this weekend, 9/12 kids race 210. 9/13 sprint race... Closure 6:45 a.m. open 8:45 a.m. Emergency access to roads at all times. Explanation of placement. Call volume 107 Q1/108 Q2. Budget hearing Saturday morning at station. Planning to lower millage. Mullins: Annual increase. RD: Normally 300, could be 430 this year

Hurricane: *Dickerson*: El Nino has kept storms down. Grace out there, likely to fall apart. Discussion of storms. In October we look at Caribbean storms, can surprise us a la Wilma. Gerald Campbell, now at FGCU as emergency manager. Evacuation to FGCU Arena if storm is bad enough.

LCSO: *Sgt. Mike Sawicki*: Tri, 30 deputies and staff here. Volunteers or flex time. Watch out for racers and extra people on the island. Storms... Erica a wake-up call, think about prep now. Labor Day, a lot of people, no incidents. Looked at BP Bridge closely. *Cunningham*: More on fire response.

LCEC: *Dennie Hamilton*: Thanks for having us back. Reliability projects and how islands are served. Rebuilding transmission line from Cape Coral to Pine Island. Only service to islands. About 45 years old, look 10 years in planning horizon. Started process 10 years ago. DEP, Corps, said we needed to approach from Cape Coral side, had to interact with Coast Guard. Have to get permits from city of Cape Coral. ROW and temp use for poles and staging. City issued then rescinded permit, reissued with conditions about if city takes over power system LCEC would not charge them to rebuild that line – an unreasonable request. That line would be abandoned and we would construct a new line through Pine Island. Would take a longer time to achieve, be a $20 million project in all. We expect to get what we're owed if they municipalized. Will go through appeals, it's a violation of franchise agreement. This line is not going to fall down, but the longer we delay the more exposure we face with its condition. Exploring alternatives with permitting agencies. If you have any influence with city officials, share with them your concerns. Some handouts to leave for you. *Cunningham*: Entire line? *Hamilton*: Cape Coral to Pine Island substation.

Rene Miville: Not on loop, if anything happens we're down. If we were looped, would outages decrease? *Hamilton*: Would prefer if we have a choice. Reliability is important, would have to look at alternatives. Probably an underwater cable across Pine Island Sound. Discussion. *Mullins*: When you evaluate, do you

include cost benefit against subaqueous? *Hamilton*: Always looking at best alternative. Have not discussed with permitting agencies. Discussion of Cape Coral permit issues. *Megan Mils*: Had meeting about subaqueous crossing, as a transmission line the technology is still developing to house that level of line underwater that distance. *Boris*: Will Cape Coral issue be resolved soon? *Hamilton*: Will continue to pursue, franchise expires October 2016, gave them agreement back in March. *Kelly*: If repair fails over pass, cuts islands off? *Hamilton*: 15,000-20,000 customers impacted. Looking at possible patches in the short term. Trying to pre-stage to be ready to response if something happens. *Kelly*: Both islands have a stake in this, need to join LCEC in any suits or efforts. Big gap in service potential. *Hamilton*: Hope to resolve this before it gets to legal action, have met with county and city officials.

Cunningham: Is Cape Coral aware of impact? *Hamilton*: Yes, mayor and council won't talk to me right now. Discussion. *Cunningham*: If it comes to a point when it's appropriate to take a position, keep us in the loop. *Hamilton*: Have to exhaust administrative options before we go to court. Don't know how aware city council is aware of this issue. Council hears appeal of permit conditions, hopefully they'll reverse condition suggested by staff. *Mullins*: Panel should communicate to Cape Coral council how important connection is for islands. *Hamilton*: Wait until we file appeal, no pending action right now. *Brown*: Contact Gooderham for us to marshal support. *Mullins*: What is the city motivation to municipalize? *Hamilton*: Revenues, not service or reliability or rates. Another revenue stream. *Max Forgey*: Who issued condition? *Hamilton*: Don't know, filed open records request, something happened between staff issuance and new conditions.

DEP & Mangroves: *Megan Mils*: Discussion of LCEC request. Introduction. Oversee all permitting in Fort Myers office. Presentation. *Cunningham*: Define Mean High Water Line and mangroves. *Mils*: 19 years of tidal data to establish MHWL. Part of permit process is boundary between private and public lands. *Mullins*: Who owns land between MHWL and navigable portion? *Mils*: State doesn't claim ownership of something that isn't open water. Can be contested in court. Riparian rights explained, right to access water from your property. Larger marina rents land from the state. *Jensen*: Instances where people own the submerged lands. *Mils*: Yes, state decision as well. Butler Act impact on private property. *Mullins*: Fill requests... would mangrove fringe be put at risk, do you consider cumulative impact? *Mils*: Yes. Discussion of permitting levels, federal/state/local. *Mullins*: If no other permitting activity, how regulate? *Mils*: A different issue, can get you resources. *Terry Cerullo*: Can come back at more convenient time to discuss mangrove rules. Exemptions, general permit, individual permit explained. *Cunningham*: Any Captiva project would be an individual permit? *Mils*: Yes. *Rohn*: Mitigation done off island, why not on Captiva? *Mils*: Mitigation du jour is credits at a mitigation bank.

Mullins: DEP policy on sewers? *Mils*: Generally preferred people connect to sewer system. *Ralf Brooks*: Did Little Pine Island do mangroves, or salt marsh as mitigation? *Mils*: Don't know, probably marsh. Can mitigate out of area for small projects. *Mike Kalinsky*: Look at site-specific impacts in mitigation. Upland vs. wetlands, function and habitat? *Mils*: Explanation of UMAM scoring. Assigning a numeric quality value, not encompassing all aspects. Commercial enterprise, how legislature incentivized process. Always have opportunity to petition a permit if we do not do our job according to the rules. *Brooks*: Look at Rauschenberg property to create a Captiva mitigation bank. *Mils*: Or develop your own permitting criteria. *??* Never to be developed? *Mils*: Long-term preservation agreement. *Mullins*: Is Rauschenberg property permitted? *Brooks*: Just thinking out loud.

Mils: Regional offsite mitigation area (ROMA) affordable options for SF home development. *Kalinsky*:

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Look at options closer to island. *Mils*: Offset in basin, entire Charlotte Harbor area, not looking only at island. State will look at on-site, federal prefers mitigation banks. List of resources given. *Mullins*: For enforcement, do you capture images and store? *Mils*: Rely on county and water management district. *Mullins*: If issues arises, who to contact? *Mils*: Yes, list of contacts. Compliance discussion. *Mullins*: Site permits? *Mils*: Could not consult with staff on that. No field permits on wetland side. *Kalinsky*: Public input process? *Mils*: If permit is petitioned, puts it into abeyance. *Mullins*: Time period? *Mils*: Depends on location and permissions needed. Stay aware through PASS system. Five years to construct project, can get extensions. *Rae Ann Wessel*: Does agency look at Outstanding Florida Waters impact? *Mils*: Only on state lands, doesn't extend into adjacent wetlands, we do look at possible impacts. Discussion of Outstanding Florida Waters. Discussion of OFW and public interest criteria. *???* Does panel get notice of permit requests? *Gooderham*: Yes.

Palmflower Permit: *John Folino* introduction. *Al Quattrone*: Description of proposed project and process. *Brown*: Permit status? *Quattrone*: DEP yes, USACE pending, Lee County last. *Mullins*: MHWL? *Quattrone*: Needs to be verified by surveyor. Discussion of house footprint and design. Series of pictographic images of site pre and post Charley. Discussion of drainage plan in site work. *Brown*: Grade changes not planned, so OK for adjacent properties. No change in tidal water flow. Recorded easement to allow access to existing dock. *Quattrone*: Required to purchase mitigation credits. *Mullins*: Gave history of property ownership. Studies done in the past and background. Deck will be necessary later, way too significant a house for the available uplands, was better quality wetlands at one point before the storm. *Brown*: Access was McCarthy's issue, access has been recorded with the county and moved to the north end of the property. *Quattrone*: Path is a currently raised area, doesn't inundate with water as the wetlands to the south. Discussion of adjacent houses. *Brown*: Mangrove impact and house size is a personal issue. *Mullins*: Purpose is to look at larger issue, impact on community. *Folino*: A 6,000 SF house not conducive to the community? *Brown*: Different people have different views.

Jensen: What the request before us? *Gooderham*: Owner is responding to panel's request for information. *Cunningham*: House size not issue, question is whether mangrove impact is sufficient? *Mullins*: Grander picture of what the panel does. *Brown*: Mangrove protection in plan, open to some interpretation. *Wessel*: Four permits currently being processed on Captiva alone. Incremental impact on mangrove wetlands. Important biological function in transitional areas between wetlands and uplands. Placement of house, not size. Cumulative impact of smaller projects. Critical areas for fishery nurseries. Looking at all of these as precedent setting, crucial to fishery nursery and habitat. Nothing magical about 150 feet from shoreline. Discussion of land and trees. *Wessel*: Maximize use of uplands area. Importance of transitional area, need to look at a broader benefit for wetlands, what role does it play. Discussion. *Brown*: What are his options? *Wessel*: Smaller house footprint, less driveway, less impact. Question to panel is what do you want to protect? *Brooks*: Reduce size of driveway? *Cunningham*: Pool project started this process. DEP can make decisions based on law, all we can do is comment. *Folino*: Discussion of process and changes in plans. *Cunningham*: Other properties permitted? *Wessel*: Two out for public notice, I think. *Cunningham*: What can the panel do, or want to do? *Folino*: Don't know if we can avoid impact. *Boris*: Would not go any further on this property, it's a larger issue. Discussion.

Wessel: How do you interpret and apply your panel rules. How state regulates and applies their own rules. Jensen: No legal standing, we need to look to the future to see what we can accomplish. *Mullins*: Bully pulpit and look at other rules as options. *Cunningham*: Had a couple of cases where the deed was done by

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the time anyone noticed, So we appreciate this gentleman coming before us to present this. We now need to look to the future. *Brooks*: Panel policies should be reviewed at county permitting level, doesn't happen in reality. Supposed to rule it under Goal 13, will not review if approved by Corps and DEP. *Mullins*: Opportunity to express an opinion, chance to say reduce the footprint. *Cunningham*: Proposal to act? *Brown*: Any consensus? *Folino*: Don't pick on the first kid coming in to present this.

Cunningham: Move that panel support what has been done with understanding of further review by the suggestions made here. Panel should establish a committee or hold a future meeting to define what our policy will be. (Brown second). *Kelly*: Is motion about mangroves? *Cunningham*: Second portion of motion focuses on mangroves, how to work on future applications to DEP and Corps how we can take a position. *Jensen*: Support, but people have gotten a lot more before, this is a wake-up call. Think Folino will do the best he can to address our concerns. Environment is a big thing, a gift to the future. Unanimous approval.

The meeting adjourned at noon.

- ***Ken Gooderham, administrator***

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Captiva Community Panel

MINUTES

Tuesday, Oct. 13, 2015 @ 9:00 AM

Cone Room ● South Seas Resort

Members:
Mike Kelly (MK), President
Jerry McClure (JM)
Jay Brown (JB)
Bob Walter (BW)
Mike Boris (MB)
Sandy Stilwell (SS)
David Rohn (DR)
Dave Jensen (DJ)
David Mintz (DM)

Max Forgey* (MF), note taker
Julia B. Davis, AICP; Forgey Planning Services
Sharon Jenkins-Owen, AICP (SJO); Principal Planner, Lee County Department of Community Development; SJenkins-Owen@leegov.com
Marissa Fewell, Lee County Department of Community Development
Sgt. Mike Sawicki (MS), LCSO
Chris Lusk (CL), LCSO
Kathy Rooker (KR), CEPD
Doris Holzheimer (DH)
Chief Rich Dickerson, Captiva Fire District **(RD)**

Mike Mullins (MM)
Rene Miville (RM)

Meeting convened at 9:03 AM by Mike Kelly, President, who announced the presence of a quorum.

[Approval of minutes of September 8, 2015.]

KR: We have a lot of turtles still nesting. We haven't lost any so far due to beach renourishment. Two sand studies have been or will be started soon: (1) the Redfish Pass study sponsored by CEPD is under way. (2) The Blind Pass study by the Board of Commissioners awaits a vote on contract. The same engineering firm (CB&I) is doing both studies. This will give us a broader view of both. Next CEPD meeting tomorrow Oct. 14 at Wakefield Room 2:00 PM.

RD: Winter residents are coming back. Thanks David Rohn for writing a history of fire department. Self-contained breathing apparatus is approaching 15 year life expectancy and need to begin looking for replacements. Cost $60K; new rules since 2013. Alarm

alerts firefighters when they are down to 33% oxygen. 30-minute bottles last 10-15 minutes. We're looking at 45- and 60-minute bottles and will see what manufacturers have available.

MS Ed Waite is retiring from service. We'll miss him a lot. We'll be scheduling a going away party for him and will post time and place on the Coconut Telegraph. Tentative date is Tuesday the 20th. Thursday will be his last day. His replacement is Chris Lusk, a 14th generation Lee County resident. He has a background as school resource officer and canine unit. He and his family looking forward to be on island. He likes to get out and walk the community and talk with residents.

CL: I'm looking forward to working on Captiva. If you see me on the street, in the vehicle or on foot, please feel free to stop me and talk about your concerns.

DH: No hurricanes this season, but we still need to keep lookout and be prepared. Hurricanes don't watch the calendar.

MK: Planning issues are next on the agenda. Propose that we merge this item with Max Forgey's discussion of Lee County Staff comments on Community Plan later in meeting. [Consensus agreement.]

Now, concerning November 10th meeting time. There is a scheduling conflict if we want to meet with FGUA because their regular meetings are always on Tuesday mornings. Could we meet with them and we have our regular meeting in PM? We asked FGUA to give options on feasibility of sewer system on Captiva.

JB: I can give some context. FGUA has taken over a lot of [Florida's] independent water and sewer facilities. Started out with four counties and has grown. We wanted to hear from them from two points of view: (1) What is status of current South Seas treatment facility; and (2) our long-term project evaluating sewer feasibility and whether what they are doing at SSR would impact it. Might it become a part of our sewer system, or might South Seas could be base for handling part of our sewer system? It's my understanding that they have a standing meeting on Tuesday mornings, so we have the option of scheduling a special meeting. We could schedule our November meeting to start in the afternoon to accommodate them.

SS: Doug Meurer [Lee County Assistant County Manager] has been out of town. I could email or text Doug to check on dates. We'd also like for Pam Keyes to attend. I could text him and ask what day he is available. Would he be available on the 10th?

MF: I thought he said he would be coming back today.

JB: Max, I understand someone else is working on this. I'd like to hear from all of them so Dave and I aren't working on it without knowing what they are doing.

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MF: Two months ago during this Panel meeting I stepped out and called Kevin Grace, my former boss, at Government Services Group in Orlando. His firm is the manager for FGUA and I asked how a study of this type [sewer feasibility] could be done. Kevin indicated that a study of this nature was already being done but would not be ready for another month. He indicated he would be happy to meet with us provided he had approval from Doug and Pam, because they were the clients. Last week I called Pam and haven't heard back. When I know, I will call Ken.

SS: How about 11th?

MK: Let us defer this discussion and reschedule out meeting when Ken. G is back.

JB: Don't know whether Doug will be available.

MF: I could communicate with Ken G that you could agree to meet Wed AM, depending on whether Doug M will speak and Kevin is available.

RM: I'd like to hear from Doug. He's very visionary; one of Lee County's brightest people. It's a privilege working with him.

JB: He did a terrific job a few months ago at one of our meetings.

MM: Can we settle to 2nd Wednesday in the morning? [It was determined that Nov. 11 was Veterans' Day and Lee County employees would not be available.]

MK: Our next meeting is Tuesday, Nov. 10.

JB: Ken needs two weeks' notice per by-laws.

MK: Fund-raising. We have Welcome Back Cruise on Monday, Nov 2 at McCarthy's Marina, Lady Chadwick Dock from 4:30 to 6:30 with food and beverages. You can send your checks to:

Captiva Community Panel (CCP)
P.O. Box 72
Captiva FL 33924

JB: How has the response been to the invitations?

JM: It just went out last Friday.

JB: It was prepared 3 weeks ago.

MK: Check with Ken.

JB: The annual August appeal was more successful than expected.

MK: Cash position is pretty good at a little less than $24,000.

JM: In the note about $19,000.
Nominating Committee report:

Captiva Civic Association (CCA) appointed Peter Lawrence Koury.
According to his biography he was born in Atlantic City 1944; graduated Colgate and Penn Law and first visited Captiva in 1990. He is a lawyer who sold his cell phone business (American Cellular) to Comcast in 1988. CPOA appointed Rene Miville. Nominating Committee spoke with at least 18 candidates and nominated Mike Mullins. [One page biography presented by MM.] This was a unanimous nomination by the committee. There first official meeting for these members will be in January 2016. Between now and November, anyone can submit their names for consideration. The Mullins appointment needs to be voted on in December. You don't have to choose the person nominated by the Nominating Committee.

JB: Jerry, should Ken send an email explaining that two new members have been appointed and that there is an opportunity for persons to nominate a candidate for the third position? [Consensus agreement.]

MK: Names of the appointees from CPOA and CCA must be in today.

JM?: I'd like a clarification. Under the old by laws, when there was a vacancy, there was a two month wait before a new member could be seated. How is that handled now?

MK: Depends on whether it is appointed or at large.

JM: [Reading from by-laws]. In event of a vacancy in an existing CCA or CPOA position, which has not been filled within 30 days by the respective organization. If they don't do so, we [Panel] fill it.

MK: Jerry, thank you again for your great work. One other item. There was a note from Ken that Lee County Zoning on August 19 approved the proposed South Seas amendment.

JB: They still have to get the building permit.

MK: There is a PDF on that decision.

DM: [On phone.] Is that for 140 units plus 5000 square foot spa on both sides of road. I remember this in 2008 amendment. Could someone clarify whether the spa is in fact included?

BW: I can answer that. I was surprised to find that in there myself. It's not in our plan.

DM: Thanks.

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MM: I'd like to return to the fund raiser. On Oct 7 I contacted Ken and saw proof that it was going to be on Nov. 2 but I didn't get a mass mailing. I'm wondering how many people got one.

JM: I got it as a portion of Ken's memo.

MM: I'm sure the date is correct, and wonder about mailer. Ken said to MM on Oct. 7 that he forgotten that he was on the email chain for proofs.

MK: Regarding LCEC, the issue with Cape Coral has been resolved and construction of new line will begin. Other issues remain between Cape Coral and LCEC, but this issue is resolved.

Max will now make his presentation about the Community Plan draft and the voluminous comments that we have received from Lee County staff.

JM: This document is from Ken?

MF: Yes. My own view is pretty close to his.

JB: It's Ken's summary of what the County said.

MK: You have 10 pages.

MF: I have copies for the audience.

MK: Does Panel need more time? I'd like to hear from Max.

MF: I'm Max Forgey, planner for the Captiva Community Panel. I'd also like to introduce Sharon Jenkins-Owen, principal planner with Lee County and also her colleague Marissa Fewell who is making her first appearance. Welcome, Marissa. We hope this isn't your last visit. [Laughter.] It's always a pleasure to come to Captiva, especially on a day like this. Also I wish to introduce Julia Davis, my associate, with whom I am also married. There are two documents and I made extra copies. The first is today's agenda with contains Ken's comments at page 7 or 8. "Captiva Plan Update Response." His thoughts are, as I said, pretty close to mine. The second document is the one that MK referred to as the 'ten pager,' which is mostly what the Panel wrote and what is already in the existing comp plan, but it also has Lee County staff's voluminous comments.

Going back awhile, over the last three or four years, this Panel has been looking at the portion of the Lee Plan that relates to Captiva. That is Goal 13 and its subordinate objectives policies. They have been in the comp plan since 2003 and they have been amended a couple of times already. Two sets of amendments have been incorporated already. One of them, if you will recall, started about three years ago when the Panel took upon itself to create its own vision statement based upon what they thought the Island

should be and these have been incorporated into Goal 13. The rest of it is the result of workshops and public comments which we have incorporated into a strikethrough and underline version. When you look at this document, if there is no strikethrough and no underline that is what was already in the document to begin with. If it's underlined, we are proposing to add it; if it's stricken through, this Panel is proposing to delete it. Sometimes we propose to put policies in other places. If you see boldface in blue in Ken's version or black boldface in my version you see Lee County staff comments.

Who are Lee County staff? Sharon is the one we know best, but it's also a lot of other people. People like the Utilities Department, Public Safety, and—this is really important— the County Attorney's office. Attorneys and planners sometimes see things differently. We're being planners here. We're thinking expansively, trying to define the ideal. Attorneys, who work for local governments, sometimes have a tendency to put the brakes on things—they are supposed to be conservative, supposed to be a little suspicious of change. I think there's a little bit of that in here. The Panel did a great job. What you sent to the County was very visionary and I applaud that.

I want to talk about Goal 13 first…

JB: Before you go further, I have a question about how our language gets adopted. We propose language. Lee County staff evaluates, and we evaluate what they say. Then it goes to County Commission for adoption, correct?

MF: Not quite. Sharon and Marissa and I had a talk about this yesterday. I'm alerting Sharon to jump in here if she has comments.

SJO: The bottom line is after everyone [i.e. Panel and Staff] comes to an agreement the proposed amendment will be scheduled for committee meetings, followed by the Local Planning Agency, and then to Board of County Commissioners. It is then sent to the State for review. It comes back to the Board of County Commissioners for final adoption.

JB: On a few items can we just agree to disagree and move forward at our own peril?

SJO: The Board of County Commissioners makes the final decision.

MF: Absolutely.

DM: Request clarification.

MF: The Panel evaluates staff's comments. We may propose some changes; we may recede on some points. On some, we may choose to stand pat. We send it back to staff and we will hope to receive an expeditious response. At a certain point, this Panel will decide that this is our product and then it goes through the County's formal review process, which I have been through in the past for this Panel. It means going through the LDCAC (Land Development Code Advisory Committee), a mostly lay committee, then to the EROC (Executive Regulatory Oversight Committee), then to the Local Planning Agency, a lay

body, which will make a recommendation, and to the BoCC.[1] They may propose their own changes. The BoCC will have access to both versions—what we sent and what the LPA proposes. We will then have the usual opportunity to lobby the commissioners individually. If there are any points of disagreement, as we hope there are none at this point, we can address them at hearing. It is a tedious, but familiar process. I'm ready and I know Ken is. Even when we disagree, we always work cordially with staff and with commissioners. Did that answer your question, David?

DM: It did and I appreciate that.

MF: A planning director has to learn how to count to three. When I work on projects like this, I am thinking like a planning director. I disagree with staff about the goal statement—I think it is a great place to express neighborhood vision at some length. I don't get a vote in this, but I recommend that we keep the vision statement as you have worked on it in the past. This is particularly important because Lee County was working on the EAR—the Evaluation and Appraisal Report—which is supposed to be the place where vision statements and big thinking are supposed to appear, and that process has been stalled for the last couple of years. Since Lee County has not afforded us an opportunity to insert this language into the EAR, it is incumbent upon this body to send this as our draft to the BCC as its catalogue of lifestyle and sense of island community as we know it. I think it's a great statement.

JB: I agree, Max, and I'd like to ask Sharon—what's the problem with us having this in here? Is it too lengthy? Does it do any harm?

MM: This Panel and the community spent considerable time to develop our vision. It's very substantial. I think we should continue to lead in our vision. I would not be in favor of amending.

JB: This was the heart of what we were writing.

SJO: When staff applies fresh eyes to the document, they ask questions, such as whether the policies are accomplishing the Goal and Objectives that you are trying to achieve. They notice that the Captiva Vision is much longer than any other community~~'s~~ and questioned if the additional language needed to be there. Our Lee Plan is large and the County is working to streamline it. Staff -- about thirty staff reviewers—are asking whether this level of detail is necessary.

JB: Sharon, in your view, would this be an issue with staff if we kept it in or would it be more of a minor irritant if we kept it?

[1] NOTE: This is actually the process for Land Development Code approval. Plan amendments go through staff review, to the LPA and then the BoCC.—KG

SJO: The longer Vision Statement does not forward the County's effort to streamline the Lee Plan.

BW?: I remember Max eight or nine months ago said that when we write the vision we want it to be clear, and not to not state our vision in great detail, because that can come back to haunt us in the future. That's what I would toss out [for discussion]. If we have great detail, we risk having to interpret things.

SJO: Some of this could go into your Community Plan, which is a separate document used to support the Lee Plan amendments.

MF: You're talking about Data & Analysis?

SJO: Yes, it is due to the County by end of month (Oct. 31, 2015).

MK: We have historically gotten short shrift from the County. Barrier islands are very different from the rest of the County. If was an effort to create something different for barrier islands. I want to be sure that they are looking at Captiva as a different cat. I don't care if part of this is an appendix, but I remember how much time we spent working on this and just taking it out defeats our purpose.

MF: The goal, which is longer than most planning directors like to see in a goal, is not regulatory, it is a vision statement. It doesn't say "35 feet above sea level;" that is regulatory. It does reflect what the community wants to see in its plan. You can argue whether the 35 feet belongs in the comp plan or the LDC (Land Development Code).

This Panel got involved more than two years ago because Lee County in the EAR had declared three types of overall development patterns: Urban, Suburban, and Rural and Captiva is none of these. We'll never be urban; we're not the suburb of anything; and we can't be rural. We are coastal. You can divide Lee County into four basic units. We and the barrier islands and Pine Island are just different. As that process has gotten stalled there isn't a way to proceed [through the EAR process].

MK: I can agree that the text is lengthy. Our text could appear as an addendum.

SJO: Captiva is different; I understand that

SS: When staff says low density isn't a lifestyle, can we agree to call it a "low density development pattern?" Can we tweak it some?

MF: They raised a good point there; they did raise some good points. I propose that we go through the text, see what stands out and schedule a workshop in November.

JB: I think the prevailing opinion on this first major point is that we want to keep the essence. [SS agrees.]

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DR: It should say "wildlife and flora are."

MF: It should. We'll fix that.

DM: We can accommodate some of the criticism by staff.

MF: I'm more than willing to work with you and all Panel members.

DM: These vision statements reflect a lot of hard work on the part of Panel and Captiva residents. We don't want to browbeat staff, but we have invested a lot of time and thought. This is how democracy is supposed to work.

MF: Thank you; I agree.

BW?: I think we should conduct the Workshop and see that everybody has an opportunity to participate.

SS: The 12th is available at 9:00 AM. We could have a workshop that day. It's the day after Veterans' Day. [Agreed] If you could meet ahead of that date, like on the 10th?

MF: I'm already scheduled for the 10th. If anybody would like to have a workshop I can be here. I don't know if you need a quorum.

MK: We can run through these quickly.

JB: Let's run through one pass today. [Agreed] Somebody needs to communicate to Ken to get that public notice released. [SS agreed to do so.]

☞ [1 hr. 16 mins. 41 sec. into meeting]

MK: 9:00 November 12th is next Panel meeting.

MF: Policy 13.1.1—*Subdivision of existing RSC-2 parcels*. Comment from staff that this provision is confusing. This has been a part of the Lee Plan since 2003, so the comment should be prefaced by a statement that we know this is already in the Plan, but we are having doubts about it.

SJO: The Policy is not clear and may not be saying what you want it to say even though it is in the plan already. The lot split issue came up recently. This is a good time to clarify this policy. How will this Policy apply if it the subject property was no longer RSC-2, but were zoned RPD (Residential Planned Development)?

JB: What is difference between RSC-2 and RPD?

SJO: A Residential Planned Development (RPD) is a zoning category that would allow site conditions to be placed on the approval. The density is based on the Future Land Use

Map. In this case the maximum number of units would be limited to 3 dwelling units an acre. A property owner may request to rezone land to RPD.

MK: We don't allow that.

MM: It says you can't do that.

JB: That wasn't our intent, was it?

MM: It may well have been. When this was put in place, my neighbor to the north, Mobed, it wasn't considered a subdivision or a lot split. His attorney learned that you can't have a lot divided by a road. When they created his lot, my lot, and other adjacent lots, they put together the one acre to make RSC-2 parcels. This is the case between Rene [Miville's] and [John] Madden's properties. They were all created before Jan. 1, 2002. They are exceptions which do not technically comply with RSC-2. So when he [Mobed] put through the administrative change to build on the bayside parcel, the County accepted it. I had a similar concern and I put through the same administrative change. It turns out that the changes to RSC-2 that required setback and other things were adopted about 15 years after these parcels were subdivided. My main house couldn't be 50 feet from the road. There are the exceptions that I have referred to, and there may be more on that stretch. We dealt with it in the original policy by saying that if the Coastal Construction Line subdivides a parcel, as it does in my case, in those cases, the Lee County authority—not the Hearing Examiner—who is responsible will make the decision as to whether the setbacks can be adjusted.

MF: Mike, do you believe it is working the way it is now? Is it a good policy?

MM: The interpretations here are a little different than the way I read this policy. As far as I am concerned, yes it does work, but please don't misinterpret the interpretation. People are generalizing, based on what they think is in RSC-2.

MF: I think we can clarify that. There's a kind of inertia because it's already in the Plan, and I don't see it as likely to go out.

MM: I agree, but want to point out that my house, Madden's house, and Sheets' house would be out of compliance with RSC-2 rules, but are grandfathered because they have been there since 1974, in the case of my main house and beach house.

MF: We will need to explain this to staff in the way that you have just explained it to us.

JB: OK, we do not want any lot adjustments that would result in a lot that is not consistent with our zoning.

MM: As long as it was after Jan. 1, 2002, I would agree with you.

JM: If a [subdivider] applies for an RPD after 2002?

JB: This is a topic for a workshop.

MM: That's a different point—that no rezoning may occur in RSC-2. That's Jay's point, but it's not the way the Code is written today.

SJO: Ok, maybe you need to be very clear about what you want.

RM: Bill Riley's—he can divide into five lots as long as it still meets zoning. Are you saying that it's now just one lot because he bought it as one lot 20 years ago?

BW?: We're saying that if they are one acre lots, you can't go any further.

JB: He can subdivide his parcels as long as the resulting parcels meet the requirements.

MM: There's a process we go through. Now we're adding an interpretation that is not what this says. We have to go through a new process—publishing it and vetting it to the whole community. If Bill Riley were to choose to do an RPD, we might oppose it as a community and the County might reject it, but this language doesn't say anything about it. If we want to put it in, it's a whole other process.

SJO: Then your response should be to clarify that this is what you are trying to do, so we're all on the same page and the proper changes can be made, if needed.

MF: Yes, and to explain that this applies to a very small area of Captiva, only a few lots.

DM: It applies to all RSC-2.

JB: There is something in the Code—this should be workshopped.

MF: Can we go to Policy 13.1.2, *Building Height?* Ken and I talked, we can add a map; we can get a description of what is the Village, what is the Gold Coast? We'll just do it—it's not going to be tough. It says [in staff comments] that this provision is internally inconsistent. I don't understand why. We added language that *if* the Village, etc. want to establish building heights, they can propose them.

JB: As I interpret staff comments, they didn't understand that a majority of people in an area, the only way to change a building height was to make it less [lower] than what is in the current plan.

MF: I thought we were clear, but we can work with them.

MM: My interpretation—the last paragraph says we don't care about minimum heights only maximum. By taking out the language that they propose, they are saying no minimum, only maximum. I don't think it takes anything away and having our language in doesn't do anything. You don't have to say that.

MF: As I recall, this was in there to give people in the Village the opportunity to propose more restrictive standards if they are interested, but it left it to them to take the initiative. I thought that was a good policy.

SS: Nathalie [Pyle] spearheaded that because there were some very tall houses that were casting shadows and becoming obtrusive and wanted language and wanted to propose changes and get a majority vote. There were other people in the Village who thought that might be a good idea. Is that the way you remember it?

MF: That's exactly the way I remember it.

DM: It is about process. They would then come to the Panel. Would have to be supported by majority vote.

MF: David, I'm seeing nods of approval.

MM: With all respect to the people in agreement, it is moot and the county is correct

DM: Cites Code. One acre minimum.

JB: If we can't resolve issues in 30 seconds, they should become workshop items.

MF: Certainly. [SS agrees.]

RM: For those who don't know, I worked for ten years to change building heights to allow [more creative] roof architecture. What is not being spoken is that people in the Village are the ones who had to build at the current floodplain levels, so their living area starts five feet higher. It's not a bigger house; it's just being built higher because of floodplain [regulations.] Either they need to build taller houses themselves or help their neighbors build lower ones.

MM: Jay's point is valid. We need to move more quickly. 30 seconds or move on.

MF: Let's roll through it. We'll decide what needs to be workshopped. I'm going back to being a planning director again. There are places, such as Policy 13.1.3 where we strike it out and leave it blank and do not then assign a policy number to the next policy. I do that so that there is no confusion as to which 13.1.3 we are talking about.

JB: Can you work it out with staff?

MF: I can. They want us to delete Policy 13.1.5, *Quality of adjacent waters.* We added the words "regulation of septic systems." Otherwise the policy they are asking us to delete is the same one that has been in the Plan since 2003. [Agreed to workshop.]

Policy 13.1.7, *Public informational session for land use changes,* we asked for two weeks' notice. This is an old bone of contention between the Panel and the County, particularly one commissioner had a problem with the Panel being considered the only body which could conduct these sessions. I think Ken's comments are spot-on. Someone didn't read this correctly. We are not saying that the Panel must conduct the meetings, but if they are, the Panel needs 14 days' notice. I think that's fair.

MM: Then we should settle this in our by-laws and not in the comp plan.

MF: If we do that, I am hoping the County will respect it.

SS: I think that's why it's in there. We had one case where it wasn't convenient for them and they managed to get it passed without anyone on Captiva having an opportunity to express their thoughts on the matter.

MF: I think it does no harm and it might do some good.

SJO: The goal is to keep the Public Information Session requirements the same for all the communities with this requirement. Not all groups are as active as this Panel.

MF: Policy 13.1.10. Again, I agree with Ken. Ten acres in the Village is something I don't foresee. Specter of the Bert Harris cause of action is a bit silly. Proposed revision was a good one.

MM: Their language made sense. Anything else muddies the waters. Take Rauschenberg property for example. Maybe they are ten acres.

MF: [Explaining to DM] He agrees with the County's interpretation because he thinks the second sentence adds nothing that wasn't covered by the first.

DM: Workshop this, including discussion of lot splits and densities.

MM: What is the density rule? Is it three units per acre?

***** [1. 43.31]

DM: It's premature to change this, based upon the Rauschenberg property.

MF: Let's workshop that.

JB: As long as the end result is consistent with zoning.

MF: Yes.

DM: Suppose there were two neighboring 75 foot lots and somebody buys both. They knock down the houses and build three homes each on a 50 foot lot. You now have an increase in density. [Consensus that this goes to workshop.]

MF: Policy 13.1.11, *Criteria for variance approval*. Staff asks whether these apply to deviations. Not to my knowledge. They ask that we consider deleting this provision in its entirety or refer to the requirements of LDC 34-145.

SJO: Staff is saying that this belongs in the LDC and not in the Lee Plan, like the height restrictions discussed earlier. Typically the variance provisions would go into the LDCs.

MF: It would. I think we should be open to deleting this if it is exactly the same language.

SJO: One further clarification—if you have conventional zoning such as RSC-2, and you need some relief from setbacks, that's when you need a variance. If you have a PD, such as the RPD we spoke of earlier, you get deviation. It's a different level of scrutiny. You might want to think about the deviation and whether it should apply. If it doesn't apply to deviations, you might want to say so.

MM: These bullet points where we try to define the hardships—did we invent that?

MF: Policy 13.3.15, *Dark skies.* [Staff comments referred to Upper Captiva]. We struggled a long time on this one. They have some proposed amendments. Do you want to workshop this one?

MK: What *are* the Upper Captiva requirements?

MF: We will bring them to the workshop.[2]

MK: I think the less descriptive—the less code-like— the better.

MF: I don't like the "if these efforts prove ineffective" language. It's like we're predicting failure. Policy 13.1.16, *Estuarine and wetland resources*. Staff commented about the preservation of upland vegetation and wildlife habitat on single family lots. I don't know.

SJO: We'll work on that one.

MF: Policy 13.1.17, *Blind Pass*. [Lee County staff proposes an alternate version.] They want us to delete the second sentence.

MK: Kathy, what does CEPD think about what Lee County is suggesting—does it follow what you are trying to do?

[2] See LDC 33- 33-1731 et seq.

KR: We received a call about this. I'm not sure what the County means when they say "efforts toward Blind Pass maintenance," but we do support the County's policy of keeping the pass open. The Panel's proposed policy isn't really clear as to who is keeping it open, or what Blind Pass encompasses. I think that the County's proposed policy indicates that they intend to keep the pass open and they will do what needs to be done. I'm comfortable with it. [Consensus]

DJ: Policy 13.1.6, *County information clearinghouse,* is that something we will be workshopping?

SS: I think we resolved that.

BW: I think we passed over that one in about 45 seconds.

MF: Policy 13.1.18, *Underground utilities*, they don't recommend it. As I recall, this is marker language to say that we will consider it, which I think they are doing anyway.

DM: Let's workshop this. [Consensus}

MF: Objective 13.2, *Mixed Use Development* and Policy 13.2.1 [no need identified for workshopping.]
Objective 13.3, *Transportation,* the Panel's version referred to "the need to reduce automobile dependence on Captiva island." I think we agree that this one should stay in. [Consensus in agreement.]
Policy 13.3.1, *Alternate transportation*. We propose language that *Lee County* will "encourage new development to incorporate pedestrian- and bicycle-friendly development." Staff says the first sentence is confusing and needs to be revised, etc.

DM?: I think we were trying to reduce island traffic in the long haul.

MF: Their language looks pretty good. [Consensus to workshop.] Objective 13.4, *Tourism.* They want to drop everything after the word "visitors."

MM: I think they gave you great language.

DM: We should workshop this. [Consensus in favor.]

MF: Policy 13.4.1, *Short-term rental*. We're not going to resolve this today and we note that the Legislature is considering the seven-day rental even as we speak and Sharon and I had a conversation about this yesterday.

JM: I don't like deleting it because of the inability to enforce.

MF: I don't like deleting it either, but we're going to have to workshop it.

DM: Earlier we were told it was the law in Lee County anyway, and that was why we proposed it.

MF: We have to workshop this one, David. I'm going to send you a copy of Susan Trevarthen's PowerPoint on this issue. She is working with Florida League of Cities. The Legislature pre-empted the County's authority to set minimum stay times on short-term rentals and the Legislature is being approached aggressively on both sides of this issue. We need to talk about this in a workshop. [Consensus in favor.] This is a hot issue.

SS: Is it because the DRBOs and Air B&B?

MF: I think that's a part of it. This is an issue in coastal communities all over Florida. At last month's meeting I handed out copies of Susan Trevarthen's power point on this topic. [DM, SS, and MK requested copies.]

DM: Max, are you saying that our codes are pre-empted?

MF: I'm saying that there are attorneys who would say that it's pre-empted. I'll get you that information. There is a belief statewide that the Legislature needs to act affirmatively to impose a statewide standard. Objective 13.5, *Native Vegetation and tree canopy* and Policy 13.5.1, *Trees along Captiva Drive.* I think they are looking for more clarity and they want it in the Land Development Code.

MM: I think they're right.

MF: Is this a Code matter or a Plan matter? I don't think it does any harm; it's a policy statement. A Code statement would be more detailed. [Consensus to workshop.] I continue to think it's a good policy. [Support expressed by two members.] Policy 13.5.2. They propose replacing the short title with *Indigenous or native trees* striking out all language after "required plantings and buffers." County staff requested deletion of reference to the "Exotic Pest Council of Florida," on grounds that there is a state statute prohibiting enforcement of their list. I'm going to ask for a copy of that citation.

SJO: No problem. We'll resend it to you. [See footnote below.][3]

MF: Policy 13.5.3, *Heritage trees.* Staff said that this should be deleted because it belongs in the LDC.

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[3] Email from SJO to MF October 13, 2015.
See F.S. 581.185 (12)

(12) REGULATED PLANT INDEX.—The Regulated Plant Index is to be used solely to restrict unlawful harvesting of native flora without the authorization of the landowner. The Regulated Plant Index is not to be used to regulate construction or other land alteration activities on any property.

JM: How long does it take to get it into the LDC?

MF: Every bit as long as it takes to amend the Plan nowadays. Same committees.

BW?: Are we sure it's not in the LDC?

MF: We'll ask. Policy 13.5.4, *New development*. [Staff proposes an alternate version.]

MM: Their version is pretty much what we have now. You can't compel people not to plant non-native vegetation, so their version is basically correct.

MF: I don't see a desire to fight on this one. [Consensus in agreement.] Policy 13.5.5, *Mangroves*. Is there still a strong consensus on this body that you want mangrove language in the Plan? [MK, DR yes.] I think the setback language proposed by staff is weak. It gets tinier and tinier. [Consensus—keep as is; no workshop.]

JB: Even now, we're not sure what that "greatest extent possible" means. [General agreement.]

DJ: Keep it in.

MF: I heard SS say that we want to say something positive about mangroves.

MK: It's a state problem.

BW?: There's a policy regarding wetlands that you can't change or alter. Mariner project example.

MM: Rae Ann Wessel left, and I don't want to put words in her mouth, but she says that the state's wetlands and mangrove policy is the death of a thousand cuts. We need to go to workshop. [Agreed.]

MF: Please provide some guidance. We need to set aside two hours and I need to turn this document into workshop items and stipulated items. We'll have a consent agenda. You need them in advance. When?

JM: The next Tuesday that we were going to meet. [10th]

MF: Can we have it here on Nov. 10 and can we have it at 9:30? [Agreed]

JB: Next Panel meeting will be the Nov. 12th. Doug is supposed to be here on 12th.[4]

MF: Just us for the 10th and Sharon is invited.

[4] Meurer/Keyes/Grace subsequently rescheduled to December Panel meeting.

JB: If SJO can't be here, maybe we should reschedule.

MF: If she can't, I think Marissa or Tony would be helpful.

DM: Could you reiterate? [MF restated.]

MF: It's a Panel meeting open to the public. The meeting on the 12th will be at 9:00 AM. You will get utilities presentations. The only business on Tuesday at 9:30 will be the Captiva Community Plan workshop.

Man in audience: Sign ordinance. Most real estate companies complied for a short time. Now our signs are back where they used to be and are up to the asphalt. Vacation rental signs are everywhere. Last winter I spoke to someone in Code Enforcement. Is there no enforcement?

MM: We could draft a letter to County.

SS: Thanks for calling this to our attention.

MB?: Does it make sense to reach out to DEP for guidance about mangroves? Or is it better left unsaid?

MF: Better left unsaid in my opinion.

DJ: I agree with Rae Ann Wessel about the death of a thousand cuts. I think we need to talk to DEP.

MK: Adjourn. [11:27 AM]

Captiva Community Panel

MINUTES

Nov. 10, 2015

Attending: David Mintz, David Rohn, Jack Cunningham, Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Bob Walter, Sandy Stilwell

Audience: 15

Meeting convened 9 a.m. Roll call and Oct. 13 minutes *Mintz*: On page 14, Mintz comment on 75-foot lots, knocked two down rather than three houses. Otherwise OK

CEPD: *Kathy Rooker*: Thanks to vets. CEPD and Sanibel entering into agreement to protect San-Cap Road. Explanation of background of former repairs, field permit only means sand landward of the Erosion Control Line. Need a joint coastal permit to put sand seaward of the line. Interlocal agreement with Sanibel to use CEPD permit in an emergency to protect that area. Described process to use permit for state and federal approval. Good for Captiva to protect access to island. No cost to CEPD, good way to reach out to neighbors. CEPD meeting will be this afternoon, was moved for Veterans Day. *Rohn*: Blind Pass pollution? *Rooker*: Clear now, don't know cause yet, perhaps due to storm runoff. *Brown*: Who to contact? *Rooker*: Lee County Health Dept. Also checks Hagerup beach, no problem there. No cause identified, a lot of conjecture. Will check with City of Sanibel on sources. *Walter*: Monthly regular monitoring. *Mike Mullins*: Sanibel permit, why no erosion control program? Set by whom? *Rooker*: State has to approve, filed with state and county. Discussion.

CFD: *Asst. Chief Jeff Pawul*: Hurricane season finishing, successful. Coming in to busiest time of year, although summers have gotten more busy than before. Check your smoke detectors, change batteries when you change clocks. More stingrays on the beach nearshore. If stung, put hot water on the sting first, then go to clinic or hospital.

LCSO: *Sgt. Mike Sawicki*: Holiday Village coming up. Some minor traffic disruptions, you know which ones. Bubble Room robbery, active investigation. A lot of active leads, good physical descriptions. Evaluate your security needs, remember that quality images makes it easier to catch crooks.

Hurricane: Kate in Atlantic, not coming this way. Season almost at the end.

SanCap Solar Connect: *John McCabe*: Representing Ding Darling Wildlife Society. Started at the Refuge to change electric bills and needs. Description of background, have selected installer and a negotiated price. If we can reach the volume we promised, will get a 25% discount from market rate. Commitment date by middle of February to get people signed up, do analysis and get it installed. Federal tax credit runs out at end of 2016, will see jump in installation demand ahead of that. Installation must be complete and turned on to qualify for credit. Install solar electric system on roof of your house. Analysis what it will cost, what you can generate, how long to pay off. LCEC has net metering program, meter that runs both ways so if you generate more than you need it goes into the grid, when you need power it comes back to you. Nov. 17 having a 5 p.m. presentation at Refuge. *Brown*: Recap of offer. *Boris*: Financing? *McCabe:* Illegal in Florida. Both banks on island offer discounted financing for it. Home equity loan probably best way to pay for it. Refuge is looking into it, as is Baileys, 30 interested and in analysis. SanCapSolarConnect.org, info and sign up there. *Rene Miville*: How to change law? *McCabe*: Petition going around now for constitutional amendment. *Rohn*: Credit for photovoltaic only? *McCabe:* Not for pool heaters. Discussion of costs and installation. Gets cheaper every year. He's completely solar including cars. Can't run house on solar only, need grid for compressors. *Mullins*: Description of his

process. *McCabe*: Call early before February deadline. Discussion. McCabe: Come to meeting Nov. 17, 5 p.m. hour presentation, a lot of information and detail.

Committee reports:
Fund-raising: *Cunningham*: Update on cruise, raised $10,550 so far. 2016 budget discussion of funds raised. Some pushback on cruise, some felt it was doubling on the requests. Do we want to do a third event? Can't imagine we can go back to community again, unless we offer something that returns some value, cocktail party or the like. *Rohn*: Do Masters event again? *Cunningham:* A lot of effort. Let things settle, see where we stand by the end of season. Discussion. *Kelly:* Thanks for your work Jack. *Mullins*: Letting people know what panel does is still a good idea, know the benefits of its work. Not to solicit, just to inform. *Walter:* Good effort for a first attempt will build on. Did we send any follow up? *Cunningham:* Yes.

Budget: No questions.

Nominating: *McClure*: Nothing new. Vote at next meeting. *Mintz:* Can self-nominate at the end of this meeting if you're interested. Panel has one seat to assign if you're interested.

Priority committees: *Mintz:* Status report? *Brown*: Sewer – exploratory work, on hold pending the county report. Discussion of December meeting. Regular meeting at 9 a.m., FGUA meeting at 2 p.m. Talk to South Seas about rooms. **S-Curve**: *Mintz*: Have all maps we can get, submitted to Jose Gonzalez, hoping for plan to improve bike/ped use. **Trolley**: *Stilwell*: Deb Almieda research. $100/day through Adventures in Paradise. Who pays for it? Route, liability coverage, schedule? **Rentals**: Dave Jensen and Lisa Riordan planning to meet with groups. **Electric golf carts**… transition? **Garbage collection**: *McClure*: Impossible to change dates due to countywide schedule. We do have right to enforce current codes on removal of cans before and after. Issue is with renters, most residents know rules. *Mullins*: When does contract expire, new rules for franchisers? *Riordan*: Example with rental agents on Laika and Wightman. *Rohn*: Sticker to put on trash bins to indicate hours for removal? *Miville*: Rental guidelines and communications? *Mintz:* Coordinate with CCA staff? *Miville:* Simple coordination with seven companies.

Comment: *Miville:* Burying of power lines… even if we burying lines we will have power interruptions since we're not on a loop system. Focus on that with LCEC first, aesthetically underground is good, but for supply a loop is crucial. Reliability of service is critical to island. Discussion.

Plan update: *Kelly:* Introduction of county comments and purpose of workshop. *Max Forgey*: Run through on documents provided. Count staff Sharon Jenkins-Owen and Marissa Fewell here to handle questions and clarifications. *Mintz*: Plan in effect, we don't have to change it but we review it regularly. Described process to develop language and changes. Some county comments positive, others not particularly helpful or did not understand our intent. *Mullins*: Not good success in pushing back on county suggestions. *Mintz:* Suggestions, not wedded to it. *Brown*: Staff is here, perhaps they can clarify issues.

Goal 13: Added a long goal and vision. Prepared to shorten it but it reflects community vision. *Walter:* Vision statement, put back up in part of plan. *Forgey*: Good statement, good to have it all in one place. *Mintz:* Place bullets at end of plan as an appendix? Put in regulating language. *Kelly:* Consolidated community comments into this statement. *Brown:* Try to condense, but want it in this place. Mintz: Will wordsmith to reduce length.

Policy 13.1.1… RSC-2: SJO: Reference 1970 ordinance citation. Agreed.

Policy 13.1.2: Four distinct areas on island. Discussion of intent, recommendations would come back to panel for action and could not be higher than currently allowed. *Mullins*: Discussion of Village issues. *Brown:* We just stated a maximum for Captiva. If a group wants something more restrictive, they can act on it. *SJO*: Homeowners policy not enforceable by county staff. *Mintz:* Implementation would be extremely difficult. *Peter Koury*: Need for clarify that it needs to come before the panel. *Mullins:* Pick your battles wisely. *Mintz:* Stay as is, no changes,

Policy 13.1.5: *Mintz:* Discussion of intent. Septic maintenance needs to be included. Sewers can be sized to reflect development limits intended by the community. Discussion. Sizing of sewers intent, septic regulation difficulties. *Brown:* Submit what we want and see what staff comments are. Add maintenance aspect to septics.

Policy 13.1.7: *Mintz*: Staff misunderstood language, not mandating panel appearance, just notification. *SJO*: Explanation. *Brown:* Leave it in and push for it. *Miville:* Discuss with Doug Meurer.

Policy 13.1.10: Discussion of platted lot issues and Village lot splits. Spotlight legal issues and bring them back to county, or find counsel to advise panel on issues. *Brown:* Leave it in. *Mintz*: And ask county how to fix our problem they find acceptable. *McClure*: Need to define Village. *Miville:* Ask community how to solve this.

Policy 13.1.11: Variance approval… Deviations also in the code, need to make plan consistent with code. *Mullins:* Site permits, can they be issued in variances? *Mintz:* Need a mangrove/DEP/field permit committee… what do we not have control over on the island?

Policy 13.1.15: Accept county language.

Policy 13.1.16: How does this apply to single family lots? General policy for island, applies to single-family lots as well as others. *Brown:* Don't mess with mangroves? *Rae Ann Wessel*: Consistency within plan to protect wetlands and natural systems. Need to draw the line somewhere. Protect them because they protect us. *Mintz:* "Encourage the protection of" rather than "no further degradation."

Policy 13.1.17: Accept county language

Policy 13.1.18: Use replacement language proposed? End after greater Captiva community?

Policy 13.2.1: OK

Policy 13.3: Use county language.

Policy 13.3.1: Like proposed third choice… *Koury*: What about reduced parking requirements? Vague, opens can of worms. Flies in face of variance requirements. Remove the sentence in third paragraph. Add trolley to first sentence?

Objective 13.4: Leave it as is. *SJO*: Define the terms. *Mullins:* Plan to go before VCB to make our case for balance. *Mintz:* Leave what we have, add sentence to work through VCB to implement this policy.

Policy 13.4.1: *Mullins:* Hot issue in state now. *SJO*: Not enforceable. *Mintz:* Understood that current policy meant the week limit was in place. Working for consistency across the island. *SJO*: Legal issue. *Mintz:* (excluding those in South Seas Island Resort) typo. *Forgey*: Unless Legislature adopts a different standard?

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Policy 13.5.1: What are required plantings? Leave as is.

Policy 13.5.2: OK to remove phrase as requested. *Mike Kalinsky*: Encourage removal of invasives? Leave as is, look at committee to address. Stop and reduce the proliferation.

Policy 13.5.3: In code rather than plan? *SJO*: Workshop on community planning coming, want to move code items into code rather than plan. Leave it here now and move to code when we develop new code language.

Policy 13.5.4: Use county language?

Policy 13.5.5: Adding setback language? Distance would go in LDC. *Wessel*: Tee up for subcommittee to clarify. Sea level rise, coastal high hazards, building setbacks, etc. *Rohn*: Couple with estuarine policy? *Mintz:* Include setback as defined in the LDC? *Kelly:* Difficult issue to tackle. *Wessel*: Calculations for setbacks. Work on for code. Add county language TBD.

Kalinsky: Question about Mobed DEP permit, intent to issue pending. Will encourage destruction of mangroves on site. Send info to panelists to act individually.

Meeting adjourned at 11:30 a.m.

-- Ken Gooderham, administrator

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Captiva Community Panel

MINUTES

Dec. 8, 2015

Attending: David Rohn, Jack Cunningham, Dave Jensen, David Mintz, Jerry McClure, Mike Boris, Sandy Stilwell, Jay Brown, Bob Walter, Mike Kelly

Audience: 8

The meeting convened at 9:05. Following introductions and roll call, the Nov. 11 minutes were approved unanimously (Brown/Rohn).

CEPD: *Kathy Rooker*: Meeting tomorrow 1 p.m. moved to Canoe & Kayak Room at Tween Waters. Jim Boyle moved off island in November, and is no longer eligible to be on board. Did so much for district, wish him the best for the future. Blind Pass plan… technical advisory committee meeting with engineers. Will keep you updated on progress.

CFD: *Asst. Chief Jeff Pawul*: A few handouts available. Stress you be careful with holiday lights on live trees, water them daily. Watch out for candles. Stay safe this holiday season.

LCSO: *Sgt. Mike Sawicki*: Be careful with Christmas cheer and driving. *Cunningham:* Audubon Bird Count 12/19, people will be walking through yards looking for birds,so be aware.

Hurricane Preparedness: *Ann Bradley*: Season is over, no incidents. Educational seminar planned next year, probably April in 2016 so county Emergency Operations Center people can participate.

Plan update: *Max Forgey*: Mintz has done an amazing job on reports. *Mintz:* Explanation of draft. *Brown:* Recap of process to this point. *Mintz:* Vision statement, reflects input from community, we will consolidate and shorten. Proceeded through policies. Discussion of sewer/septic language, working to reflect community concerns. Need to review materials from Rae Ann Wessel on barrier island septic maintenance. Leaving options open in plan to regulate maintenance. *Cunningham:* Comment will be included with plan submission? *Mintz:* Yes, to clarify position of panel. *Mike Mullins:* Postpone decision until after this afternoon's meeting? Replace with wastewater treatment plant? *Mintz:* Sewer language has been in plan for a while, issue was with septic systems. *Mullins:* Broad enough to include package plants, etc. Onsite wastewater systems? Regulation of onsite wastewater systems and sewers…

Public information… addition was misunderstood by county. Not requiring appearance, just notice of sessions. *Jenkins-Owen:* County wants to keep language consistent throughout communities. Not allowing individual panels to have their own rules. Make this part of your bylaws? Discussion of process. *Brown:* County does not want to assign any unique privilege to anyone in notification? *Jenkins-Owen:* Yes. *Forgey:* If conducted at panel must have this notice. Also, panel conducts advertised meetings, we can handle this. One size does not fit all in this instance. *Jenkins-Owen:* Keep it in there and include your comments, we'll talk about it some more. Meant to give you a head's up, doesn't preclude participating in public hearings. *Jensen:* This is the reason we wanted this – to hear about issues. *Mullins:* County views panel as just one other organization that's trying to work in the community. *Jenkins-Owen:* Keep it in so we can have the discussion, but attorneys have been pretty adamant about this. Discussion of publishing

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requirements. *Kelly:* Notification is the key, how is it required to be noticed? *Jensen:* Notify if there's a panel in the community. Discussion of notice. *Peter Koury*: Requirement to give notice to panel? *Mintz:* It's the only meeting that takes place on Captiva, that's why we want notice. *Stilwell:* Work through LCPA and Wilkinson on notification?

Brown: Siting and building… what is historical character? *Mintz:* Everyone likes old Captiva, no one can define it. *Mintz:* Density increases… effort to try to solve a problem, way it's drafted here cannot work and will not solve problem. Review zoning and county comments. Just use first sentence, add rezoning or lot splits that would increase… Discussion of purpose. *Kelly*: Add lot line adjustments? General agreement to include. *Mullins:* Consequences to entire island? Discussion. *Jenkins-Owen:* Entitlements will supercede zoning if attorneys challenge it. *Mintz:* Variance criteria… LDC was worded differently from plan, picked up code language to be consistent with the plan.

Mintz: Dark skies… Panel accept county suggestions. Wetlands… Changed to reflect county concerns. Blind Pass… Accepted county suggestion. Utilities… amended to meet concerns. Discussion of mixed use impacts. Transportation… accepted county language. Alternate transportation… amalgam of proposals. Tourism… amended to some degree. Rental period… exists for RSC-2 lots already. Discussion of county standards, Sanibel requirements. Informal policy of Realtors and owners, should to memorialize it in the plan. Media got idea we were imposing some new restrictions. *Mullins:* Remove Sanibel mention in comment. *Jenkins-Owen:* State statute may prohibit any restrictions. *Forgey:* Florida League of Cities, pursuing statutory change for minimum standards. May have to adjust this based on legislative action. *Mintz:* Impact on Sanibel? *Brown:* How can state make such a dictum? *Mintz:* Very complicated legal issue, preemption and exclusion. Leave it for now and see what happens, something the community wants to maintain the balance. Captiva Drive trees: *Mullins:* Pointless, can't tell people what to plant. *Mintz*: Invasives, amended a requested. Heritage trees, added code reference. *Mullins:* Is heritage tree defined? *Mintz:* Panel needs to define heritage tree in code when that time comes. New land… amended as requested. Mangroves… Added county suggestion. Discussion of language. *Kelly:* Tried to address in code, could not get county support. *Brown:* State allows mitigation. *Mintz:* Need mangrove committee to fact find and develop policies. *Rohn*: Work with SCCF to identify mangrove mitigation areas on Captiva, not Little Pine Island. *Walter*: Have Park Lewis with Dex Bender present to panel?

Mintz: Summary of changes. Motion to approval as amended (Stilwell/Brown), unanimous.

Nominating: *McClure*: Amended bylaws to change procedure. Starting next year we have 11 members instead of 10, three year terms and change of ordering. CPOA replacing one member (Rene Miville); CCA appointing a new one (Peter Koury); extra seat is at-large, committee nominated Mike Mullins. No additional names submitted by anyone. Has to be written vote by bylaws. Vote held, Mullins appointed to panel. *Cunningham:* Recognize contributions of McClure and Rohn to panel. *Mintz:* Committee to meet with Park Lewis, or bring him to panel? *Walter*: Educational effort at least. Discussion. Unique need of barrier islands. Discussion of mangrove regulations. SCCF, Park Lewis, Bob Lloyd, Rae Ann Wessel.

Budget: *Cunningham*: Do we need an event at end of season? Discussion of budget figures and reimbursements, Forgey and needs. MATM discussion, positive feedback? Educate public about panel at any events. Budget unanimously approved as submitted (Boris/Stilwell).

2016 panel schedules: Approved as submitted (Cunningham/Boris) unanimously.

Committees: *Brown:* Sewer committee, afternoon meeting will help set next course. **Rentals**: Jensen and Lisa Riordan, to set meeting with agents. Thursday 4 p.m. *Cunningham:* All Star as well, only thing they do. Discussion of mission. *Mullins:* Make rental rules consistent throughout the island. *Mintz:* Not issue in Village. Discussion. *Mintz:* Does Village have structures that could be leased separately? *Mullins:* Why talk about Village only? Should apply across the island. *Mintz:* RSC-2 language in code, do we look at it for the entire island when we work on the code? *Stilwell:* Mimi Schwartzel sent me her issues, send to Dave and Lisa? *Mintz:* Crews Environmental very busy on our street over Thanksgiving, agents should be aware of that. Discussion of scope. *Brown:* How many units outside South Seas are rented, how many do they handle? Kingfisher, All Star, VIP as well as AMRC and Royal Shell. *Mullins:* Discussion of what Captiva contributes to county. State Dept. of Revenue can isolate sales tax and bed tax, can extrapolate from that to county taxes. Can also determine rental activity from that. Work through CEPD to access information. *McClure*: More units in Ventura Captiva are by-owner rentals than 10 years ago. *Stilwell:* Check websites to see who's renting what… VRBO and Air BNB. *Riordan*: Some overlap as well, owner rentals allowed by agencies. Discussion of rentals numbers.

Captiva Drive: *Mintz:* Spoke with Jose Gonzalez, he will do overlay with ROW for Captiva Drive from Andy Rosse to Hagerup Park. How big a project to create a four-foot pedestrian walkway along that section. Take discussion to county or see if we need to raise money. *Mullins:* County should be willing to support our efforts thanks to the taxes we pay to the county already. Discussion. *Mintz:* Need defined project with a price tag. **Trolley**: *Stilwell:* Need to work on data, will tally numbers during holidays to assess demand. Discussion. *Mintz:* We all want to reduce traffic. Does it make sense to have trolley on what routes to get people out of cars? Something community would support? *Walter*: Go to a third party and ask county to subsidize it from bed taxes. *Stilwell:* Who pays is also issue, do people pay to ride or do resorts subsidize their renters. *Mullins:* CEPD uses parking to raise funds. We can't get funds from Turner Beach parking, county could reimburse. Many ways to access funds, need to get all the organizations together. We need unity, give us better bargaining power. *Rohn*: What about causeway funds? Captiva gets nothing right now. *Boris*: Need to communicate that trolleys are a way to reduce traffic, not boost business. Smaller works better, need to promote reasons and communicate to community. *Stilwell:* Discussion of changes with her trolley. Also serves as island communication center. *Riordan*: Some residents won't use it, need to make it more attractive to get people out of their cars. *Rohn*: Has to be reliable to be used. *Stilwell:* Weather is also an issue. *Mullins:* Do this with county money, we should be looking at grants to leverage that. Speak as one voice as an island.

Public comment: *Mullins:* Thanks to South Seas for supporting our meetings.

Meeting adjourned at 11:35 a.m., to return at 2 p.m.

■ ■ ■

Meeting reconvened at 2:10 p.m. Presenters were:

- **Lee County**: Doug Meurer, Pam Keyes and Mikki Rozdolski
- **Florida Governmental Utility Authority**: Glenn Forest, Rob Dickson, Jon Meyer, Mike Currier

Attending: Mintz, McClure, Brown, Stilwell, Cunningham, Jensen, Rohn, Walter, Kelly

Audience: 10?

Meurer: Previous discussion about sewer issues on island, concepts of what we might be able to look into, FGUA operates South Seas plant, what would it look like to expand service area to offer more service. Expansion or new facility. *Brown:* Recap. Start with South Seas system? *Meurer*: Existing makes most sense as starting point. Septic maintenance a countywide issue, what can we do for Captiva? *Brown:* Who is the most logical person at county to talk to? *Meurer*: Me or Pam Keyes? *Forest*: Intorduced Rob Dickson, Jon Mayer, Mike Currier. Presentation. Expansion, new facility, partnering, other? *Brown:* How many does it serve? *Forest*: Collection system and pump station a big issue. Cost, permit-ability, ease of construction, operational requirements. Central location best for access to unserved areas. Challenges: Narrow ROW, high restoration costs (roads, driveways), sandy soils and high water table, remote location to county mainland. Environmental issues in design and permitting. Existing plant 140,000 gallons a day, new capacity needed would be 165,495 gpd. *Mullins:* Typical family? *Forest*: 3.5 people, 250 gpd. *Jensen:* Can't we use IWA numbers for water use? *Forest*: Yes, but engineering study would be needed to move forward. FGUA plant permitted at 264,000 gpd. Peaks get up in the 200 range. 140 is average. Project cost $15 million, 637 units, $23,500 per unit. *Mullins:* Implementation cost only? Vacuum more costly to operate? *Forest* : Issues include regulatory input, design criteria and LDC requirements, O&M responsibility for vacuum system collection chambers. Reclaimed water use. Life cycle costing, Community involvement program, interconnection with FGUA. *Brown:* Does not include connection costs? *Forest*: Some cost for abandonment costs, homeowners would need to pay for their own connections. *Mullins:* Optional hookup? *Forest*: Expect everyone to connect within a certain time. *Mullins:* Connection rule of thumb? *Forest*: Depends on distance, terrain, etc. *Stilwell:* Have one company for all connections for economy of scale? *Cunningham:* Collection chambers, how close? *Forest*: One per two properties usually. *Mullins:* Cape put it on the credit card, as part of house financing? *Meurer*: MSBU can work on financing issues once bonding allows for term of payment. *Mintz:* Downside of effluent disposal? *Forest*: Trickiest part of the project. Beneficial, reclaim it and reuse for irrigation. Spray field requires land, not viable. Inflation basin, high ground water table unlikely to work. Injection well, puts it in an appropriate zone. South Seas: uses zone 150 feet down. Used when irrigation can't handle effluent produced. Discussion. *Brown*: If we expanded FGUA facility, would exiting effluent disposal be sufficient? *Forest*: No, would have to expand. Graywater discussion. *Cunningham:* For IWA 50% of revenues comes from irrigation.

Mintz: South Seas plant issues, is there capacity for new development. Additional units 140 units. *Dickson*: Explanation, also timed with plant recertification. Capacity analysis, 200 gpd per unit. *Walter*: 100 gpd were incremental gallons. *Dickson*: Injection well will increase capacity to 264K gpd. Discussion. Still below 250K peak, still below 264K annual average daily basis capacity. Tankage stores a day's worth of flow to allow us to knock the top off the peak days. Discussion. *Mintz*: FGUA will certify to county that plant has capacity for proposed redevelopment? *Forest*: Yes.

Meyer: Overview of how plant works. Presentation. Takes oxygen, has nitrogen and phosphorous, cloudy material in water. Trying to even flow out throughout the day to allow for better consistent treatment. Concentrate microorganisms to treat wastewater. Balance waste (food) with amount of microorganisms. Mixing and balance, nontoxic conditions, in aeration chamber. Move into clarifier, settling tank for microorganisms to settle to bottom of tank and allow clear water to flow over to the next tank. *Brown:* Maintaining a population of microorganisms. *Meyer*: Aerobic microorganisms. We can control odors in ideal conditions. At times we have to take microorganisms out of the system to maintain balance. That's what sludge is, a byproduct of any wastewater treatment plant. Bio-solids, usually ends up in landfill as

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cover after it's dewatered and dried. Three per week usually. Chlorine then added to clear water to disinfect it or pathogenic microorganisms prior to release. Also monitor turbidity of water. Also have a reject tank that can hold a day of flow if it's unacceptable to permit standards. Discussion of Sanibel injection disposal. *Mintz:* How would a new plant handle effluent? *Meyer*: Par of permitting process, could inject or irrigate, trucking too costly. *Mullins:* Wulfert has issue when it did not generate enough gray water. *Cunningham:* Will injection well be able to handle entire island? *Meyer*: Don't know. Discussion. *Forest:* What community can do to protect our system? Keep non-biodegradables out of our system, watch what you put into our system. U.S. Water Services operates plant. FGUA owns land for plant, would have to purchase additional to expand. ???: Who owns land around plant? Discussion.

Meurer: Possibility of DEP mandate down the road, who knows?. Problem with poorly maintained septic systems. *Kelly:* Better systems coming on? *Meurer*: Some purport to be better. *Meyer*: No way to test it to determine whether it's doing its job. Discussion. *Brown:* How do we look at Sanibel as an alternative? *Meurer*: Looked at that a few years ago, cost about the same as this system if I remember correctly. *Brown:* How should we proceed? *Meurer*: County happy to help in any way possible. Today was about options and numbers. Discussion needs to be focus of discussion. *Stilwell:* Sanibel wants to work with another government. *Mullins:* Ask Ruane how to proceed with city. *Rohn*: Does South Seas plant have a life span? *Meyer*: Spent a lot of money to upgrade, just have to maintain them over time. Discussion.

Stilwell: What is timeframe for project? *Meurer*: Permitting 2 years, construction up to five years or more. Discussion of Key West mandate. *Jensen*: Job is to find out costs to see if it's feasible to move forward. *Brown:* Two areas of feedback… density fears with more sewer capacity and that septics are sufficient. *Cunningham:* Get enough information to allow community to make decisions. Cost, septic issues, price is a big issue. Cost per property vs. cost of maintaining or replacing septic system. *Brown:* Funding options. *Keyes*: Discussion of grants, could not find them for medium income level areas. Don't see them for this community. If there's a mandate, DEP might participate. Without that, don't count on grants. *Meurer*: Legislative Delegation made water quality a priority, perhaps they could channel some funding in this direction. *Brown:* Assume self-funding, look at financing options. MSBU, ETC. Discussion of sewer advantages and options.

Meeting adjourned at 3:50 p.m.

-- Ken Gooderham, administrator

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2016
MINUTES

Captiva Community Panel

MINUTES

JAN. 12, 2016

Attending: Dave Jensen, Jack Cunningham, Mike Mullins, Peter Koury, David Mintz, Jay Brown, Bob Walter, Mike Kelly, Sandy Stilwell, Rene Miville

Audience: 20

The meeting convened at 9:05 a.m. Following introductions and roll, the Dec. 8 minutes were moved for approval (Brown/Mullins) and unanimously approved.

Election of officers: *Mullins:* Nominate Kelly for president (Stilwell second). *Kelly:* Willing but open to being replaced. *Cunningham*: Nominate Brown for president (Jensen second) *Cunningham:* President needs to attend most meetings. A silent vote was conducted, with Brown elected president. *Mintz:* Kelly has done a very special job as president, worked together well as panel, respect for panel members and community. *Brown:* My fifth year on panel, some divisiveness at beginning, worked hard to get that behind us. Disagreement is not bad, but we need to work together and respect one another. *Walter:* Well done. *Jensen:* Nominate Mintz for vice-president (Brown second). *Mintz:* Decline due to other responsibilities. Mullins: Nominate Jensen for vice president. Jensen declined. *Mullins:* Nominate Stilwell for vice president. Stilwell: Willing but ready to move on. *Brown*: Nominate Mullins for vice president (Walter second), unanimous. *Cunningham:* Nominate Boris for treasurer (Mullins second), unanimous. Jensen: Nominate Koury for secretary (Boris second), unanimous.

CEPD: *Kathy Rooker*: Former CEPD chair Jim Boyle had moved off island, seat was open. At the December meeting, Doris Holzheimer also resigned. Had two open seats, both end November 2016. Rich Stegmann and Bob Walter appointed to fill openings. *Rooker:* Jensen elected as chairman. After Saturday storms, beach did well. Just finished beach tilling Monday. Tiller did extra work after storm, very dedicated. Hope we have a good winter for beaches, avoid heavy surf from fronts. Explanation of escarpment and beach design. *David Rohn*: Plans to plant sea grass further rout on beach? *Rooker:* Looking at design, to see what we need before next project. *Cunningham:* What does tilling do and how often? *Rooker:* All for turtles, required by permit. To help nesting for first three years. *Brown:* Who pays for tilling? *Rooker:* Lee County TDC pays portion, state pays a portion, rest comes from last assessment for project. Budgeted for three years, plus capital budget has reserves for storm escarpments. Beach parking funds goes into capital account, used for projects. Nets more than $100,000 annually. Blind Pass: kickoff meeting of study group. December-February CB&I doing data collection and analysis. Looking to set up calibration model for analysis. Stakeholder meeting February or March, Captiva and Sanibel residents. Preliminary model results in spring or summer of 2016. Complete study by October 2016. Next CEPD meeting tomorrow 1 p.m. in Ding Darling Room.

CFD: *Deputy Chief Jeff Pawul*: Thanks both resorts for cooperation on power outage recently. *Brown:* Pole put back in same place? *Pawul:* Slightly moved, now a concrete pole. *Walter:* Possibly a guard rail? *Cunningham:* Panel should contact LCEC to move pole or add guardrail. Discussion. *Sawicki:* Look at burying lines just in that area? Easement very narrow in that area. *Walter:* Reach out to them to ask recommendation. Ask LCEC CEO Dennie Hamilton to address issue. Discussion. *Mullins:* Reach out to Marco Island first to see how their power works during the long over-water transmission line. *Brown:* Stay focused on pole problem. *Miville*: LCEC will do anything we want, just tell them how it will be paid for. Also have issue because of one source for power, not looped. Work with Sanibel to get a loop built in. *Stilwell:* In the short term ask about pole, a public health and safety issue. *Kelly:* How about a blinking

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- **ACTION**: Draft letter to LCEC officials and board on community concern over power outages and security, pole protection.

LCSO: *Sgt. Mike Sawicki*: Not back on full duty yet. Discussion. *Sawicki:* New crime prevention tool, nextdoor.com, online Neighborhood Watch program, create profile and communicate with neighbors. Get emergency updates, etc. Private or public website, can create new one on next door, privacy concerns. Website is a one-way street, you can input info but we can't see your info. Does not replace 911 or LCSO phone. Discussion. *Mullins:* Wants invite code to join? *Sawicki:* Will check on it. Can get tech services engaged. Fishing complaints around Blind Pass bridge, from residents and responsible fishermen on bridge. *Brown:* What can be done? *Mullins:* Only one side? *Sawicki:* Assembled statutes that are applicable, working to inform fisherpeople .Check licenses and educate users. Parse out accidental unknowing violations. Can enforce fish & game rules, check licenses and coolers. Those fishing are obliged to present license on request, we can request ID as well. Discussion. Tending requirement for multiple rods. *Mullins:* My dock is a fish magnet, draws a lot of recreational and commercial fishermen. Boat has ROW issues with lines. Multiple lines an issue. *Sawicki:* Work with reasonable users, balance with pedestrians and bikers. Bridge is not a fishing pier, but a pedestrian area. *Mullins:* Cape Coral has closed its bridges, pushes more people out here. Nasty places, vehicles/bikes/carriages can't pass through. Sanibel got county money for trash containers, helped in some areas. City does some maintenance, may be part of Turner Beach pact. *Miville*: Put up signs to educate users, fish size and rules. *Sawicki:* Transient education issue, would more signs be a visual issues? Discussion. *Brown:* Committee? *Jensen:* Will meet with Sawicki and look at options. *Walter:* Is bridge a county issue? *Sawicki:* Yes. *Koury*: Any complaints about mullet fishermen? *Sawicki:* In Roosevelt Channel, violating speed limits, but not violation of method of take, seeking clarification from Fish & Wildlife Commission. There's a net closure requirement for Blind Pass, not supposed to be netting in there until Jan. 31. Fishermen from out of town don't know that. Discussion. *Sawicki*: Nov. 1 to Jan. 31 closure in Blind Pass, not Roosevelt Channel. Obscure state rule, discovered it so now we can act on it. Only so many grouper troopers in this part of the state so their coverage is stretched. Active, but we have to assist with them since we have a more local focus then they do. *Miville*: Contact the fish houses about closure. *Mullins:* And through citations. *Koury*: They don't obey speed limits, results in wakes in no-wake zones, significant erosion along shoreline. What can be done? Discussion on issues and workload. *Sawicki*: We cover from Sanibel lighthouse to Boca Grande Pass. We spend majority of time on Captiva. Discussion of size checking of catches. ??? Get closure brochure to marinas.

- **ACTION**: Jensen will follow up with Sawicki on educating fishing audiences.

Hurricane Committee: *Holzheimer*: End of season, no hurricanes. Committee meets this month, will have update on program schedule next month.

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Sea level rise planning: *Ralf Brookes*: Introduction of background and clients. Now seeing mangroves on northern Florida coast due to climate changes. Yankeetown a think tank for University of Florida, a lot of resources in town. I'm very interested in community planning. Sued state over watering down of planning efforts, one of few areas that can still hold referendums on their plan amendments. Got state money to develop a model sea level rise (SLR) amendment. Would like to do something similar to this for Captiva. Optional Adaptation Action Area Planning, Florida Community Planning Act, handout provided. Planning horizon different for SLR, looking out 50 year and beyond. Imagine yourself as a 10-year-old, planning for 50 years from now. For low-lying coastal zones, flooding, storm surge, tidal floods, coastal high hazard areas. SLR will be a series of punctuated events, severe storms become more frequent and different from prior events. Model is adopted into comp plan or land use plan; formal, aspirational or as a separate planning document. State grants possible based on points, putting it in comp plan can help rank land acquisition efforts higher. Have to be tailored to community needs, not pick up something developed by someone else. Description of process to develop plan. Spatial, temporal understanding of SLR. Inventory resources and structures, species, habitat. Look at repetitive losses.

Brown: How much SLR do we expect in 50 years? *Brookes:* Description of tool through Charlotte Harbor National Estuary Program (CHNEP), will give you overlays to determine rise. Not a bathtub effect, but hellacious events impacting shoreline. Discussion. *Mintz:* Put in Lee Plan? *Brookes:* Brainstorm options, could be in comp plan or standalone document for planning use. I recommend you put it in comp plan. *Walter:* How will this protect mangroves? *Brookes:* Florida DEP handles trimming and removal. *Walter:* Mitigation of planting is off-island. *Brookes:* Could create your own mitigation bank on Captiva through this. *Mullins:* FSBPA presentations, beach nourishment as a SLR response. That doesn't help with bayside protection. *Brookes:* A planning process, not an answer, to help island continue to adapt. Discussion. *Brookes*: Strengthen mangrove fringe or install hard structures, combination of approaches, appropriate for specific areas. When variance comes before you if you had this policy, you would have a planning tool to ask them to explore options. Infrastructure issues, roads and drainage issues. *Mullins:* Is the next step a request for funding and start process to develop these policies. *Brookes:* First in this area to address these issues. *Stilwell:* Agree to look into this, proposal of what it would cost. *Koury:* Are you approaching Sanibel? *Brookes:* Not yet.

Mintz: Has county looked at this. *Sharon Jenkins-Owen*: State has mandated for resilience planning and SLR planning. Likely would be a countywide policy, but has not gone to BoCC to get direction. *Brown:* County funding possible? *SJO*: There's been a change in management, but always a possibility. *Kelly:* Can see county not pushing ahead on SLR issues, but it would look at barrier islands to lead on issue. County should help us, but we take the impetus to move this forward. Overlay gives people an idea of the potential impact. Recognize barrier islands are a unique distinct place in county and state planning. *Miville:* Which counties are part of this consortium? Make county part of consortium? *SJO*: State grant possible? *Brookes:* Yankeetown got $25,000, which was enough. Made it aspirational not regulatory. Also private grants, right now SLR is the hot topic for funding. University of Florida connection here as well, can build on return on grant funding. Discussion of citizen-based science. Biologists blitz count of species. The smaller the entity, the more that gets done. Proposal to be developed. Mullins to work with Brookes to formulate specific next step. *Rooker:* Have contacted Lee Country to investigate cooperation with surrounding counties. *SJO*: Regional Planning Council? *Rooker:* Have contact with CHNEP. *Mullins:* Will take lead to develop options and proposal. Back on agenda in March?

- **ACTION**: Mullins will work with Brookes to develop a proposal to bring back to panel.

Captiva Plan: *Mintz:* Description of plan approval and meeting with county. Dec.17 meeting review of Dec. 8 draft. Jacob thoughtful and offered good suggestions that did not change direction of plan. Review

of Jan. 12 revision of Dec. 8 draft. *Brown:* Will this draft fly with county, or just your suggestion? *Mintz:* Between the two, acknowledges some county concerns without deleting some of those areas where it will end up being a political decision. Review of changes KG: MJ wanted a specific and enforceable document. JM: Looks like they bought leaving the long preamble in. *Mintz:* Working to move more specific LDC over time. Discussion of density wording. *Mullins:* Managing density? Will plan language allow is gather specific in the code we need? *Mintz:* Plan will reflect code. Reference it in this language. 13.1.1 Suggested no variance or deviations from code for RSC-2 zoned lots. Lots must abide by RSC requirements. Discussion of sewer capacity language and community concerns. *Walter:* Sewers to remove septic treatment solely. DM will work on language. Discussion and review.13.4.1. provides rationale for policy even if preemption from state is not changed. "and may not be rented or leased under more than one leaser at a time." *Jensen:* Exclude those licensed by the state, rather than South Seas. DM Tied to residential units, which you and Sandy do not have. *Mintz:* licensed resorts and motels? *Mullins:* Specific language used by LCPA, stay in line with that. *Mintz:* Licensed resorts, hotels and motels. 13.5.1 When planted, must be indigenous and native… *Walter:* Specific what you can't plant? *Mullins:* Indigenous, native or other non-invasive… *Koury:* Major change without public input, will impact Walsh landscaping and replacement of current vegetation. Let's see new language. Discussion. 13.5.5 adds code definition. *Brown:* More wordsmithing to do, bring back in February. *Mintz*: Will work to get draft to panel members two weeks prior to next meeting (Jan. 26 for Feb. 9 meeting). Accolades from panel members for Mintz's work on this issue.

- **ACTION**: Mintz will revise proposed Captiva Plan language based on panel discussion for review at Feb. 9 meeting.

Committee updates: *Brown:* Let's move sewer discussion to February, want t have enough time to cover all issues. Committee wants to set up meeting with Sanibel Mayor Kevin Ruane. Who is on committee? Determined that Brown, Jensen, Mullins, Mintz, Walter on committee. *Mintz:* Report on Sanibel report to City Council. Ruane and city staff happy to meet with committee. Report was prompted by last October's water quality/beach closure issue, Ruane believes county should fund feasibility study to see what's possible. Denham is city lead on water quality issues, expressed great concern about Captiva septic systems and FGUA WWTP. Suggest we set up meetings with both men. Need to look at any Sunshine Law issues with multiple panel members, that's why meetings with council members must be separate. Discussion of Sunshine interpretation. *Mullins:* Move that sewer committee be defined as a special committee of the Captiva Community Panel (Stilwell second). *Mintz*: We treated all subcommittee as fact finding only, if we change rules now will impact on their work as well. *Cunningham:* Special committee is different from fact-finding committee. Need to add category of fact-finding committee to bylaws. *Mullins:* Explanation of need for specificity. Discussion. *Brown:* Bring rest of committees up at next panel meeting. Vote 9-2 to approve (Cunningham and Mintz opposed). *Cunningham*: Not a special committee as defined in bylaws. *Mintz:* Regardless of interpretation, priority committees formed as fact-finding committees only, to bring issues back to panel for discussion and consideration. *Cunningham:* Bylaws discussion needs to include fact-finding committees. *Brown:* Discussion of committees, purpose and Sunshine issues. *Jerry McClure*: Bylaw change is complicated, look into it.

Stilwell: We funded water quality study cited by Sanibel, many were surprised at results. *Mintz:* Continued Sanibel report. FGUA explanation vs. Sanibel explanation as to April excess effluent trucked to Sanibel for treatment. Read Sanibel email on need to accept excess volume. Discussion of different interpretations. FGUA response was it was caused by somebody putting something unacceptable into system. We've gotten a lot of different responses. Sanibel is concerned about this plant, that it's not functioning properly and incapable to treating wastewater. Requested capacity report consistent with what

FGUA representative said at December meeting, but the copy I got was not signed/sealed or submitted to Florida DEP. We should ask FGUA back to address this, and find out actual capacity support. City report also mentioned that 38,000 gallons of something was spilled at FGUA plant in October. Noted leakage at FGUA plant the week before. *Jensen:* Tone from Sanibel City Council towards Captiva was harsh, but Denham apologized later. Need to find the facts. *Mullins:* Have had water quality committees for years. Looked at expanding pipes to Blind Pass. Panel killed offer to do feasibility study. Former Lee County Commissioner Bob Janes set up another meeting with Sanibel. City rebuffed any efforts to coordinate efforts with sewer connections. City has vacillated in the past, so don't make us the bad guys in this. *Walter:* Bothersome to find out about FGUA issues in this format rather than direct from them. *Brown:* Odd that FGUA would not think to report it to the panel when they were here.

Mintz: FGUA report said 38,000 gallons, we don't know level of treatment of what was released. *Mullins:* Support county funding a study on all this, we need the facts. Align with city for their clout with the county. *Cunningham:* Bring FGUA in to explain this. *Mullins:* We raised $225K to fund water quality study, results were conflicted. *Brown:* Important discussion, do you want to continue with it today? *Mintz:* Sewer committee is fact-finding, set meeting with Ruane and Denham, FGUA and Meurer if necessary. Need to hold this discussion with the full panel. Discussion. *Mintz*: Not a separate meeting of committee, bring issues back to panel. Discussion. *Mintz:* Long process, don't know city stance on the entire outcome, also concerned about development and traffic on Captiva and its impact on Sanibel. Set up meetings with Ruane and Denham, bring facts back to panel so we know what city has done and will do. Have all our discussions here. *Brown:* Looking for input to embellish memo, needs from city meetings. *Boris:* City meeting will add to document drafted by Brown? *Brown:* Yes. *Gooderham*: Suggest you set the Ruane meeting first, legislative is starting and he will be out of town. *Mullins:* Urgent matter, need to move proactively.

- **ACTION**: Set meeting with Sanibel Mayor Ruane, possibly Vice Mayor Denham. Follow up with FGUA on capacity report and explanation of overages/spills. Update Brown memo based on discussion with Ruane, plan to distribute and discuss at Feb. 9 panel meeting.

Bylaws: Defer to next meeting. **Financials**: *Cunningham*: Good to next summer fund-raising effort? *Gooderham*: Should be, will seek reimbursement from county before next meeting. Planning items next month.

Other business: *Cunningham*: Movie night next Monday at CCA. *Mullins*: CEPD meeting tomorrow at 1 p.m.

The meeting adjourned at 12:40 p.m.

-- Ken Gooderham, administrator

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Captiva Community Panel

MINUTES

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light? *Cunningham:* If someone is killed, could there be liability for panel? *Walter:* If we ask LCEC, we've made an effort to secure safety. *Hal Miller*: Barrier to protect pole? Talk to Lee DOT? *Brown:* Have CFD make first contact on safety concerns? *Pawul:* Absolutely happy to do it again. *Stilwell:* Had employees stranded on the island, people stuck on both sides of the pass. Draft letter to Hamilton on concerns. *Mullins:* Survey entire island on health & safety issues. Reliability of service and pole, letter to invite to meeting. *Stilwell:* Copy entire LCEC board and island commissioner. Discussion. *Pawul:* March 5 we will hold an open house at the new station all are invited. Busiest time of year, so be careful of trucks, call volume way up this year. *Mullins:* You also cover Sanibel… how far down? *Pawul:* Depends on type of call, can cover island and also ask for mainland assist. Discussion.

- **ACTION**: Draft letter to LCEC officials and board on community concern over power outages and security, pole protection.

LCSO: *Sgt. Mike Sawicki*: Not back on full duty yet. Discussion. *Sawicki:* New crime prevention tool, nextdoor.com, online Neighborhood Watch program, create profile and communicate with neighbors. Get emergency updates, etc. Private or public website, can create new one on next door, privacy concerns. Website is a one-way street, you can input info but we can't see your info. Does not replace 911 or LCSO phone. Discussion. *Mullins:* Wants invite code to join? *Sawicki:* Will check on it. Can get tech services engaged. Fishing complaints around Blind Pass bridge, from residents and responsible fishermen on bridge. *Brown:* What can be done? *Mullins:* Only one side? *Sawicki:* Assembled statutes that are applicable, working to inform fisherpeople .Check licenses and educate users. Parse out accidental unknowing violations. Can enforce fish & game rules, check licenses and coolers. Those fishing are obliged to present license on request, we can request ID as well. Discussion. Tending requirement for multiple rods. *Mullins:* My dock is a fish magnet, draws a lot of recreational and commercial fishermen. Boat has ROW issues with lines. Multiple lines an issue. *Sawicki:* Work with reasonable users, balance with pedestrians and bikers. Bridge is not a fishing pier, but a pedestrian area. *Mullins:* Cape Coral has closed its bridges, pushes more people out here. Nasty places, vehicles/bikes/carriages can't pass through. Sanibel got county money for trash containers, helped in some areas. City does some maintenance, may be part of Turner Beach pact. *Miville*: Put up signs to educate users, fish size and rules. *Sawicki:* Transient education issue, would more signs be a visual issues? Discussion. *Brown:* Committee? *Jensen:* Will meet with Sawicki and look at options. *Walter:* Is bridge a county issue? *Sawicki:* Yes. *Koury*: Any complaints about mullet fishermen? *Sawicki:* In Roosevelt Channel, violating speed limits, but not violation of method of take, seeking clarification from Fish & Wildlife Commission. There's a net closure requirement for Blind Pass, not supposed to be netting in there until Jan. 31. Fishermen from out of town don't know that. Discussion. *Sawicki*: Nov. 1 to Jan. 31 closure in Blind Pass, not Roosevelt Channel. Obscure state rule, discovered it so now we can act on it. Only so many grouper troopers in this part of the state so their coverage is stretched. Active, but we have to assist with them since we have a more local focus then they do. *Miville*: Contact the fish houses about closure. *Mullins:* And through citations. *Koury*: They don't obey speed limits, results in wakes in no-wake zones, significant erosion along shoreline. What can be done? Discussion on issues and workload. *Sawicki*: We cover from Sanibel lighthouse to Boca Grande Pass. We spend majority of time on Captiva. Discussion of size checking of catches. ??? Get closure brochure to marinas.

- **ACTION**: Jensen will follow up with Sawicki on educating fishing audiences.

Hurricane Committee: *Holzheimer*: End of season, no hurricanes. Committee meets this month, will have update on program schedule next month.

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Sea level rise planning: *Ralf Brookes*: Introduction of background and clients. Now seeing mangroves on northern Florida coast due to climate changes. Yankeetown a think tank for University of Florida, a lot of resources in town. I'm very interested in community planning. Sued state over watering down of planning efforts, one of few areas that can still hold referendums on their plan amendments. Got state money to develop a model sea level rise (SLR) amendment. Would like to do something similar to this for Captiva. Optional Adaptation Action Area Planning, Florida Community Planning Act, handout provided. Planning horizon different for SLR, looking out 50 year and beyond. Imagine yourself as a 10-year-old, planning for 50 years from now. For low-lying coastal zones, flooding, storm surge, tidal floods, coastal high hazard areas. SLR will be a series of punctuated events, severe storms become more frequent and different from prior events. Model is adopted into comp plan or land use plan; formal, aspirational or as a separate planning document. State grants possible based on points, putting it in comp plan can help rank land acquisition efforts higher. Have to be tailored to community needs, not pick up something developed by someone else. Description of process to develop plan. Spatial, temporal understanding of SLR. Inventory resources and structures, species, habitat. Look at repetitive losses.

Brown: How much SLR do we expect in 50 years? *Brookes:* Description of tool through Charlotte Harbor National Estuary Program (CHNEP), will give you overlays to determine rise. Not a bathtub effect, but hellacious events impacting shoreline. Discussion. *Mintz:* Put in Lee Plan? *Brookes:* Brainstorm options, could be in comp plan or standalone document for planning use. I recommend you put it in comp plan. *Walter:* How will this protect mangroves? *Brookes:* Florida DEP handles trimming and removal. *Walter:* Mitigation of planting is off-island. *Brookes:* Could create your own mitigation bank on Captiva through this. *Mullins:* FSBPA presentations, beach nourishment as a SLR response. That doesn't help with bayside protection. *Brookes:* A planning process, not an answer, to help island continue to adapt. Discussion. *Brookes*: Strengthen mangrove fringe or install hard structures, combination of approaches, appropriate for specific areas. When variance comes before you if you had this policy, you would have a planning tool to ask them to explore options. Infrastructure issues, roads and drainage issues. *Mullins:* Is the next step a request for funding and start process to develop these policies. *Brookes:* First in this area to address these issues. *Stilwell:* Agree to look into this, proposal of what it would cost. *Koury:* Are you approaching Sanibel? *Brookes:* Not yet.

Mintz: Has county looked at this. *Sharon Jenkins-Owen*: State has mandated for resilience planning and SLR planning. Likely would be a countywide policy, but has not gone to BoCC to get direction. *Brown:* County funding possible? *SJO*: There's been a change in management, but always a possibility. *Kelly:* Can see county not pushing ahead on SLR issues, but it would look at barrier islands to lead on issue. County should help us, but we take the impetus to move this forward. Overlay gives people an idea of the potential impact. Recognize barrier islands are a unique distinct place in county and state planning. *Miville:* Which counties are part of this consortium? Make county part of consortium? *SJO*: State grant possible? *Brookes:* Yankeetown got $25,000, which was enough. Made it aspirational not regulatory. Also private grants, right now SLR is the hot topic for funding. University of Florida connection here as well, can build on return on grant funding. Discussion of citizen-based science. Biologists blitz count of species. The smaller the entity, the more that gets done. Proposal to be developed. Mullins to work with Brookes to formulate specific next step. *Rooker:* Have contacted Lee Country to investigate cooperation with surrounding counties. *SJO*: Regional Planning Council? *Rooker:* Have contact with CHNEP. *Mullins:* Will take lead to develop options and proposal. Back on agenda in March?

- **ACTION**: Mullins will work with Brookes to develop a proposal to bring back to panel.

Captiva Plan: *Mintz:* Description of plan approval and meeting with county. Dec.17 meeting review of Dec. 8 draft. Jacob thoughtful and offered good suggestions that did not change direction of plan. Review

of Jan. 12 revision of Dec. 8 draft. *Brown:* Will this draft fly with county, or just your suggestion? *Mintz:* Between the two, acknowledges some county concerns without deleting some of those areas where it will end up being a political decision. Review of changes KG: MJ wanted a specific and enforceable document. JM: Looks like they bought leaving the long preamble in. *Mintz:* Working to move more specific LDC over time. Discussion of density wording. *Mullins:* Managing density? Will plan language allow is gather specific in the code we need? *Mintz:* Plan will reflect code. Reference it in this language. 13.1.1 Suggested no variance or deviations from code for RSC-2 zoned lots. Lots must abide by RSC requirements. Discussion of sewer capacity language and community concerns. *Walter:* Sewers to remove septic treatment solely. DM will work on language. Discussion and review.13.4.1. provides rationale for policy even if preemption from state is not changed. "and may not be rented or leased under more than one leaser at a time." *Jensen:* Exclude those licensed by the state, rather than South Seas. DM Tied to residential units, which you and Sandy do not have. *Mintz:* licensed resorts and motels? *Mullins:* Specific language used by LCPA, stay in line with that. *Mintz:* Licensed resorts, hotels and motels. 13.5.1 When planted, must be indigenous and native… *Walter:* Specific what you can't plant? *Mullins:* Indigenous, native or other non-invasive… *Koury:* Major change without public input, will impact Walsh landscaping and replacement of current vegetation. Let's see new language. Discussion. 13.5.5 adds code definition. *Brown:* More wordsmithing to do, bring back in February. *Mintz*: Will work to get draft to panel members two weeks prior to next meeting (Jan. 26 for Feb. 9 meeting). Accolades from panel members for Mintz's work on this issue.

- **ACTION**: Mintz will revise proposed Captiva Plan language based on panel discussion for review at Feb. 9 meeting.

Committee updates: *Brown:* Let's move sewer discussion to February, want t have enough time to cover all issues. Committee wants to set up meeting with Sanibel Mayor Kevin Ruane. Who is on committee? Determined that Brown, Jensen, Mullins, Mintz, Walter on committee. *Mintz:* Report on Sanibel report to City Council. Ruane and city staff happy to meet with committee. Report was prompted by last October's water quality/beach closure issue, Ruane believes county should fund feasibility study to see what's possible. Denham is city lead on water quality issues, expressed great concern about Captiva septic systems and FGUA WWTP. Suggest we set up meetings with both men. Need to look at any Sunshine Law issues with multiple panel members, that's why meetings with council members must be separate. Discussion of Sunshine interpretation. *Mullins:* Move that sewer committee be defined as a special committee of the Captiva Community Panel (Stilwell second). *Mintz*: We treated all subcommittee as fact finding only, if we change rules now will impact on their work as well. *Cunningham:* Special committee is different from fact-finding committee. Need to add category of fact-finding committee to bylaws. *Mullins:* Explanation of need for specificity. Discussion. *Brown:* Bring rest of committees up at next panel meeting. Vote 9-2 to approve (Cunningham and Mintz opposed). *Cunningham*: Not a special committee as defined in bylaws. *Mintz:* Regardless of interpretation, priority committees formed as fact-finding committees only, to bring issues back to panel for discussion and consideration. *Cunningham:* Bylaws discussion needs to include fact-finding committees. *Brown:* Discussion of committees, purpose and Sunshine issues. *Jerry McClure*: Bylaw change is complicated, look into it.

Stilwell: We funded water quality study cited by Sanibel, many were surprised at results. *Mintz:* Continued Sanibel report. FGUA explanation vs. Sanibel explanation as to April excess effluent trucked to Sanibel for treatment. Read Sanibel email on need to accept excess volume. Discussion of different interpretations. FGUA response was it was caused by somebody putting something unacceptable into system. We've gotten a lot of different responses. Sanibel is concerned about this plant, that it's not functioning properly and incapable to treating wastewater. Requested capacity report consistent with what

FGUA representative said at December meeting, but the copy I got was not signed/sealed or submitted to Florida DEP. We should ask FGUA back to address this, and find out actual capacity support. City report also mentioned that 38,000 gallons of something was spilled at FGUA plant in October. Noted leakage at FGUA plant the week before. *Jensen:* Tone from Sanibel City Council towards Captiva was harsh, but Denham apologized later. Need to find the facts. *Mullins:* Have had water quality committees for years. Looked at expanding pipes to Blind Pass. Panel killed offer to do feasibility study. Former Lee County Commissioner Bob Janes set up another meeting with Sanibel. City rebuffed any efforts to coordinate efforts with sewer connections. City has vacillated in the past, so don't make us the bad guys in this. *Walter:* Bothersome to find out about FGUA issues in this format rather than direct from them. *Brown:* Odd that FGUA would not think to report it to the panel when they were here.

Mintz: FGUA report said 38,000 gallons, we don't know level of treatment of what was released. *Mullins:* Support county funding a study on all this, we need the facts. Align with city for their clout with the county. *Cunningham:* Bring FGUA in to explain this. *Mullins:* We raised $225K to fund water quality study, results were conflicted. *Brown:* Important discussion, do you want to continue with it today? *Mintz:* Sewer committee is fact-finding, set meeting with Ruane and Denham, FGUA and Meurer if necessary. Need to hold this discussion with the full panel. Discussion. *Mintz*: Not a separate meeting of committee, bring issues back to panel. Discussion. *Mintz:* Long process, don't know city stance on the entire outcome, also concerned about development and traffic on Captiva and its impact on Sanibel. Set up meetings with Ruane and Denham, bring facts back to panel so we know what city has done and will do. Have all our discussions here. *Brown:* Looking for input to embellish memo, needs from city meetings. *Boris:* City meeting will add to document drafted by Brown? *Brown:* Yes. *Gooderham*: Suggest you set the Ruane meeting first, legislative is starting and he will be out of town. *Mullins:* Urgent matter, need to move proactively.

- **ACTION**: Set meeting with Sanibel Mayor Ruane, possibly Vice Mayor Denham. Follow up with FGUA on capacity report and explanation of overages/spills. Update Brown memo based on discussion with Ruane, plan to distribute and discuss at Feb. 9 panel meeting.

Bylaws: Defer to next meeting. **Financials**: *Cunningham*: Good to next summer fund-raising effort? *Gooderham*: Should be, will seek reimbursement from county before next meeting. Planning items next month.

Other business: *Cunningham*: Movie night next Monday at CCA. *Mullins*: CEPD meeting tomorrow at 1 p.m.

The meeting adjourned at 12:40 p.m.

-- Ken Gooderham, administrator

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Captiva Community Panel

MINUTES

Feb. 9, 2016

Attending: David Mintz, Jay Brown, Mike Boris, Rene Miville, Peter Koury, Mike Mullins, Dave Jensen, Jack Cunningham, Mike Kelly, Sandy Stilwell

Audience: ~20

The meeting convened at 9 a.m. After introductions and roll call, the Jan. 12 minutes were unanimously approved (Cunningham/Kelly).

CEPD: *Kathy Rooker*: Plenty of weather in January. On Jan. 15 we had a front from the southwest with 32 mph winds. Jan. 16-17, cold front came through with 42 mph winds and 12 foot waves. Beach has resolved itself mostly. Did a good job protecting upland property, some overwash makes beaches flatter and smoother. Some sand eroded from beach, transferred to the near shore and we hope it will come back onshore. On Jan. 23 another front from the northwest with 24 mph winds. Overall, dune and vegetation look good. Blind Pass: Study now ongoing, gauges put in pass to track tides and currents, there just over a month and now removed. Good data collected, consultants is setting calibrations and models to input data.

CFD: No one present to report.

LCSO*: Deputy Joe Caiazza:* No much to report, a lot of traffic issues. Blind Pass bridge, working on issues with fishing. Discussion of process. Lot of area checks throughout shift. High visibility a deterrent. *Mullins:* Some break-ins on Sanibel? *Cunningham:* Arrest has been made. Only one incident on Captiva, being investigated. *Mullins:* Reports passed on to DOT, not much exchange, Sgt. Mike Sawicki will pursue. *Caiazza*: Discussion of actions taken. *Mullins:* Keep one side of bridge open? Had taken issue to Sanibel, city did not want to close one side due to parking? *Caiazza*: Liability issue if you force crossing? *Brown:* Checking for undersize snook? *Caiazza*: Doing everything. Discussion on FWC rules. *Jensen:* First step to go to DOT and develop signage to spell out laws? Fishing, drinking, blocking sidewalk, poles, littering. *Mullins:* Every other bridge in county is shut down for fishing. That's what draws them here. One side for fishing other for walking is most fair, I think. *Miville:* Fond memories of fishing on a bridge, problem is with infrastructure design. Plaques to instruct what they can and can't do. *Caiazza*: Regular fishing people very receptive to suggestions. Problem is folks from mainland who don't care. Discussion. *Mullins:* Put something on a website, put up sign with QR code and address. *Jensen:* Nextdoor.com network was mentioned at the last panel meeting, I have set one up and have flyers if you interested in participating.

- **ACTION**: Jensen will investigate use of signage to encourage proper practices for fishing from Blind Pass bridge. LCSO to continue active enforcement.

Hurricane: No one present to report.

LCEC: *Rick Fuso and Tricia Dorn*: *Fuson*: Discussion of accident that took out pole at Blind Pass. Thought it was a unique incident, then happened again this year. Realized we need to do something about that. Looked at options, and we plan to underground the distribution line through the S curve and tie it in to the other underground section. Have gotten permit to do boring, working with owner to get easement through there. Construction as soon as we get everything in place. Numerous comments made in appreciation of action. *Fuson:* Described what will be done. Will still have poles going to residences there, will not affect service to rest of island. *Stilwell*: Outage two weeks ago? *Brown:* Appreciate this response, general feeling that we have a lot of outages that are very inconvenient to all. *Stilwell:* Outages and brownouts too. Have generator, but it blew that out as well. *Miville:* Island power not looped, makes

it more susceptible to outages. Is that normal? *Fuson:* Most islands such as this have radial feeds, but also have alternate feeds that can be switched in if there's a break in the main service. Additional feeders, power lines, discussion of impact pro and con. *Miville*: What's the best solution? *Fuson:* Narrow right-of-way makes it a challenge, as well as weather. In a perfect world, this is a good system from an engineering perspective, we try to keep it maintained and keep vegetation trimmed. External influences can affect power system. Discussion. *Fuson:* Ideal solution: New substation, new power line over and down as necessary, take out vegetation. *Brown:* Service on Captiva less reliable or normal? *Fuson:* When events occur, we investigate and work to develop solutions or fix problems. External components that affect a power system. We keep up with maintenance, good from an engineering viewpoint. But there are issues out here, as you know. Components can fail, we work to identify and replace them. Discussion of outages and impacts. *Fuson:* We do see what's going on, what failures occur and how to fix it. *Mullins:* In my world, measurements of success were mean time between failures and mean time to repair. Can you report to island residents, compare to other service areas such as Marco Island. See if our anecdotal experience matches your statistics. *Miville:* We're grateful for the quick response, but also no question about brownouts and issues. What can we do? *Fuson:* We do measure system reliability. Includes extended outages, we can get reports off the equipment. *Brown:* Who at LCEC do we need to speak with about this? *Fuson:* Tricia Dorn is local account rep. *Stilwell:* Intermittent outages tears up equipment r, blew my generator and coolers. *Brown:* Put together small group to reach out to LCEC for further discussion. Miville to take lead. *Cunningham:* Guessing they got the message today, let them investigate and come back to us with thoughts and solutions. Discussion.

- **ACTION**: Miville to form working group to work with LCEC on reports and reliability solutions

Captiva Plan: *Mintz*: Circulated final draft, four issues still left to decide. Have incorporated suggestions into the new draft. Page 1…added "existing densities and building heights." Page 5, added "other licensed hotels and resorts." Page 6: Tree language… canopy and buffers, use this kind of tree if you are going to do it anyway. Policy 13.1.4: Concern it could impact sewer options, "sized to limit development"… could that prevent Sanibel hookup? Sanibel will size to limit as well, they don't want to increase density and traffic either. Premature to change language that came from public workshops. Can change it down the road if necessary. *Brown:* No one wants to increase density via sewers, can address if and when it's appropriate. Gooderham: Plan application will be finally and submitted to county staff, they will review and issue a report, schedule a public hearing before the Local Planning Agency to send to the commission, then a hearing before the county commission to adopt. Public will be able to comment at both the LPA and BoCC hearings. We will schedule meetings with commissioners beforehand to update them on plan language and process. *Brown:* Have tried to be responsive to county concerns. Stilwell/Kelly motion to adopt and submit for county review, unanimous approval. Kudos to Mintz for shepherding this through.

- **ACTION**: Mintz will finalize draft, Gooderham will finish application and submit to county.

Bylaws: *Cunningham:* Intent to modify only member selection to panel. Offered handout and explanation of proposed language and amendment process. Discussion, Cunningham read statement:

> *I am proposing a change to the CCP Bylaws involving the member selection process. The current Bylaws specify five members be appointed by the CPOA, two by the CCA and four at large members be elected by the Panel. This means 64% of the total are appointed and 36% elected.*
>
> *I propose the CPOA appoint two members, the CCA appoint two members, SSR appoint one member and six at large members be elected by the Panel. This arrangement would mean 45% are appointed and 55% are elected.*

It was my intention to propose all eleven members be elected. With the Panel electing all members, a self-perpetuating Panel could result. The proposed appointment process should prevent that possibility.

I am proposing two member appointments by the CPOA because I believe one organization should not control 45% of the total membership nor that two organizations, the CPOA and CCA, should control 64% of the total. The one member appointment by SSR is because of their significant geography, population and overall influence on Captiva. These five appointments equal 45% of the total, thus the majority of the Panel would be elected.

This Bylaws change is only focused on the member selection subject. All other aspects of the Bylaws were addressed last year. The Panel should be able to review, discuss and vote on this single proposal without disrupting the committee projects now in process.

Bylaws Article Nine, Sec.1 and 2 apply to this proposal. Following discussion today, at the Mar. 8 and Apr. 12 CCP meetings, the vote should occur on Apr. 12.

CCP Bylaws Proposed Changes:

Article Two, Section 1 – Panel structure

The panel structure shall be determined according to the aforementioned Lee County agreement. The Panel shall consist of eleven (11) voting Members. The Panel shall consist of ~~five (5)~~ two (2) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc. (CCA), one (1) representative appointed by South Seas Resort (SSR) and an additional ~~four (4)~~ six (6) Members to be elected from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation.

Article Six, Section 4 – Appointment, nomination and election of Panel Members

A. Panel Member positions shall be timely filled in the manner by which they were originally appointed or elected. Those positions designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the CPOA. Those positions designated for appointment by the Captiva Civic Association (CCA) shall be filled by the CCA. The position designated for appointment by South Seas Resort (SSR) shall be filled by SSR. Those positions designated as at-large Panel positions shall be filled by the Panel pursuant to the nomination and election process set forth below. In the event of a vacancy in an existing CPOA, CCA or SSR position which has not been filled within thirty (30) days by the respective organization, the Panel may fill the vacancy by direct election upon two weeks written notice to the respective organization, as if the position was an at large Panel position. The Member elected by the Panel to fill a vacancy which was previously designated for the CPOA, CCA or SSR will serve the balance of that existing term, but upon conclusion of such term, the respective organization shall again be offered its designated position to fill.

B. At the Regular October meeting, the CPOA, the CCA, the SSR and the Panel's Nominating Committee (see Article 7, Sec. 3.B. below) shall present to the Panel its appointments and nominations for the respective Panel positions. All appointments and nominations shall be submitted to the Panel in writing with an attached resume or letter of background for each appointment or nominee. All appointments and nominations shall be made known to the public. In the event the CPOA, CCA or SSR does not submit its appointment at or by the Regular October meeting, the Panel may fill the vacancy by direct election as if the position was an at-large Panel

position for that single three (3) year term, after which it reverts back to the respective organization for its appointment. With respect to the Panel's at-large positions, the Panel shall not be bound by the recommendations of the Nominating Committee. The Panel may accept the nominations as presented, may suggest names of its own choosing, or may accept additional names from the community. Any additional nominations for the at-large positions shall be submitted to the Panel in writing with an attached resume or letter of background by the Regular November meeting-at which time all at-large nominees will be made public.

Section 5 – Attendance

It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings either in person or by telephone in a calendar year is subject to removal from the Panel at the discretion of the Panel. Any position vacated under this Section shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the~~ CCA or SSR.

Section 6, – Removal and resignations

C. A vacancy created by removal or resignation of a Panel Member shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the~~ CCA or SSR.

Brown: Proposed now and call for vote in two months? *Mullins:* Panel needs to start the clock. Discussion. *Mullins*: Need motion and second to discuss. *Brown:* Useful to get feedback? *Miville:* South Seas rep needs to be here for this discussion. *Cunningham*: Motion to present this bylaws amendment as offered for a vote in 60 days (Boris second). *Jensen:* This should have been in the agenda so the public would be aware of the proposal. *Brown:* Will be discussed at next two meetings. *Jensen:* Clock should start after community is notified. This bylaws change is more than most items. *Brown:* Feedback on this proposal? *Stilwell:* Last year's bylaws revision was enough, don't need to review every year. A lot of other work to do, meetings are getting longer and longer. Discussion about prior revisions. *Mullins:* Tired of looking at bylaws and not getting work done. *Miville:* Joined to get things done, not re-arranging the deck chairs. What is broken here? Not productive. *Boris*: Having elected members in the majority makes more sense. *Brown:* Trying to represent community, CCA resents that other organization has more representation. Panel should be renewing itself, I'm sympathetic. *Koury:* Very sympathetic. Panel now not representative due to imbalance. Would get more people involved in panel.

Mintz: Substantive discussion now? Dispute over interpretation of bylaws, needs to be addressed. Could be read either way, panel has ultimate authority to interpret bylaws. *Cunningham:* If that's interpretation, could be accommodated. *Mintz:* Not wanting to re-open wounds. Appointed to build community input and support. Only elected members could pose some problem as well, have constituencies represented on the panel so they support actions. Working well, change could be more voluntary and beneficial. Wounds staring to get buried, proceed in a positive way. *Kelly*: Not supportive. *Cunningham:* This is not the way it was supposed to work. Discussion. *Mintz:* Decide if it's sufficient, have discussion at third meeting. *Miville:* Re-opening old wounds, not productive. What is the point of doing this? Discussion. *Mintz:* Anyone has right to bring bylaws proposal to the panel for discussion. *Brown:* Just trying to get Cunningham some feedback. Discussion. *Brown*: Up to you to put it on the agenda and call a vote. *Mintz:* Concerns represent not a small minority in the community, has to be resolved at some point but is this the right time? It's Cunningham's last year on panel, it's a principle issue for him. Have it on the agenda for the next two meetings and bring it to a vote in April. Discussion. *Cunningham:* Restated motion to consider this proposal for discussion at March and April with vote at April meeting. Discussion. Vote 7-3 to approve (Mullins/Miville/Jensen opposed).

- **ACTION**: Item will be on March and April agenda, with a vote possible in April.

Sewer: *Brown:* Explanation of handout in packet. Know Sanibel position on FGUA plant, SCCF study could not tie septics to water quality. We need information on if there is an environmental rationale for sewers. Questions: Non-environmental benefits to sewer/septics. Options to establish sewer if desired. Who pays, what's the cost? Consequences of central sewer – density increases? *Mullins:* Need review of current septic systems. Downside of current systems, ways to improve maintenance. *Kelly*: Tried it several ways, county shot most of them down. *Mullins:* Is there something else we could be doing to current systems? *Mintz:* Irresponsible not to have a mechanism to regulate septics if we do not choose to pursue sewers. *Miville:* Only density issue is Rauschenberg estate. *Mullins:* Sea level rise discussion, looking at a symposium in the future. Impact of SLR on septic systems needs to be included. *Stilwell:* Rainfall and flooding as well, unusual for this time of year. Good maintenance of what we have right now is also a good conversation to have. *Miville:* Sewer project also makes it possible to bury the power lines.

Brown: Cost: Had presentation from FGUA, estimated $23,500 per household to expand FGUA plant. Establish a MSTU/MSBU for payment, estimated $1,400added to everyone's tax bill over 30 years. *Mintz:* Costs can fluctuate on a barrier island. Trying to figure out what it could cost and be very transparent with community, then develop an equitable structure to apportion costs. Discussion of Sanibel costs. *Mintz:* A lot of variables in costs possible. *Miville:* Be careful with Sanibel, could bring you in as a city through some odd law? *Brown:* Other means is connecting with Sanibel, had meeting with Sanibel Mayor Kevin Ruane and City Manager Judie Zimomra. City is highly predisposed to do this, according to Ruane. Attitude that Captiva is not environmentally concerned about this issue. Very exercised about FGUA facility. Have opinion that we are pro-density on Captiva, not interested in controlling density and house size. Concerned we'll flood Sanibel with traffic and tourists. *Mullins:* Old conception that sewers will lead to high-rises. Need regulator on size of system. Twice chaired water quality committee, had meeting during Sanibel's Wulfert expansion. Panel was asked for a feasibility study funding. Another concern about city capacity. History is city was very indifferent in the past. Discussion. *Brown:* Real disconnect here. Discussion.

Mintz: Not like they said they have capacity right now, don't have a sense of what they could handle right now. A lot of moving parts. *Brown:* Next step they recommended for us to go to Lee County and request funding for a feasibility study to connect with Sanibel. City feels the county should pay for that. Don't know what capacity city would need, this is how we could get some facts and establish what is needed and what options we have. *Stilwell:* Cost to city discussed? Options to split island sewer service between city and FGUA plant and what costs would be involved? Look at it globally? *Brown:* Not all or nothing, arrange possible scenarios. Could conclude that FGUA is a marginal facility and the entire island should feed into Sanibel. Perhaps a FGUA plant upgrade could accommodate Village, and everything else goes to Sanibel. Could do project in stages. *Boris*: Could it tell us about the adequacy of what we have now?

FGUA plant… *Brown:* City has called Feb. 25 stakeholders meeting on FGUA plant and issues for Sanibel. Discussion of who's invited. *Mintz:* Perception that septics as much a problem as FGUA plant. Discussion of misperceptions. South Seas and associations connected to FGUA plant. Sanibel has no real understanding of components inside the gate. Discussion of environmental concerns. *Mullins:* Shocked at SCCF study outcome, may need to do it more regularly if Cape Coral is contributing as much as SCCF is concerned about. *Brown:* Environmental study essential, we will probably not proceed if there is no environmental justification for removing septics. *Mintz:* More nitrogen in septics, not bacteria. Bring SCCF people back to clarify the findings of old study? *Stilwell:* That's why we put brakes on if there were no environmental concerns. *Miville:* Route Village to FGUA, see what improvements that generates.

Mintz: Sanibel very concerned about FGUA plant, still needs to be addressed whatever else gets done. They think Captiva community has turned a blind eye to what happens at the plant. Event in April, 600,000 gallons of raw sewage moved to Sanibel for treatment. Unclear if city could accept that much raw sewage if that happened again. Have gotten three explanations of what happened so far… operator

error, flows too great for system, toxic materials introduced into system. Bob Walter also sent an email, don't know if he got an answer yet. I requested clarification, have not gotten an answer either. If current flows greater than the capacity of the plant can cause the need for removal of sewage, FGUA needs to fix the plant. If the resort is planning to add units, FGUA needs to be able to address these issues. Another event in October, 38,000 gallons spilled, Sanibel tied it to beach closure two weeks later, heard it was treated water. Now on Feb. 2 FGUA had a 200 gallon leak of raw sewage at plant. We need to figure this out. FGUA permit up for renewal, should we ask Florida DEP why this is happening? Public comment period right now. Discussion of capacity: Presentation said it was 221K gpd average annual daily flow. Application says that last year flows were 275K gpd, two years it was 540K gpd – double the amount. What is peak flow? How much can they store to flatten out flow? Not certain how much FGUA said in presentation. Want this to work, Sanibel feels we have not asked the questions.

Kelly: People have asked, FGUA needs to provide answers if resort is seeking more units at a larger size. As a property owner, I'm concerned. Have had concerns about that plant for years. Years ago they did a study to see if FGUA plant could handle adding the Village, turned out it could not. Can't expand plant because of mangroves. *Brown:* They felt they could expand according to presentation. *Mullins:* I feel they pulled the wool over our heads. Go back to the county to say we need better analysis of these issues. Sanibel has a budget to handle research and analysis, we're limited as a panel to what we can undertake. *Brown:* FGUA gave us assurances they could handle the needs, now we're hearing something very different. Should the panel get involved in the SSIR/FGUA issue, or is that something that county and DEP should pursue this. *Stilwell:* If the permit is coming up for renewal, is this the time to intercede? Look at interlocal agreement with the city to handle FGUA overages? Why not anticipate demand and expand existing storage capacity? *Mintz:* Draft a letter to DEP and Lee County about concerns with FGUA plant, ask them to consider these issues. *Boris*: Draft and send it to panel, then send to county and DEP. *Brown:* Bring letter to stakeholders meeting. *Mullins:* County needs to fund feasibility study, we pay plenty and get not much. Send letter to county about who's looking out for our interests? We're getting info from Sanibel, not county…why? Brown and Mintz will attend Feb. 25 stakeholders meeting, Mintz will draft letter and circulate.

Density issue… *Brown:* How do you address concerns about sewers promoting increased densities? How much does our zoning protect us from increased density in the future? Discussion of developer pursuing increased density. Discussion of Miromar rezoning and impact on promises made to adjacent property owners. *Mullins:* What exactly is our density, how does it translate into impact, outcomes, infrastructure? If we're happy with that density, can zoning protect us from future growth? In the long term, no. Takes vigilance to maintain the status quo. Discussion of Gulf Coast Mall development. Short term, we have limits and ordinance, but anything can happen to any property. *Brown:* We have zoning in place, vast majority of community does not want to increase density. Does our zoning protect us? *Max Forgey*: A few years ago, it would be clear that county comp plan is enforceable in circuit court. Today, less true because it's easier to amend the comp plan. *Brown:* Their plan or our plan? *Forgey*: Both. Your community plan, but county adopts it in its comp plan. Discussion of Caloosahatchee Shores and River Hall situation and "overriding public necessity." East Lee County Council challenged BoCC override of plan for River Hall density hike, took it to circuit court judge. Judge found no finding of overriding public necessity. On the right day in the right court, if you have strong language in your plan you can win. Not a Dept. of Community Affairs to enforce plans and growth management any more, you have legal recourse but it's not as strong as it used to be.

Brown: So zoning protects, but BoCC can override if the circumstances allow. *Forgey*: BoCC can always amend plan. *Brown*: We would have to fight it. *Miville:* What can be added to strengthen current plan? Need to develop relationships with commissioners. *Koury:* We do not have the "overriding public need" in our plan, we need to add that. *Forgey:* Commissioners may not be a mood to add that. Attorney might object. Vigilance is still the key. *Stilwell:* Need to add that phrase, find out from county attorney what sense for approval could be. *Mullins:* Things can be done without amending plan. Never build the wall so

high they cannot make changes. We pay a lot of taxes and support campaigns, need to be vigilant and speak as a community to fight density increases and other detrimental actions. Discussion of available acreage. *Brown:* No way anything is ever going to happen on those acres, foundation does not need the money. Perception of board members. *Lisa Riordan*: Had discussion with Ann Brady, foundation's 30-year plan has no plans to change or sell anything here. Discussion. *Mintz:* Need to investigate how to protect what we have. Septics are a natural regulator, but maybe not the best way. Look at options and impacts. Sanibel is concerned about county overriding zoning controls, we need to find out what protections there are. *Mullins:* Need to look at other package plants on the island in any study.

Next steps… Brown: Meeting with Mick Denham Feb. 11, Sanibel vice mayor and water quality expert. Should learn a lot from that. Stakeholder meeting Feb. 25, Mintz and Brown will attend, will get more info from that as well. Revisit SCCF water quality study, clarify conclusions as to septic impact on environment. *Mullins:* Want a more thorough study, county should fund that. *Brown:* Need review of what they did. Then, legal input on protections from existing zoning, Mintz and Brown to discuss how to pursue. Crucial issue even beyond sewers. *Koury:* Concerned about what's happening at SSIR, expanding units increased densities. Not just more structure, more bedrooms and more people. *Jensen:* Rural zoning only consideration in overriding public necessity? Can that apply here? Discussion. *Brown:* Should we go to the county to request they pay for feasibility study? *Stilwell:* Yes, but wait until we hear from the two meetings you're attending. *Mullins:* Expand scope to include performance of current system as well as future hookups. *Jensen:* Ask with ammunition, wait until you attend these meetings. *Mullins:* Empower committee to take action based on what they hear about FGUA system. Discussion. *Mintz:* Empower committee to meet with Meurer on how to proceed.

Mullins: Motion to authorize committee to take any and all necessary steps to proceed based on the conversation today (Miville second). *Cunningham:* Are we obligated as a community to act on their findings? *Mullins:* Beyond scope of committee? *Boris*: Needs to be asked. *Brown:* Do we lose control if we ask for a study? *Gooderham*: Establishing an MSTU to pay for a system would require a vote of affected property owners to proceed, so community will have say in moving forward. *Mintz:* Question is not will we do it, but do we need to? *Brown:* Committee does not have an opinion. Discussion. *Cunningham:* Anything from these meetings that could change or be of interest to us? *Brown:* No, opening conversation not writing a letter to request study. *Cunningham:* Going to county vs. going to the community? *Mullins*: Let us do the research and create the framework to take the next step. *Brown:* Not going to initiate study without input. *Mintz:* Between now and March meeting, two meetings will be all that will happen. We can report then. *Cunningham:* Communicate with community before going to the county. *Koury:* In the last survey only 44% in favor of sewers, was that true? *Mullins:* Need to have the survey in front of us. Committee is not going to act without coming back to panel to explore the facts. Unanimous approval of motion.

- **ACTION**: Committee members will attend Feb. 11 meeting with Sanibel Vice Mayor Mick Denham. Mintz and Brown will attend Feb. 25 stakeholders meeting on Sanibel. Mintz may draft letter to county on feasibility study for panel review and discussion prior to any further action. SCCF will be contacted to see if any clarification of the water quality study can be offered related to impact of septic systems. Committee member will report back on meetings to help frame a discussion about whether the panel should play a larger role in monitoring FGUA plant's performance. Forgey and Gooderham will look at ways to quantify strength of current zoning and plan policies to protect island from density/development increases. Committee will add evaluation of current septic systems to the scope of work.

Captiva Drive: *Mintz:* Background, developer's architect Jose Gonzalez agreed to look at options for Captiva Drive from Hagerup Park to Andy Rosse Lane to improve bike/ped safety. Background on issues and need to improvements. Gonzalez did CAD study of the county survey from 2005, right of way vs. roadway vs. private property. Preliminary drawing was provided, initial thoughts were to locate walkway

south and west of Captiva Drive. We had wanted walkway on both sides and shared road use with cars, carts and bikes. Walkway on the north and east would require us to redo drainage system. Suggested a two-way walking lane on west and south side, move road to furthest point in right of way, leave drains as they are. We will measure road to determine current lane widths and see if there's any space we can use for walkway. Otherwise we will need to work with property owners to offer land and eliminate liability. *Mullins:* Road goes over private property. They were able to do that in the past. *Mintz:* Talk to people and see what's possible first. Look at design, see who we need to speak to, go to county with this as a safety issue rather than a bike/ped issue. *Mullins:* Will meet after this meeting to discuss what we're paying to the county now and what it's being spent on. *Brown:* Objective to gain leverage to get more support and services out here? *Mullins:* A number of needs, studies, panel support, services. Validate research and support county requests. Discussion.

- **ACTION**: Mintz and Gooderham will measure lanes, discuss options with Gonzalez and report back to panel.

Trolleys: *Stilwell:* Discussion about pursuing something to be supported by businesses, happy to pursue. *Mintz:* Is it in Captiva residents' interest to have trolleys run from South Seas to Tween Waters to keep people off the roads? How many people would be served, how to share the costs? Encourage people to use trolley rather than cars. *Stilwell:* Could charge someone a dollar, have restaurants reimburse. To ask restaurants to voluntarily fund it is not going to happen. Discussion. *Stilwell:* Maybe county would provide this service? Need a committee. *Mullins:* Talked about allowing prking at night at Hagerup lot, have not been able to pull that together. Trolleys could help with federal funding for beach protection. Double edged sword with increased parking capacity. *Brown:* Opportunity to determine feasibility of trolley service, SSIR to TWI likely. Someone has to own this project to pursue it. Stilwell and Deb Almeida have led this, Adventures in Paradise has provided a quote for service during lunch and dinner seven days a week running perhaps to 11 p.m.? *Mintz:* Someone besides Stilwell who wants to work on this issue? *Jensen:* Jeff Shuff just retired. *Mullins*: Willing to help, let me know scope of need. *Cunningham*: Also interested.

- **ACTION**: Stilwell will finalize committee to further investigate trolley service.

Rental issues: *Riordan*: Overbooking… meeting with rentals agents. Overbooking, over-parking, length of rental, overcrowding main issues. Royal Shell issues parking permits to renters, easier to determine if extra cars at property. Maintenance people will count heads while doing other repairs in homes. LCSO has been called for noise complaints. If renter violates contract, Royal Shell can force them out with no recourse, but they don't often do that. Rentals done by STRAP numbers, can't have two rentals in one STRAP. All agencies adhere to 7 day minimums, usually Saturday to Saturday. Concerned about BRBO rentals, some owners advertise for less than 7 days, not many because they can't get cleaning people to come out that often. Agencies could be coming in to area to manage BRBO at very low rate. Want to work with the panel on this issue. Bigger issue in summer than in season, as many people here in July as in March. Agents rely on feedback from owners and neighbors, would like a call right away. First step to address overcrowding, send letter to each homeowners about strain of overcrowding, agents would be willing to include such a letter in their packets. *Brown:* Can we set up a number that people could call to complain if policies are violated? *Riordan*: If it's noise problem, call LCSO. Will have Mike Sawicki at upcoming meeting to discuss. Difficult for a central number to work, unless it was LCSO. *Jensen:* Typically call the rental agent who handles the home. *Riordan*: Dec. 15 conversation with Ryan Block, an accommodations specialist with REMAX. They will be handling BRBO homes, charging 10% rather than usual 20%. Manages Air BnB properties on Captiva. Websites offers a range of accommodation, 17 properties currently on Captiva, all entire units and seven day minimum (except some in South Seas). *Miville*: Isn't that a good sign? Who would be that silly to surrender a big rental fee for a few days? Discussion. *Mullins:* Could be less than 7 days as long as they don't put someone in again within 7 days? Agreement. *Miville:* Not hearing the numbers, just the complaints. Discussion. *Riordan*: There's no one

neighbors can go to if it's rented BRBO. *Miville:* Is this a problem in the Village? *Riordan*: Continuous battle with noise. Discussion about rentals. *Riordan*: Will schedule another meeting, include deputy. *Mullins:* Talk to Kathy Rooker about CEPD beach postcard, worked better than a letter. *Riordan:* Agencies very eager to work on a growing problem on island, overcrowding and noise.

- **ACTION**: Committee will plan further efforts with rental agencies, looking at informational options and enforcement facilitation.

Financial: *Gooderham*: At Cunningham's request, looked at funds on hand and anticipated expenses. With county reimbursement, about $30,000 on hand. Last year you spent roughly $3,00/month, if that holds you have 10 months. Of course, you don't want to wait until last minute to send a fund-raising letter, at least a month lag time between mailing it and seeing any funds coming in. *Cunningham:* No new events. Need to look at costs for some of these efforts under way. If funding comes from the county, great. If we need to fund a specific project, we will need to consider fund-raising. Propose we do a repeat of the letter like we did last July.

Planning: *Forgey:* Monitoring Legislature for anything on short-term rentals, signage, water quality. *Stilwell:* Tourist tax redirect and use, expanding what it could be used for. *Miville:* Need commentary from business people on actual financial cost of the Lake Okeechobee releases to our community. *Mullins:* Ding Darling Society committee has studied some of this, start there for data? *Miville:* Trying to make a difference. Discussion of lake releases and impact.

The meeting adjourned at 12:30 p.m. A brief meeting of the county funding committee was held afterwards, with Mullins, Brown, Mintz, Koury, Jensen, Boris, Miville attending.

- **ACTION**: Mullins will proceed with analysis of taxes paid vs. services received, develop a list of potential project, and see what audit options for Unincorporated MSTU funds are available to better determine how that are spent on the island.

-- Ken Gooderham, administrator

Captiva Community Panel

MINUTES

March 8, 2016

Attending: Jay Brown, Peter Koury, David Mintz, Mike Mullins, Dave Jensen, Jack Cunningham, Rene Miville, Bob Walter, Mike Boris

Audience: 15

The meeting convened 9 a.m. After introductions and roll call, the Feb. 9 minutes were unanimously approved (Cunningham/Jensen).

CEPD: *Kathy Rooker*: Invite all to CEPD meeting at Tween Waters Inn at 1 p.m. Dr. Bill Stronge is presenting on methodology for apportionment and assessment for beach projects. Opportunity to learn more about how beach projects are paid for. *Miville*: Any changes in apportionment proposed? *Rooker:* Info on how's it's been done, discussion about concerns and ideas. *Miville*: Anything being proposed? *Rooker:* Not to this point.

- **ACTION**: No action

CFD: *Deputy Chief Jeff Pawul*: Thanks for attending open house last weekend, good turnout. Annual event in season. No pole at fire station to get downstairs. If you see more boats, merc drill right now in Pine Island Sound. District is replacing air packs for emergency calls, outdated after 15-20 years use. In next few months we hope. *Boris:* Sunset Captiva meeting, question arose as to where to go in the event of a storm? *Pawul*: During, as far away as possible. Off the island. Do you mean tornado? *Miville*: Could you identify structures built beyond code on the island that could be used in an emergency. Five strongest structures on island. *Walter:* Warning system? *Pawul*: County could do ID buildings, but would not recommend it. Better to shelter in place since you have little warning or time to evacuate. *Miville*: Only a few that were built monolithically, a solid pour of concrete.

- **ACTION**: No action

LCSO: Not here. *Lisa Riordan*: Librarian Ann Bradley is retiring at the end of the month. Community celebration on March 31 at Community Center 5:30 p.m., all invited.

- **ACTION**: No action

Hurricane Committee: *Doris Holzheimer*: April 13 hurricane meeting is 2 p.m. at Community Center, only one program this year, local weather person and boat security expert. Jim Bjosted from Lee Emergency Operations Center and Karen Pershing from NBC-2. Hurricane passes available after meeting. *Mullins:* Safe refuge in tornadoes? *Holzheimer*: Can ask, but not much time to go looking for shelter.

Sewer Committee: *Brown:* Background, traces back to water quality. Survey two years ago included sewers among projects to look at. *Koury:* 46% of respondents supported, but from a small response. 54% said no. *Brown:* Took that as 0% said we should not. Discussion. *Brown:* Long and complicated effort. Key factors: What would it look like… expand SSIR, work with Sanibel, some homes on system, some go north and some south. Cost? How to pay for it, any outside support? Would need a strong environmental rationale to justify cost. Economic justification over the long term, sewers vs. septic? Unintended consequence of increasing density on the island? Lot done to report on, plus issue with South

Seas plant operations. *Walter*: South Seas has nothing to do with plant, it's the FGUA plant located at South Seas. *Brown:* Background on FGUA plant.

Mintz: FGUA plant… has to operate properly to serve SSIR residents, plus how it fits into a greater picture. Two issues arose, accidents last year at plant. Sanibel concluded that cause was peak flows in excess of capacity. We inquired, heard three different explanations of issues. Could not get a straight answer, wrote letter to Florida DEP in conjunction with the plant's annual permit renewal. Met FGUA representatives at Feb. 25 stakeholder meeting on Sanibel, they offered to meet and discuss concerns. Met yesterday, we had developed 10 questions in advance. At stakeholder meeting, FUA said it was not aware of controversy and concerns, only got that with DEP letter. FGUA is public utility, hires GSG to manage plant, which in turn hired U.S. Water to maintain and operate plant. Lee County Utilities Director Pam Keyes is chair of FGUA, works for Lee County and Assistant County Manager Doug Meurer. FGUA said April event was due to toxicity. Killed off microorganisms and forced a shutdown. Died as processing plant for 10-11 days. Did not know what caused organisms to die off. Number of possibilities to speculate about. Explanation of plant process. FGUA said I never happened before at this plant, and they hope it never happens again, $100K to deal with the issue. We asked if it was a capacity problem, they said unequivocally not that issue. Provided handout of flow vs. turbidity for that period (distributed to panel and audience). *Hal Miller*: Has this ever happened at other plants they operate? *Walter:* Rare occurrence. *Mintz:* Not peak flows Max Forgey: Will they be taking samples in the future to determine cause?

Mintz: Plant has capacity to deal with resort today, and with planned expansion. 63.5% of capacity even with new units. 350,000 gallons a day possible, 165,000 gpd now. Peak flow in application was stated as 540,000 gpd, FGUA reps said it must be a typo, should have been 240,000. We asked how did Sanibel conclude it was capacity issue? Heat of the moment conclusion, misunderstanding on Sanibel's part. Can it happen again? About to put online an injection well, can handle 260,000 gpd treated effluent. If it happens again, would not transport to Sanibel but would inject into well.

- **Summary**: April event not caused by flows, 140 units will not impact capacity limits, they don't know cause of upset, had to reboot plant, new well will prevent need for trucking effluent in the future. This plant will service the resort for the future, don't we need to consider it in any future expansion plans but it should be integrated into planning. October spill, Sanibel believed it contributed to subsequent beach closure, FGUA said not possible… not big enough and was already treated water.

Mullins: Some of this information was caused by the initiative of Sanibel, need to communicate and monitor more closely. *Jensen:* You engaging the city helped more this forward as well. *Brown*: Found FGUA explanation credible. An anomaly, enough capacity to handle now and future needs. Not enough to help rest of the island deal with waste. Part of any plan but not a major element. *Boris:* How does new well help this solve problem? *Walter:* Uses aquifer to filter and purify, take substandard water through well. Not preferred, but acceptable. Only used in emergency. *Mullins:* Goes into a non-potable aquifer. *Boris:* This is more info that we've had in years. *Miller*: Data goes to DEP? *Mintz:* We can see it, FGUA says it reports at a greater level than they need to, that's what Sanibel looks at. Plant is a living organizations, and things can go wrong. *Mullins:* Highlights fragility of island. Septics inject wastewater into ground water as well, plus the other package plants. Fact that it did happen underlines need to watch out for this issue. *Mintz:* Lift stations in resort do not have generators, if power goes down sewage can't go anywhere. Work to get money for that somehow. *Mullins:* Post-Charley delays on Sanibel were due to power. *Miville*: Tesla now sells generator, 25KW giant battery, seven days of power.

Brown: Met with Sanibel Mayor Kevin Ruane and City Manager Judie Zimomra before last panel meeting. Then met with Vice Mayor Mick Denham, water quality guru for city. Attended a stakeholders meeting on Feb. 25, which includes representatives from Sanibel, DEP, FGUA, Captivans, Lee County.

Sanibel enormously concerned about water quality on islands. Also concerned with density and traffic, mangroves and environmental issues. City did not understand that Captiva shared those concerns, thought we were less concerned about water quality, density and traffic on Captiva. City see a potential threat to its environment due to what we do on Captiva. *Walter:* No dialogue between the two entities. *Brown:* After meetings, predisposition has been corrected. Genuine desire to work in partnership with Captiva to help us manage water quality and environmental issues. Specifics about city sewer system, two plants but one mothballed. 99% of island is on sewer, last properties being converted now. If we move forward, Wulfert plant could be engaged to handle Captiva capacity, could handle 125,000 gpd now. Combination of FGUA and Wulfert plant the foundation of wastewater processing planning, a starting point. Sanibel is in favor of having the county do a feasibility analysis of how we would work together on central sewer system, provided Sanibel would not have to pay for it. Helps us determine costs, etc. which we need to know to move forward. Meurer implied it was reasonable to do such a study, we have a March 29 meeting set to discuss with him on how to move forward. Have meeting, get facts, determine level of support, decide what's next.

Mintz: Sanibel trying to pressure county to fund study. Parameters need to be defined, is there enough flow and capacity options to structure, what is cost to connect, what are ways to control density, what are costs and how to share and allocate. Do we need sewers here? What's the environmental impact of septic systems? No one on this committee is committed to putting sewers here, but we're committed to getting all the facts to reach a logical conclusion. 550 units on septic here, about 300 of those systems are regulated, rest unknown and unmonitored. How well do they function in flooding? This work will take more than a matter of months. Need a solid rationale to undertake this kind of project. ??? Question about disruption of such a project. *Miville*: When Island Water Association replaced pipes, not a big deal. Isn't it the same thing? *Mullins:* Political and financial challenge here, people will have serious questions. *Koury:* Need water quality analysis to determine septic impact. SCCF study was inconclusive. Need to understand if we have a need for this.

Mike Frascati: Doesn't Dept. of Health have a plot of where systems are located? *Mullins:* No, unless they were installed during a certain time period. *Miville*: Info from Sanibel? *Brown:* Data on septic impact study archived. Density, existing zoning laws in place, as long as they hold the only question is possible use of lands devoted now to drain fields. *Forgey*: Getting tougher to fight for these rules. Tougher for neighbors to oppose actions by developers. *Jensen:* Sewer capacity could control development. *Miville*: Gordon Drive analogy, they have sewers but no high rises due to owners' political power. *Brown:* Key component of process. *Forgey*: Bonita Spring high rise project, developer lost due to political opposition. *Mintz:* Land use protection is a piece of our research, need to feel comfortable with outcome before moving forward. *Cunningham:* Look at Sanibel, has had sewers and no high rises or density issues. They have been able to control that. Once we have all the facts, how does this move forward? *Brown:* To move forward, need funding source, MSTU would need to be formed. Vote would be required, not a dictated issue. *Miller*: Like the vote before a beach project? *Mullins*: Yes. *Duke*: Cost of connection? Discussion. *Mullins:* Interest and payment options a way down the road. *Brown:* Water quality… looked at SCCF study. Conclusions could not associate septic vs sewers with increased bacteria counts. Nitrogen loads were increased nearer to septic. Rainfall increased bacteria levels, not septic. Failure to handle storm water may be a bigger issue. Meeting March 15 with SCCF, Rae Ann Wessel and Mark Thompson, to revisit study. *Mullins:* Blind Pass being open would impact study and water quality. *Miller*: How many septic systems? *Brown:* 500-600. *Jensen:* SCCF doing similar study on Sanibel right now. Discussion.

- **ACTION**: SCCF meeting on water quality March 15, Meurer meeting on study March 29. Follow up with FGUA. Update at April 12 meeting.

Bylaws: *Brown:* My thoughts included in packet. *Cunningham:* Well done. Speaking on behalf of CCA, we have no interest in controlling panel. Number of members on panel and in audience. More harmony

and a good team now. CCA could have more participation with panel and be involved in projects. Would do as much as possible to encourage CCA participation in panel activities. We have 371 members. *Walter*: How many year-round? *Cunningham:* Not a lot year-round. If you equalize panel member issue, will find more participation of CCA members. We all love Captiva, would not be here if we did not. Let's move forward and get past this hurdle. *Brown:* Not voting today, next meeting. *Koury:* What you wrote captures the whole situation. Working well but has an appearance and history problem, imbalance, fosters a situation where some don't pay much attention to the panel.. Supposed to be representative of the island, would be more so if we equalize membership. *Brown:* Appearance for some people, not for others. Want this group to be effective. *Jensen:* Group is effective now. Hard to believe this is an issue, if they came to meeting they would see how this works. If you don't come you could believe there's a problem, but if they come to see this in person they see it works. *Walter:* People believe what they want to believe, panel is extremely transparent.

Miville: Interaction with county and their perception means a lot in our effectiveness. Commissioners and staff are clear on who works with panel, and why it is effective. Selection process engages activity, nothing it broken here so if we're results oriented people can come to help. *Cunningham:* There's a different perspective. Why don't CPOA and CCA sit down and talk to better understand what's going on? *Jensen:* If people who have this perception would be part of this, why should there need to be an equalization? *Mullins:* Most of the CPOA appointees are CCA members. Glass half empty/half full issue. My perception used to be based on what people told me. Once I attended in person, I found out more about the island immediately. Discussion of history… initial work on bylaws. First two years after enacting, it was easy to amend bylaws and fix obvious problems, but nothing was done. We're about planning, not about changing bylaws all the time. Since Cunningham joined panel, we have had efforts almost every year to amend bylaws. Never going to resolve this issue, put it aside and work on the issues that matter. *???*: Anyone here you object to? *Koury:* Lack of information about CPOA who appoints panel members. CCA is transparent, don't know who CPOA is made up of? More info about membership, etc. Object is about how members are appointed, not inclusive or representative of island.

Miller: It's a perception issue. Same as sewers, if we get them we get high rises. No information will change people's minds. Look at what's been happening instead. Loss of energy when time is spent in trying to change people's perceptions. *Cunningham:* Don't understand why CPOA is unwilling to give up three seats? *Miller*: Discussion of incorporation history. Still perception lingering from that period, that CCA still wants a city. *Cunningham:* Perceptions are an issue, and hate taking this time, but this is very important to CCA. What does CPOA do – many people on this island don't know that. *Jensen:* Company analogy, people given a small share and who haven't supported work suddenly want to be handed more power. *Cunningham:* That was then, this is now. *Walter:* Dealing with semantics, CCA has representation beyond its appointed members. *???*: Does CCA have objections to what panel is doing or would like it different? *Cunningham:* More active participation possible. *Duke*: Blind Pass update? *Brown:* Will have a vote next meeting. Ask all to think about it… working great right now. Would love to have a bunch of CCA people in here participating. If changing bylaws would help this work better, great. Old points of view here. *Miville*: Everyone welcome to participate. Discussion to clarify voting process. *Gooderham*: Two-thirds approval means 8 affirmative votes (two-thirds of 11 being 7.33) needed for approval. No proxies allowed by bylaws, members can vote telephonically if a quorum of four is physically present and a majority of current members are participating in the vote. Lack of a vote equals a "no" vote.

- **ACTION**: Vote scheduled for April 12 meeting.

Captiva Drive: *Mintz:* Gooderham and I will do some measurements after this meeting. See if we have room to include a walking path in the right of way. Work with Jose Gonzalez to see what's feasible , take suggestions to the county to get it done. *Miller*: Can they clean drains as part of this? *Riordan*: Called county on flood problem on Wightman, asked them to look at drains, no action yet. *Mintz:* Replacing

drains too expensive, more effective to try to include path for walking. Discussion of storm water drainage for Andy Rosse Lane and Captiva Drive.

- **ACTION**: Hope to have update for April 12 meeting.

LCEC: *Miville*: What would it take to get more reliable service? Looking at options, will report back to panel soon. *Tricia Dorn*; Explained power pole replacement/undergrounding at S curve, with the help of homeowners and LCSO LCEC crew got done in advance. Proud to get it done faster than expected. We did send teams up here to look at service. Blinks down from January to February. Explained repairs and upgrades, salt corrosion and vegetation issues. Will have more do discuss at future meetings.

- **ACTION**: Hope to have update for future meeting.

Tax Committee: *Mullins:* Boris, Miville, Mullins met with Tax Collector Larry Hart and assistant, who were helpful on understanding Unincorporated MSTU tax. Generated $300 million over last 12 years throughout county, $10 million to12 million paid by Captiva alone is my guess. Speficially to be used for unincorporated areas – lights, sidewalks, sewers, power lines. Getting them to yes is another issue, officials need to know what we're contributing to the MSTU fund first. Koury also looking at MSTU issues, our share and what it should to pay for. *Koury:* Funds operations normally the function of a city government – planning, permits, etc. Tax assessed value $58 billion total countywide, unincorporated areas $29 billion. MSTU fund was $23 million, down in 2015. Guess we pay $1 million to $1.3 million. Does not come back to us. *Miller*: What do we pay in taxes? *Mullins:* Explanation of overall taxes. *Mintz:* We have projects already where we could use those funds. *Mullins:* Also pay about $3 million a year in bed taxes. Discussion. *Mullins:* Tell them what we need the money for, show that we have needs.

- **ACTION**: Research to continue.

Fund-raising: *Cunningham*: Letter over the summer, goal to raise $20K if possible. *Brown:* Cruise again? *Cunningham:* Let's see what we get from letter. *Boris:* Cruise did introduce people to this group. *Mullins:* Panel operations come under MSTU definitions. *Cunningham:* Advise them about our projects, we're becoming more active and will be asking them for funding. *Koury:* Want to join tax committee. Discussion. *Cunningham:* Do want to move forward with letter? General agreement, no motion necessary. *Gooderham*: Reimbursement request re-submitted to county last night for just under $4,000. Plan approval process will be covered under existing grants as a reimbursable item.

- **ACTION**: Letter will be updated and prepared for July mailing.

Planning: *Forgey*: River Hall appeal is going to governor and cabinet, not scheduled yet. Commission has not set date to discuss community planning, will let you know when they do. *Mintz:* Schedule of plan update. Gooderham: Plan update application needs to be finalized, hopefully this week. Review by staff and a variety of departments. Staff will issue report in advance of the Local Planning Agency public hearing, where recommendation on action will be made for county commission. Commission then schedules two hearings. Staff reports usually a week prior to LPA hearing, so you will see them but may not have opportunity to meet as panel beforehand. Need to see what other plans are pending, since they like to deal with them in a group. Also impacted by BoCC vacation schedule and budget hearings. Forgey and I will represent panel before LPA and BoCC, but anyone is invited to comment and statements of support in person or via email are valuable. We also schedule meetings with commissioners before hearing, to explain policies and answer questions. Also good for panel members to participate if timing allows. Discussion, Mintz encouraged to participate if possible.

- **ACTION**: Will get LPA names, finish plan application, start to determine likely schedule.

Mullins: Funding for beach project, loss of funding at the last minute due to change in definition of easements. Discussion.

David Rohn: As a dark skies proponent, was dismayed to see new lights installed at resort that shine upward. Gooderham: Dark skies policy in update, but not approved yet. Then need code language to actually implement. Sanibel took some 15 years to fully enact its dark skies ordinance.

Meeting adjourned 11:45 a.m.

-- Ken Gooderham, administrator

CPA2015-00009
2013
PACKETS

CAPTIVA COMMUNITY PANEL

Jan. 8, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Dec. 11 minutes
9:05 a.m. Captive Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker, CEPD
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Election of panel officers
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (15 minutes)
- Communications — Susan Stuart (5 minutes)
- Financial & budget— Ken Gooderham (10 minutes)
- ~~Water quality — Ken Gooderham~~
- ~~Fund-raising — Paul McCarthy~~

9:55 a.m. Sunshine Law and the panel
10:05 a.m. Panel bylaws: Update – Mike Mullins
10:10 a.m. Other business and public comment

- Confirm dates for next meeting (Feb. 12)
- Panel priorities and public involvement – all

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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Next Captiva Community Panel meeting tentatively scheduled for Feb. 12 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS:	**PROPOSED OFFICERS:**
• President:	Mike Mullins
• Vice president: Mike Mullins (elected Jan. 2012)	Susan Stuart
• Secretary: Susan Stuart (elected Jan. 2012)	Jerry McClure
• Treasurer: Mike Kelly (elected Jan. 2012)	Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Preliminary Design for a Captiva Community Plan

January 3, 2013

THE CAPTIVA COMMUNITY PANEL will conduct a community planning study with the following end-products:

1) A *Policy Plan for Captiva's Community Center (the Village)*, which will provide long-term guidance to community leaders, property owners, and other decision makers, to maintain business-residential compatibility and sustain or enhance the current business base.

2) A *Policy Plan for Landscaping*, with emphasis on the appearance of Captiva Drive, specifically including a review of the County's existing LDC provisions as they relate to the island.

3) A *Policy Plan for the Preservation of Historic Buildings and Sites*.

4) A *Review of Existing County Services to Captiva Island*, identifying specific approaches to facilitate more efficient provision of current and future services to the community, including the possibility of a 'mini-court house' approach to local government services.

The above products, enhanced by public input received in public workshops, are likely to include the following items:

- Draft *goals, objectives, policies, or guidelines* to the Lee Plan text.
- Draft *amendments to the Future Land Use Map (FLUM)* or its accompanying text, which may include new FLUM categories, reclassification of existing uses, the creation of new overlay districts, or other FLUM-related actions.
- Draft *amendments to the Lee County Land Development Code (LDC)* provisions.
- *Advisory standards or interpretations* of existing Lee Plan or LDC.
- *Inventories of existing resources*, e.g. commercial activity centers, public spaces, or historic buildings.

TIMELINE AND PRELIMINARY PROJECT DESIGN

Days 1-60

1.0 PUBLIC INPUT

DRAFT 1/3/2013

1.1 **Prepare and forward questionnaire,** distributed via Panel's website and email list, canvassing public input on the four main topics—Community Center, Landscaping, Historic Preservation, and Service Facilitation.

1.2 **Conduct three public workshops on the four main topics.** At least two of these workshops will be conducted in conjunction with a regular Panel meeting. These will be supervised by professional planners, who may use volunteer or student facilitators; appropriate county staff will be invited to participate. Breakout groups by topic (i.e. persons interested in landscaping will be assigned to their own group.) Other topics may be discussed, if time permits.

1.3 **Conduct one technical meeting with landscape professionals**.

1.4 **Issue written report** to Panel and to County staff summarizing public and professional input. (Panel will receive update at every monthly meeting.)

Days 1-150

2.0 RESOURCE INVENTORY AND REVIEW OF LITERATURE

2.1 Conduct visual inventory of Captiva Drive and other areas identified by Public Input as appropriate for enhanced landscaping. Inventory will make specific recommendations concerning the planting of native vegetation, drought-tolerant vegetation, and storm resistant vegetation, and will consider methods for the removal of noxious species.

2.2 Conduct visual inventory of the Community Center/Village area, which includes both sides of Andy Rosse Lane, identifying measure that can be taken to minimize long-term conflicts between commercial establishments, and their customers, and their residential neighbors. Identify boundaries for the Community Center area which may be incorporated into the Lee Plan.

2.3 Identify Captiva's historic sites and buildings, based upon existing literature and testimony received from Public Input.

2.4 Research the costs and benefits of services received by Captiva residents, identifying any overlaps or inefficiencies of service which might be ameliorated with consolidation.

2.5 **Issue written report** summarizing the results of items 2.1 through 2.4.

DRAFT 1/3/2013

Days 151-210

3.0 RECOMMENDED ACTIONS

3.1 **Landscaping-related amendments** to the Lee Plan if appropriate, along with appropriate amendments to the Lee County LDC.

3.2 **Community Center-related amendments** to the Lee Plan if appropriate, along with appropriate amendments to the Lee County LDC.

3.3 Historic preservation-related amendments to the Lee Plan if appropriate, along with appropriate amendments to the Lee County LDC.

3.4 **Governance-related amendments** to the Lee Plan which are determined to provide for consolidation of services or improved efficiencies, along with appropriate amendments to the Lee County Code of Ordinances or other appropriate actions.

DRAFT 1/3/2013

Captiva Community Panel
Profit & Loss YTD Comparison
January 1 - 4, 2013

	Jan 1 - 4, 13	Oct 1, '12 - Jan 4, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	100.00
Total Contributed support	0.00	100.00
Total Income	0.00	100.00
Expense		
Business expenses		
Service charge	0.00	39.45
Total Business expenses	0.00	39.45
Consulting		
Administration	1,650.00	6,600.00
Planning & coordination	0.00	2,000.00
Total Consulting	1,650.00	8,600.00
Misc expenses		
Mileage & tolls	39.30	127.56
Storage rental	0.00	95.40
Web site/computer services	200.00	800.00
Total Misc expenses	239.30	1,022.96
Non-personnel expenses		
Printing & copying	62.12	191.99
Total Non-personnel expenses	62.12	191.99
Total Expense	1,951.42	9,854.40
Net Ordinary Income	-1,951.42	-9,754.40
Net Income	**-1,951.42**	**-9,754.40**

Captiva Community Panel
Balance Sheet
As of January 4, 2013

	Jan 4, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	24,761.53
Total Checking/Savings	24,761.53
Accounts Receivable	
Accounts receivable	450.00
Total Accounts Receivable	450.00
Other Current Assets	
Undeposited Funds	100.00
Total Other Current Assets	100.00
Total Current Assets	25,311.53
TOTAL ASSETS	**25,311.53**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	35,065.93
Net Income	-9,754.40
Total Equity	25,311.53
TOTAL LIABILITIES & EQUITY	**25,311.53**

CAPTIVA COMMUNITY PANEL

Feb. 12, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Jan. 8 minutes
9:05 a.m. Captive Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker, CEPD
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Friends of Ding Darling – Birgie Vertesch, Ding Darling Wildlife Society
9:35 a.m. Committee reports (as necessary):

- Planning — Max Forgey (15 minutes)
  Review/discuss county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (4 minutes)
- ~~Water quality — Ken Gooderham~~
- Fund-raising — Paul McCarthy

9:55 a.m. Panel structure and bylaws revisions – Jack Cunningham/Jerry McClure/Cindy Brown
10:15 a.m. Other business and public comment

- Confirm dates for next meeting (March 12)

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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Next Captiva Community Panel meeting tentatively scheduled for March 12 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

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CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of February 8, 2013

	Feb 8, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	20,431.68
Total Checking/Savings	20,431.68
Total Current Assets	20,431.68
TOTAL ASSETS	**20,431.68**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-14,184.25
Total Equity	20,431.68
TOTAL LIABILITIES & EQUITY	**20,431.68**

Captiva Community Panel
Profit & Loss YTD Comparison
February 1 - 8, 2013

	Feb 1 - 8, 13	Oct 1, '12 - Feb 8, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	100.00
Total Contributed support	0.00	100.00
Total Income	0.00	100.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Service charge	0.00	46.45
Taxes - other	61.25	61.25
Total Business expenses	61.25	117.70
Consulting		
Administration	1,650.00	8,250.00
Planning & coordination	0.00	4,000.00
Total Consulting	1,650.00	12,250.00
Misc expenses		
Advertising expenses	128.80	128.80
Mileage & tolls	39.30	166.86
Storage rental	0.00	95.40
Web site/computer services	200.00	1,000.00
Total Misc expenses	368.10	1,391.06
Non-personnel expenses		
Printing & copying	33.50	225.49
Total Non-personnel expenses	33.50	225.49
Other personnel expenses		
Accounting fees	300.00	300.00
Total Other personnel expenses	300.00	300.00
Total Expense	2,412.85	14,284.25
Net Ordinary Income	-2,412.85	-14,184.25
Net Income	**-2,412.85**	**-14,184.25**

CCP Member Nomination Process

The subcommittee of the Bylaws Committee recommends a change in the process of how CCP members are currently chosen. This should be on the February meeting agenda with the intent of getting panel members input and a concurrence on how we should proceed.

Please see the attached proposal for your consideration. If approved by the CCP this system would commence with the 2014 appointments based on the continuation of the existing staggered terms.

Subject: CCP Member Appointment Process 1/16/2013

The objective is to have a nominating committee (NC) propose all CCP members. The CCP membership should be representative of the broader Captiva Island community.

Role of the Nominating Committee

The nominating committee is charged to propose a prospective member or members to the panel when there is a vacancy on the panel. No member (s) shall be proposed unless approved by the nominating committee. In addition, new member orientation and training will be conducted.

The following is a possible method for selecting NC members:

1) Five Captiva organizations (Board of Directors) will appoint a person (not currently on the CCP) to the nominating committee.
2) The five organizations are:
    a. CPOA
    b. CCP
    c. CCA
    d. South Seas Resort
    e. Captiva business representative
3) Each NC member will designate one or more applicants to apply for the open CCP position(s).
4) The NC will interview the applicants plus any individual applicants and propose the applicant(s) to the panel to fill the CCP opening(s).

Considerations:

1) NC members are appointed for a two year, staggered term. 3 members are appointed for 1 year only on the first round of appointments, 2 members are appointed for 2 years and thereafter the two year terms are staggered.

2) A member of the NC can also be an applicant for the CCP but will be recused from voting for the proposed new CCP member(s) position.

3) The NC will select their chairman.

4) Individuals may apply to the Nominating Committee for consideration.

5) Prospective CCP members must either be a Captiva resident, property owner, business owner or a full time employee working on Captiva Island.

CAPTIVA COMMUNITY PANEL

March 12, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Feb. 12 minutes
9:05 a.m. Captive Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker, CEPD
9:15 a.m. LCSO update – Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. CCA's Community Center renovations plans – Jack Cunningham
9:40 a.m. Historic preservation – Gloria Sajgo, Lee County planner
10 a.m. Committee reports (as necessary):

- Planning — Max Forgey (3 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- ~~Water quality — Ken Gooderham~~
- Fund-raising — Paul McCarthy & Robert Baugh (Monday After The Masters 4/15)

10:15 a.m. Panel structure and bylaws revisions – Jack Cunningham/Jerry McClure/Cindy Brown
10:30 a.m. Other business and public comment

- Confirm dates for next meeting (April 9)

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of March 11, 2013

	Mar 11, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	17,319.38
Total Checking/Savings	17,319.38
Total Current Assets	17,319.38
TOTAL ASSETS	**17,319.38**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-17,296.55
Total Equity	17,319.38
TOTAL LIABILITIES & EQUITY	**17,319.38**

Captiva Community Panel
Profit & Loss YTD Comparison
March 1 - 11, 2013

	Mar 1 - 11, 13	Oct 1, '12 - Mar 11, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	100.00
Total Contributed support	0.00	100.00
Total Income	0.00	100.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Service charge	0.00	53.45
Taxes - other	61.25	122.50
Total Business expenses	61.25	185.95
Consulting		
Administration	1,650.00	9,900.00
Planning & coordination	1,000.00	5,000.00
Total Consulting	2,650.00	14,900.00
Misc expenses		
Advertising expenses	128.80	257.60
Mileage & tolls	39.90	206.76
Storage rental	0.00	95.40
Web site/computer services	200.00	1,200.00
Total Misc expenses	368.70	1,759.76
Non-personnel expenses		
Postage, shipping, delivery	5.60	5.60
Printing & copying	19.75	245.24
Total Non-personnel expenses	25.35	250.84
Other personnel expenses		
Accounting fees	0.00	300.00
Total Other personnel expenses	0.00	300.00
Total Expense	3,105.30	17,396.55
Net Ordinary Income	-3,105.30	-17,296.55
Net Income	**-3,105.30**	**-17,296.55**

CAPTIVA COMMUNITY PANEL

April 9, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of March 12 minutes
9:05 a.m. Captive Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker, CEPD
9:15 a.m. LCSO update – Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (15 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- ~~Water quality — Ken Gooderham~~
- Fund-raising — Paul McCarthy & Mike Mullins (Monday After The Masters 4/15) (5 minutes)

9:50 a.m. Proposed changes in bylaws and panel structure – Jerry McClure
10:10 a.m. Other business and public comment

- Confirm dates for next meeting (May 7)

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for May 7 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

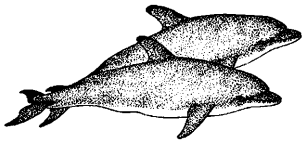
At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of April 8, 2013

	Apr 8, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	13,741.36
Total Checking/Savings	13,741.36
Accounts Receivable	
Accounts receivable	15,400.00
Total Accounts Receivable	15,400.00
Total Current Assets	29,141.36
TOTAL ASSETS	**29,141.36**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-5,474.57
Total Equity	29,141.36
TOTAL LIABILITIES & EQUITY	**29,141.36**

Captiva Community Panel
Profit & Loss YTD Comparison
April 1 - 8, 2013

	Apr 1 - 8, 13	Oct 1, '12 - Apr 8, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	6,900.00	15,800.00
Total Contributed support	6,900.00	15,800.00
Total Income	6,900.00	15,800.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Processing charges	0.00	10.65
Service charge	0.00	92.90
Taxes - other	0.00	122.50
Total Business expenses	0.00	236.05
Consulting		
Administration	1,650.00	11,550.00
Planning & coordination	0.00	6,000.00
Total Consulting	1,650.00	17,550.00
Misc expenses		
Advertising expenses	0.00	257.60
Insurance - non-employee	0.00	920.00
Mileage & tolls	39.90	246.66
Storage rental	0.00	95.40
Web site/computer services	200.00	1,400.00
Total Misc expenses	239.90	2,919.66
Non-personnel expenses		
Postage, shipping, delivery	0.00	5.60
Printing & copying	18.02	263.26
Total Non-personnel expenses	18.02	268.86
Other personnel expenses		
Accounting fees	0.00	300.00
Total Other personnel expenses	0.00	300.00
Total Expense	1,907.92	21,274.57
Net Ordinary Income	4,992.08	-5,474.57
Net Income	**4,992.08**	**-5,474.57**



CAPTIVA COMMUNITY PANEL

Monday after the Masters

A Golf Event and Community Sunset Celebration

…to fund the initiatives of the Captiva Community Panel

The Captiva Course, South Seas Island Resort

April 15, 2013; 3p.m. Shotgun Start

Golf Event Registration

(Please select an option)

□ **Hospitality Tent plus Foursome** **$1,000**

Foursome: _____

_____

Team Name: _____

Hospitality Tent (Name): _____

□ **Foursome Only** **$600**

Foursome: _____

_____

Team Name: _____

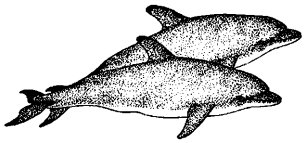
□ **Hospitality Tent Only (Name): _____** **$500**

(10' x 10' tent includes food tray, water and soft drinks for up to 6 people)
All tents will surround the 9th green.

□ **Tee Sponsorship: (Name): _____** **$300**

□ **I'd like to help by donating**

□ **$100** □ **$200** □ **$500** □ **$1,000**



CAPTIVA COMMUNITY PANEL

Registration Information

Name: _____

Address: _____

Phone: _____

Email: _____

☐ Check is enclosed** (Please make checks payable to Captiva Community Panel)

☐ Please charge the Credit Card provided below

Card Type _____ Card # _____ Expiration _____

CVV code _____

Billing Address (if different from above)

_____

☐ Please contact me for payment

Please email completed registration form to dsmock@luxuryresorts.com, or mail it with your check to Captiva Community Panel, P.O. Box 72, Captiva, FL 33924.

* See your tax professional on eligibility.
** Please consider paying with check, as it will help eliminate credit card processing fees

The Captiva Community Panel exists to serve Captiva by maintaining the historic pattern of development on this barrier island. Such historical growth has consisted of unobtrusive, low-density residential use coupled with limited commercial development and vehicular traffic. Sensitive to such common concerns, Captiva community planning is to be maintained in consideration of an environment consisting of clean offshore waters, diverse and healthy marine life and robust native vegetation.

For additional information call 239-472-7565
or email captivacommunitypanel@gmail.com

Changes in the BY-Laws to modify the process of nominating Panel members

Page 7: Section 3 of Article V: Change “Nominations Committee” with “Nominating Committee (NC)”

Page 9: Section 3 of Article VI : delete “ as well as whether the seat is an at large seat, appointed by the CCA or by the CPOA.”

Page 9: Section 4 of Article VI : Delete in its entirety and replace with the following:

Nominees to fill vacancies on the Panel shall be nominated by the Nominating Committee (NC), Article VII 3B

Page 11: Section 3B of Article VII : Delete in its entirety and replace with the following:

The Nominating Committee (NC) shall be comprised of five(5) members appointed by the Panel by the Regular May meeting. Three (3) NC members will be appointed for the first year for a one(1) year term and two (2) members appointed for a two (2) year term. Annually by the Regular May meeting thereafter, NC members will be appointed by the Panel for two (2) year terms. If required the Panel will appoint a replacement member to complete a departing member’s current term.

One (1) member of the NC shall be a sitting member of the Panel. At its first meeting the NC will select its own chairperson. NC members must either be a Captiva Resident, property owner, active Captiva business owner or a full time employee working on Captiva Island.

By the Regular October meeting the NC shall present its nominations for new Panel members. In the case of replacing a Panel member who is departing the NC will present a nomination of a replacement Panel member to complete the term.

The Panel shall not be bound by the slate of nominees or any specific nominee presented by the NC. In that case the NC will submit a new slate or individual(s). Nominees shall be voted upon by the Regular December meeting.

The NC shall at all times operate pursuant to, and in accordance with terms, obligations, qualifications and requirements of these Bylaws.

Page 12: Section 5 of Article VII : Change title from “Committee Members” to Committee Members of all standing committees except the Nominating Committee (NC)”

Page 12: Section 5A of Article VII : Delete “ Nominating Committee and all other”

CAPTIVA COMMUNITY PANEL

May 7, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of April 9 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. LCSO update — Deputy Mike Sawicki
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Committee reports (as necessary):

- Planning — Max Forgey (10 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- ~~Water quality — Ken Gooderham~~
- Fund-raising — Paul McCarthy & Mike Mullins (Monday After The Masters 4/15) (5 minutes)

9:40 a.m. Proposed changes in county's Future Land Use Map and LDC — Matt Noble
10:00 a.m. Attending panel meetings by teleconference — David Rohn
10:10 a.m. Other business and public comment

- Confirm dates for next meeting (June 11)

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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Next Captiva Community Panel meeting tentatively scheduled for June 11 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

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2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
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Captiva Community Panel
Balance Sheet
As of May 3, 2013

	May 3, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	30,309.40
Total Checking/Savings	30,309.40
Accounts Receivable	
Accounts receivable	5,350.00
Total Accounts Receivable	5,350.00
Total Current Assets	35,659.40
TOTAL ASSETS	**35,659.40**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	1,043.47
Total Equity	35,659.40
TOTAL LIABILITIES & EQUITY	**35,659.40**

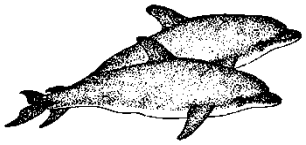
Captiva Community Panel
Profit & Loss YTD Comparison
May 1 - 3, 2013

	May 1 - 3, 13	Oct 1, '12 - May 3, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	26,100.00
Total Contributed support	0.00	26,100.00
Total Income	0.00	26,100.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Processing charges	0.00	260.20
Service charge	0.00	99.90
Taxes - other	0.00	122.50
Total Business expenses	0.00	492.60
Consulting		
Administration	1,650.00	13,200.00
Planning & coordination	1,000.00	7,000.00
Total Consulting	2,650.00	20,200.00
Misc expenses		
Advertising expenses	316.00	573.60
Insurance - non-employee	0.00	920.00
Mileage & tolls	86.58	333.24
Storage rental	0.00	95.40
Web site/computer services	439.02	1,839.02
Total Misc expenses	841.60	3,761.26
Non-personnel expenses		
Postage, shipping, delivery	0.00	5.60
Printing & copying	33.81	297.07
Total Non-personnel expenses	33.81	302.67
Other personnel expenses		
Accounting fees	0.00	300.00
Total Other personnel expenses	0.00	300.00
Total Expense	3,525.41	25,056.53
Net Ordinary Income	-3,525.41	1,043.47
Net Income	**-3,525.41**	**1,043.47**

Land Use Categories	Densities and Intensities			
	Residential Densities and Intensities			Commercial Intensities (Maximum FAR)
	Base	Standard	Incentive	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood[1,2]	4 DU/Ac.	8 DU/Ac.	16 DU/Ac.	1.00
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural[3]		1 DU/Ac.		
Rural Community Preserve		1 DU/Ac.		
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		
Open Lands[4]		1 DU / 10 Ac.	1 DU / 5 Ac.	
Density Reduction/ Groundwater Resource[5]		1 DU / 10 Ac.		
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 20 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			

Clarifications and Exceptions:

1. Within the Urban Neighborhood land use category in Pine Island Center, rezonings that will allow in excess of 2 dwelling units per gross acre must "acquire" the density above 2 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Costal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.
3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.



CAPTIVA COMMUNITY PANEL
P.O. Box 72 ■ Captiva FL 33924

Planning Grant Application

Lee County Dept. of Community Development
Division of Planning

April 25, 2013

Intent

This is a request from the Captiva Community Panel (with panel sponsor Captiva Island Property Owners Association Inc. [CPOA]) for a $50,000 from Lee County to reimburse CPOA for out-of-pocket expenses for consultants, advertising and other eligible costs as specified in Administrative Code 13-3, to undertake a community planning effort as outlined below and in the attached exhibits. Specifically, this effort will engage the community on specified and to-be-determined topics to update the Captiva portion of the Lee Plan a decade after the initial Captiva Plan elements were amended to the county plan.

Project description

This effort will use a professional planner and staff to engage the Captiva Island community (residents, property owners, business owners, employers/employees, renters and other interested parties) on land use and zoning matters affecting the island as specified below and in the attached documents – and as arise from public input during this process – to draft or amend Lee Plan language for review, transmittal and adoption by the Lee County Board of County Commissioners. Secondarily, this process may gather information for future planning efforts necessary to implement current and proposed Lee Plan language; actual language will not be promulgated during this process, however.

Why is this project needed?

First, after a decade in place, there are areas of the existing Captiva Plan (the Captiva portion of the Lee Plan) that need to be revisited with community input to determine what (if any) changes might be driven due to public input.

Second, in the course of extensive community input, discussion and surveys resulting from the panel's work in the past 2-3 years, a number of potential topics have been brought to the panel's attention by the public that may warrant new or amended Lee Plan language. This work has included both Land Development Code amendments, Lee Plan amendments for building height, soliciting input to draft a revised vision statement for Captiva in the Lee Plan, and general public input during the panel's regular monthly meetings.

Study area

The area is the island of Captiva, with physical boundaries as shown below:

In-kind and other contributions

In support of this county grant, the Captiva Community Panel anticipates the following:

- The panel will pay for the eligible services outlined in this scope of work and submit expenses to the county for reimbursement; we anticipate these requests to be quarterly unless extraordinary expenses arise.

- The panel will fund professional support services by its professional consultants for this effort as necessary, to cover items essential to this effort but outside the scope as outlined here and permitted by county administrative code.

- Panel members serve as unpaid volunteers, so all of their time spent on this effort will be in-kind. With the expected schedule of regular and special meetings to solicit public input and develop consensus over draft and final proposals, we expect the time devoted by these members to be considerable.

About the panel

The Captiva Community Panel was formed by the Captiva Island Property Owners Association by contract with Lee County in January 2002. The association serves as the sponsor for the panel operations, and is a Florida not-for-profit corporation with a 501c3 tax-exempt determination from the Internal Revenue Service dated Feb. 28, 2007.

Previous planning agreements between Lee County and the panel are:

- Approved by Lee County BoCC Jan. 8, 2002 (revised Sept. 23,2003) — $25,000 requested, $25,000 reimbursed for Captiva-specific Lee Plan amendments
- Approved by Lee County BoCC April 26, 2006 (LU-06-04-2090.A.4.f) — $25,000 requested, $8,219.06 reimbursed ($5,219.06 for a Captiva-specific Lee Plan amendments; $3,000 for LDC work to date of request). **NOTE**: The initial funding request was made in 2006 but reimbursement was not sought until much later – at which point the funding had been reallocated to other projects. The county reimbursed what expenses could be justified, and encouraged the panel to apply for a new grant for funding of LDC amendments exclusively.
- Community planning funding totaling $30,000 under contract #5117. Approved by Lee County BoCC January 2010, disbursed March and July 2010.

Panel members

The current members of the Captiva Community Panel are:

- Mike Mullins, president
- Jack Cunningham
- David Rohn
- Sandy Stilwell
- Susan Stuart
- Paul McCarthy
- Robert Baugh
- Jerry McClure
- Michael Kelly
- Jay Brown

In general, the Captiva Community Panel meets on the second Tuesday of every month in the Cone Rooms at Chadwicks Square, South Seas Island Resort, Captiva, beginning at 9 a.m. minutes are online at www.captivacommunitypanel.com, and tapes of minutes are available.

Contact information

Panel planner: Max Forgey
Forgey Planning Services
P.O. Box 101365, Cape Coral FL 33910-1365
Cell: 239-560-5864 / email: hoosiermax@aol.com

Panel administrator: Ken Gooderham
Gooderham & Associates Inc.
5460 Beaujolais Lane, Fort Myers, FL 33919-2704
Office: 239-489-2616 / email: kengooderham@comcast.net

Panel website: www.captivacommunitypanel.com

The grant contract will be with the panel sponsor and legal entity:
Captiva Island Property Owners Association Inc.
Susan Stuart, president
P.O. Box 72, Captiva, FL 33924-0072
FEIN 65-1042957

We anticipate expenditures/reimbursements will track the deliverables as follows:

1.0 Public input -- $15,000
2.0 Resource inventory -- $2,000
3.0 Prepare draft recommended actions -- $26,000
4.0 Professional support to adoption -- $6,000

The panel will bill Lee County quarterly for reimbursable expenses starting in October 2013, and will show accomplishments and percentage completion by timeline/deliverables with supplemental reports as necessary to more thoroughly explain expenses.

Attachments

- Exhibit A: Scope of work and schedule of deliverables
- Exhibit B: Panel chronology

— Exhibit A —

Scope of work and schedule of deliverables

Revisions to Captiva Community Plan
April 18, 2013

The Captiva Community Panel will conduct a community planning study with the following end-products:

1) *An update to the Community Plan for Captiva Island*. The Panel will review the existing Community Plan as a whole to ensure that it reflects the vision and goals of the community over the next 25 years, incorporating significant changes in the community since its original adoption.

2) *A review of economic and demographic changes* which have impacted Captiva Island since the adoption of the existing Captiva Community Plan with special attention to the results of the 2010 US Census. The Panel will also consider other data sources, including general revenues, special taxation district revenues, and tourist tax revenues, to gauge the island's economic health and draw conclusions about its long term future.

3) *Proposed amendments to the Lee Plan*, as identified by local residents and business owners. The Panel will exclude no possible topics in advance of the surveys and public workshops referred to in items 1.1 and 1.2 below and will actively encourage the public to identify topics for consideration. Nevertheless, the Panel acknowledges that its ongoing public meetings and outreach efforts over the past four years have already identified some topics which are the subject of widespread public interest and are likely to be explored further in surveys and discussed at length in the workshops. These topics, which the Panel anticipates will appear in some form in the Community Plan document, and which may be further reflected in proposed amendments to the Lee Plan, include:

(a) *Landscaping*, with emphasis on the appearance of Captiva Drive. The Panel will encourage input from members of the public, the landscape industry, environmental interests, and public safety specialists to articulate a strategy for Captiva vegetation planning that avoids harm to our local environment, encourages compatible plant use (especially natives and non-exotics), slows runoff and conserves water and other natural resources. It is not the intent of the Panel to compose language for the Lee County Land Development Code as part of this scope of

work, but the Panel proposes to take advantage of the opportunity for public participation process, and the synergy of other topics — e.g. land uses in the Village — to identify possible landscaping strategies, as well as to review existing Plan language pertaining to landscaping. The landscaping planning will focus on both public and private properties along the Captiva Drive corridor which, due its limited footprint and multiple (and sometimes conflicting) uses for driving, biking, walking, overhead and underground utilities, faces some constraints as to what can be achieved. By integrating the desires and direction of landscaping on adjacent private properties, we hope to help foster a unified landscape buffer for the corridor that reflects both community wishes, corridor constraints and public safety needs.

(b) *Preservation of historic buildings and sites*. Captiva residents and business owners have expressed an interest in exploring how to recognize the island's historic and prehistoric resources while providing flexibility to property owners in the use of their land. The Panel will avail itself of educational resources including Lee County government specialists, Florida Department of State officials, and entities such as the National Trust for Historic Preservation and not-for-profit organizations which are involved in preservation and adaptive reuse of historic lands and buildings to identify any additions or amendments to the Lee Plan that would further any preservation goals developed by consensus in the community.

(c) *Lighting*. This topic has also been identified at Panel meetings. Here again, residents appear to be concerned with a dynamic balance — enough for public safety concerns (both bike/ped safety and identification of properties by first responders), but avoiding inappropriate lighting that has environmental impacts (e.g. to sea turtles) and can detract from the island's image as a natural refuge.

(d) *A review of existing county services to Captiva Island*, addressing needs as identified by the community and specific approaches to facilitate more efficient provision of those targeted current and future services to the community as feasible.

(e) *Land uses in the Village.* Captiva's mixed use district includes the commercial and residential properties in the Village area (as shown on the adjacent map), both of which have historic and legal standing. The Panel anticipates that the Community Plan will include provisions which will maintain a dynamic balance between both historic and permitted business and residential

interests, identifying approaches and techniques to analyze and resolve potential conflicts between competing uses due to physical and platted-land constraints.

(f) *Pedestrian/bicycle safety*. This topic has been frequently identified by local residents at Panel meetings. The Panel will review existing right-of-way constraints and options facing the island (islandwide, but focusing on the Village where the interaction between bike/ped and vehicular traffic is concentrated), considering ways to engage planning activities to deal with conflicting issues and enhance bike/ped safety and review any other Lee Plan additions or amendments that could foster changes sought by the community in bicycle/pedestrian safety.

The above products, enhanced by public input received in public workshops, will include the following items:

- Draft goals, objectives, policies, or guidelines to the Lee Plan text.
- Draft amendments to the Future Land Use Map (FLUM) or its accompanying text, which may include new FLUM categories, reclassification of existing uses, the creation of new overlay districts, or other FLUM-related actions.
- Advisory standards or interpretations of existing Lee Plan or LDC that could be enacted outside the scope of this specific grant.
- Inventories of existing resources, e.g. commercial activity centers, public spaces, or historic buildings, public safety including fire, law enforcement, EMS, drainage and erosion.

Timeline and preliminary project design

1.0 PUBLIC INPUT

Description:

1.1 **Prepare and forward community survey** distributed via Panel's website and email list, canvassing public input on topics of general interest to be identified in advance of the first public meeting by the Panel.

1.2 **Conduct at least three public workshops.** At least two of these workshops will be conducted in conjunction with a regular Panel meeting. These will be supervised by professional planners, who may use volunteer or student facilitators; appropriate county staff will be invited to participate. Breakout groups will be assigned to their topics of interest. *Additional workshops may be conducted if requested by the Captiva Community Panel or the community, and may extend into the month of March 2014. These will be conducted by the Panel's professional consultants.*

1.3 **Conduct one technical meeting with landscape professionals**. This will be scheduled in the fall to allow for a high level of participation during the landscape industry's off-peak season.

1.4 **Prepare written report** to Panel and to county staff summarizing public and professional input. (Panel will receive update at every monthly meeting with copy to staff.)

1.5 **Ongoing inputs from public**. The Panel will continue to engage the public and receive public comment after the workshops have been conducted, and will advise their professional staff of inputs received from the public which, in the Panel's opinion, merit consideration and inclusion in upcoming reports and products. Professional staff will be responsible for advising consultants of these items.

Components

- Develop electronic survey and data collection process
- Schedule public workshops, arrange facilitators as necessary, follow up as necessary to clarify or refine input
- Schedule technical meetings, identify key professional/private stakeholders; follow up as necessary to clarify or refine input.
- Use regular panel meetings both to report progress and solicit input on an ongoing basis (important in a transient residency community such as Captiva).
- Solicit and capture other input as received from other sources.

Deliverables

Ongoing and a final summary report of public input from surveys, public workshops, technical meetings and other sources.

Time frame

Throughout the life of the project with research to commence in late summer 2013, meetings to commence in fall-winter 2014 (to capture input during the high-occupancy season), follow up and reports throughout and input to (and through) the transmittal phase to adoption.

Cost:

$15,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

2.0 RESOURCE INVENTORY

Description:

2.1 **Update of economic and demographic data**. Review and analyze the results of the 2010 US Census and other data resources, including tax receipts, as they relate to Captiva's economy and population.

2.2 **Conduct visual inventory of the Village area,** identifying measures that can be taken to minimize long-term conflicts between commercial establishments and their customers, and their residential neighbors. Identify formal boundaries for the Village area which may need to be incorporated into the Lee Plan.

2.3 **Identify Captiva's historic sites and buildings**, based upon the Florida Department of State inventory and testimony received from Public Input. Working with Lee County staff, define and inventory historic properties and identify appropriate options for their preservation.

2.4 **Issue written reports** summarizing the results of items 2.1 through 2.3.

Components

- Identify economic/demographic databases pertinent to study.
- Analyze and prepare an executive summary of pertinent data for panel and community review.
- Develop Village inventory matrix for proposed analysis
- Using state/county criteria, develop historic site/building database, including coordination with Captiva Historical Society as appropriate.
- Summarize historic designation options and impacts for community and panel review.

Deliverables

- Executive summary of island economic/demographic data.
- Inventory of Village elements and formal boundary description.
- Summary of historic sites/buildings (map, photo and brief description).
- Executive summary of historic preservation options and impacts.

Time frame

The bulk of this work can likely be accomplished early in the project timeline (Q3-4 2013) so it is available in time for public workshops if possible. Final reports may need to wait until majority of public input effort is complete to reflect any issues generated during that process.

Cost

$2,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

3.0 PREPARE DRAFT RECOMMENDED ACTIONS

Description

3.1 **Landscaping-related amendments** to the Lee Plan as they relate to Captiva Island

3.2 **Village-related amendments** to the Lee Plan as they relate to Captiva Island.

3.3 **Historic preservation-related amendments** to the Lee Plan as they relate to Captiva Island.

3.5 **Additional amendments to Lee Plan** as identified in the community workshops.

Components

- Compile and distill public and professional input. This phase also includes research into planning and legal issues that might influence eventual language.
- Draft initial Lee Plan amendment language for panel/public discussion. This will include schedule public meetings (beyond the monthly Panel meeting) if necessary with island stakeholders for a more focused review of issues and proposed solution.
- Revise draft language to hone language based on community feedback.
- Review draft language with appropriate county staff and incorporate any issues or concerns into a final review by panel and public.
- Prepare the necessary Lee Plan applications and documentations for delivery to county staff.
- Follow up as necessary to initiate formal review period.

Deliverables

- Report on public/professional input for panel review.
- Draft Lee Plan amendment language as driven by panel/public input.
- Revised Lee Plan language for informal county review.
- Final Lee Plan application and documentation for formal county review.

Time frame

Public input report would be developed once the majority of the formal public input effort (survey and meetings) was complete, as content would be based on the input – probably Q2 2014. Draft language would be developed in late Q2 2014, with revisions during Q3 2014 if the target date for submission is Sept. 30, 2014. If that deadline is eliminated as the result of a change in county rules, the panel may opt to

push final review of proposed amendment language to early Q4 2014 to allow for more public participation as islanders return for the winter season.

Cost
$26,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

4.0 PROFESSIONAL SUPPORT TO ADOPTION

Description

The Captiva Community Panel will provide professional support to county staff as needed through the transmittal and adoption phases of the Lee Plan amendments, including review by the Local Planning Agency (LPA) and the Board of County Commissioners (BoCC), and review by the appropriate state agencies. The following actions will be performed by the Panel's professional consultants, who will be responsible for working with county staff and with the BoCC to resolve outstanding issues:

4.1 **Presentation** at the Lee County Local Planning Agency (LPA) public hearing(s). This will include any negotiations necessary with county staff in advance of the LPA packet for the hearing.

4.2 **Presentation** at the Lee County Board of County Commissioners (BoCC) transmittal hearing(s). This will include any negotiations necessary with county staff in advance of the BoCC packet for the hearing.

4.3 **State review**. Panel consultants will participate as necessary with preparation of the packet for state review and in negotiations with the Florida Department of Economic Opportunity (DEO) in cooperation with county staff on the Panel's if necessary to achieve resolution of state-level issues.

4.4 **Presentation** at the Lee County Board of County Commissioners (BoCC) adoption hearing**.** This will include any negotiations necessary with county staff in advance of the BoCC packet for the hearing.

Components

- Presentations as noted above.
- Panel consultant support as noted above.
- Public and panel input as desired to individual commissioners and at the various public hearings.
- Transmitted and final adopted Lee Plan language.

Deliverables

- Presentations as noted above.
- Transmitted and final adopted Lee Plan language.

Time frame
If the county maintains the Sept. 30 deadline for Lee Plan amendment applications, the presentations and consultant support will follow in Q4 2014 and Q1 2015, depending on the final schedule for the various public hearings (which often is influenced by other Lee Plan amendments and other unrelated government operations).

Cost
$6,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

— EXHIBIT B —

Captiva Community Panel chronology

2000

- **August**: Captiva Island Property Owners Association (CPOA) is formed as a Florida not-for-profit corporation and a 501c4 nonprofit.
- **October**: CPOA requests seed money for community planning from Lee County. Request approved by Board of County Commissioners (BoCC); delayed pending development of language governing community planning panels countywide.
- **November**: CPOA hires David Depew (Morris-Depew & Associates Inc.) to provide planning services to develop a Captiva community plan.

2001

- **June**: Lee County adopts Administrative Code 13-3, "Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BOCC."
- **September**: Following numerous community meetings and an islandwide survey, Depew submits the first Captiva Plan encompassing 16 policies for review and adoption by Lee County.

2002

- **January:** BoCC approves first agreement with CPOA for $25,000 to fund Captiva Community Panel.
- **February:** Captiva Community Panel holds first meeting.
- **April:** At its second public hearing on the Captiva Plan, the Lee County Local Planning Agency approves 12 policies to be review for transmittal by the BoCC.
- **September:** BoCC votes to transmit Captiva Plan for state review.

2003

- **January:** The first Captiva Plan is approved, comprised of one goal, one objective and nine policies. The panel begins working on the next Captiva Plan submission to address policies removed by Lee County during the just-finished adoption process.
- **September:** The second Captiva Plan is submitted to the county for adoption, comprised of five policies.
- **November:** Discussion begins on developing Land Development Code language to implement Captiva Plan policies. Discussion begins on an effort to organize the community to push for re-opening of Blind Pass.

2004

- **February**: An additional Captiva Plan policy for construction of a new communications tower at South Seas Plantation is drafted and approved for inclusion in the pending Captiva Plan submission now before Lee County.
- **April**: LCEC introduces its plan to install new Hendrix cable (more tree-resistant) from Blind Pass to South Seas. Citizens look at forming an independent committee to investigate the options for undergrounding some of these lines.
- **August**: Hurricane Charley hits the island.
- **September**: Panel meeting focuses on storm recovery, with the main issues being tree removal, canopy restoration and storm recovery.
- **November**: Discussion is introduced on adding a safety shoulder to Captiva Drive when the next resurfacing project is undertaken by the county. Also, tied to the pending expansion of the Sanibel sanitary sewer system, discussion is initiated as to whether Captiva would be interested in pursuing ways to hook into the Sanibel system in the future.
- **December**: Discussion as to whether to pursue a designation to allow golf carts to operate on portions of Captiva Drive is introduced. Discussion with LCEC on undergrounding costs, and with Sanibel on sewer expansion, continues.

2005

- **February**: Based on discussions with Sanibel, any action on sewer expansion is tabled.
- **March**: Citizens agree to raise the $75,000 necessary to fund an LCEC engineering study to underground utilities from Blind Pass to South Seas. The panel agrees to pursue revegetation grant funding based on recovery from Hurricane Charley.
- **June**: BoCC votes to transmit six Captiva Plan policies to the state for review. Discussion of establishing a Hurricane Preparedness effort on the island is introduced. The panel agrees to make a grant request to the state of $125,000 for revegetation.
- **October**: The second set of policies for the Captiva Plan are adopted. Hurricane Wilma hits the area.
- **November**: A committee is formed to develop panel bylaws. In the wake of Hurricane Wilma, the island's hurricane response efforts are reviewed and commended. Discussion of lowered speed limits on portions of Captiva Drive is introduced. The scope and implementation of the revegetation project is discussed. A hurricane preparedness survey is planned for islandwide distribution.

2006

- **January**: In response to a proposed mixed-use redevelopment on Andy Rosse Lane, the panel agrees to pursue a Captiva Plan amendment to allow a combination of residential and commercial uses on commercial-zoned properties. Surveying is under way to determine the exact rights-of-way along Captiva Drive should a safety shoulder be approved.

- **March**: A tree subsidy for island property owners in conjunction with the SCCF Native Plant Nursery is established to access state revegetation grant funding. Work must be complete by September 2007 to meet the grant's conditions.
- **May-June**: A committee is formed to seek community input on the proposed safety shoulder. The panel agrees to fund a Hurricane Preparedness Committee on an annual basis.
- **December**: The panel prepares a request for water quality funding for consideration by the Legislature during its upcoming session.

2007

- **January**: The panel continues its work on drafting bylaws, which occupied meetings in late 2006. It also votes to request the CPOA to pursue a 501c3 tax-exempt status to allow for enhanced fund-raising and grant writing. The safety shoulder committee sets plan for a community forum on the issue. The panel discusses pursuing grant funding for a water quality study.
- **April**: Panel hosts a presentation on the proposed project to re-open Blind Pass. A community survey to assess support for the proposed safety shoulder is announced. A final draft of panel bylaws is unanimously approved. The safety shoulder survey shows 77% support of those responding (which was 50% of the cards sent) for the project. The $85,000 earmarked for water quality work on the island in a request to the Florida Legislature, which had been approved for the FY 2007-2008 state budget, is vetoed by the governor.
- **September**: The CPOA receives its 501c3 determination, retroactive to the Feb. 28 application date. Work on draft LDC language is launched, and an investigation into options to fund a water quality study is discussed.
- **November**: The convergence of the proposed safety shoulder project, a main replacement project by Island Water Association and the utilities undergrounding still being discussed raises concerns over scheduling and right-of-way uses. The tree subsidy program concludes with the last reimbursements bringing the total to just under $124,000 for around 1,200 trees.
- **December**: In response to Sanibel beach closures tied to water quality issues, meetings are held with county and Sanibel officials to explore options to improve water quality.

2008

- **February**: The panel hosts presentations on the safety shoulder project (set to begin in April) and the possible taxing unit for undergrounding utilities. A special community meeting on the utilities issue is set for March. The panel prepares a grant application to the county Tourist Development Council to request a two-year grant to study water quality on the island.
- **March**: Following the community utilities meeting, the idea of pursuing a taxing unit for undergrounding is dismissed.
- **April**: The water quality grant request made to the TDC is approved, with work scheduled to commence in the fall.
- **June**: The safety shoulder project is completed.

- **December**: A Captiva-specific golf cart ordinance to allow limited use on public roads and at night is approved for adoption by the BoCC.

2009

- **March**: A request for second-year TDC funding for the Captiva water quality study is submitted. Land Development Code revisions are discussed at almost every meeting since fall 2008. Updates on the Blind Pass re-opening project also are offered at almost every meeting during construction. Language for the proposed golf cart ordinance is refined in anticipation of county review. The island communications tower comes back before the group for discussion as construction plans move forward.
- **June**: Draft 7 of proposed Land Development Code finalized; panel decides to issue RFP for planner to address four remaining areas of concern: Height restrictions, RSC-2 zoning, mangrove protection, signs.
- **July**: Proposals from five planners reviewed by the panel at its public meeting.
- **August**: Planner hires (Morris-Depew Associates Inc.) based on recommendation from a panel subcommittee.
- **September**: Grant application with Lee County initiated, planner reviews current LDC draft.
- **October**: Planner presents LDC Draft 9, sets workshop review schedule at Oct. 13 panel meeting; workshop on mangroves and water quality held Oct. 27.
- **November**: Workshop discussions reviewed at Nov. 11 panel meeting.
- **December**: Workshop on height restrictions held on Dec. 1. Discussions reviewed at the Dec. 8 panel meeting, RSC-2 zoning options discussed.

2010

- **January**: Workshop on height restrictions and RSC-2 zoning issues is held Jan. 7. Discussions reviewed at the Jan. 12 panel meeting. Another workshop on height restrictions and RSC-2 issues is held Jan. 28.
- **February**: Workshop discussions reviewed at the Feb. 9 panel meeting. Another workshop on height restrictions (with specific requests to planner for illustrations of options) and signs is held Feb. 18.
- **March**: Discussions reviewed at the March 9 panel meeting. Revisions suggested, reviewed at a special panel meeting March 24. Draft 12E is adopted by the panel as a final staff draft (working draft) of the LDC proposals at the end of the March 24 meeting.
- **April**: Discussions reviewed at the April 13 panel meeting, and a decision was made to allow electronic surveying of the community on the proposed LDC draft. A special meeting on the proposed rental restrictions is held April 27, where the islandwide restrictions were deleted from the working draft and additional research was requested.
- **May**: Research was reviewed at the May 11 panel meeting, where the RSC-2 specific restrictions were deleted from the working draft and the final proposed LDC draft was accepted. A survey committee is formed to refine the staff draft of survey questions and report back to the panel to devise a final survey draft.

- **June**: The idea of an online community survey is discussed, and necessary bylaw changes are advanced to make this possible.
- **July**: A draft of the proposed survey (including structure and graphics) is developed and approved by the panel.
- **August**: The final version of the survey is approved at a public meeting. All registered voters and property owners are notified by postcard in on Aug. 20 and Sept. 1, with additional information provided in the local weekly newspaper and to an islandwide email message send to a maintained list twice. A Sept. 30 deadline for responses is established, with a report to the panel planned for at a public meeting in October.
- **September**: A retainer with Max Forgey/Forgey Planning Services is approved to allow Forgey to continue his role as the panel's planning consultant begin during his work with Morris-Depew Associates.
- **October**: Survey results were extensively discussed at an Oct. 19 public meeting, which was publicly noticed repeated in advance. The panel voted to send the May 2010 LDC draft to county staff for comments while continuing to review and discuss survey results and comments at its November meeting. (See attached for a full survey report and breakdown.)
- **November**: Discussion continues on the LDC draft and survey, with the panel opting to more thoroughly review the language in conjunction with expected county reaction to draft language. Work begins on a new grant to put trees on public lands around the island, with the focus on the southern third of the island along Captiva Drive. The no-match grant will spend up to $18,000 on new vegetation.
- **December**: After further discussion, the panel voted to exempt the Village from the proposed new building height regulations and allow it to stay under the existing uniform-height rules. More input from Village residents was solicited on this and any other LDC issues the Village wanted to address, and panel consultants are instructed to work with residents as requested.

2011

- **January**: The panel confirmed its support for a Village exemption to the new building height rules, and a Village workshop is scheduled later in the month to discuss Village boundaries and issues. At that workshop, a definition for the Village's boundaries is confirmed and the decision is to limit the discussion to building heights at this point and report this discussion back to the panel at its Feb. 8, 2011, public meeting.
- **February**: After concerns about how the Village was defined for the purposes of the exemption were raised by a property owner, that item is put on the March 2011 meeting agenda.
- **March**: After discussion about how the Village would be defined and the efforts which brought the proposed Village exemption into being, the panel votes to conduct a mail survey of Village property owners to determine whether they want to be covered by the proposed new building height language or be exempted to stay under the existing height restrictions. SCCF makes an extensive presentation (which continues to the April meeting) on the results from the two-year water quality study conducted around the island.

- **April**: Results from the Village survey on building heights were presented and discussed, and the panel then votes to remove the exemption and stay with an islandwide building height language as originally proposed. The panel also votes to hold a public meeting on April 26 solely focusing on building heights and the current LDC draft, where islanders could submit questions in advance or ask questions of key county staff members on building height and LDC issues. At the April 26 public meeting, following an extensive presentation by the panel planner and county staff members on the building heights issue, the panel votes to further amend the Lee Plan language to allow owners the option of retaining the current height restrictions if the new regulations would prove too (or more) restrictive than the current rules.
- **May**: The Lee Plan amendment submission is finalized, as discussion on other LDC issues is tabled until the fall to allow the building heights issue to be resolved. The "trees on public lands" grant has shifted gears to include Andy Rosse Lane and the northern portion of Captiva Drive, with plantings set to coincide with the start of the rainy season.
- **June**: The idea of an island vegetation clearinghouse is raised to ensure existing vegetation could be relocated on the island rather than being destroyed. The BoCC votes to transmit the building height Lee Plan amendment, but requests further island meetings to discuss issues raised during the public hearing on the matter. Water quality discussion now shifts to what individual property owners can do to slow runoff and develop canopies on their sites.
- **August**: A building height workshop is held by county staff mid-month. The tree project is completed and approved, with 100 trees installed at a cost of $17,000.
- **September**: The BoCC holds its adoption public hearing on the building height amendment, voting to include the new language in the Captiva Plan.
- **October**: With the Captiva Plan language in place, attention turns back to the pending LDC draft. Attention also turns to the island's return on taxes, tied both to the upcoming beach project and funding for other island efforts. This discussion will span a few meetings.
- **November**: In conjunction with county review of the existing Lee Plan, a discussion of a vision for Captiva in 2035 ensures. Vision statements from islanders are solicited, and discussion begins on how to coalesce these desires into an action agenda for coordinated island efforts and county support therefore. A Communications Committee is formed to better reach Captivans with panel efforts and community issues.
- **December**: The panel works to draft responses to extensive county staff comments on the current LDC draft in preparation for county committee review early in 2012.

2012

- **January**: Discussion of a vision statement for Captiva was renewed, as the county was updating and revising the Lee Plan as part of its Evaluation and Appraisal Report process. Vision statements would be moved to a new area of the plan, and all the affected communities were being the opportunity to make changes in their individual vision statements as part of this process. This discussion also sparked a look at updating the Captiva Plan, and seeking county grant funding to do so on its 10^{th} anniversary. A decision was made to draft an updated vision statement by the March meeting, and consider looking into county funding for discussion at upcoming meetings. Discussion on

the adoption process for the LDC amendments continued, with review of county comments so far and clarification of the panel's position on a number of issues raised during the review pertaining to rental terms, signs and septic systems.

- **February**: The panel reviewed the current Lee Plan language pertaining to Captiva as a prelude to discussion of what changes needed to be considered in any proposed update. The panel also reviewed the line-by-line changes and questions raised about the current LDC amendment under committee review, making decisions on mangrove language, septic system oversight and signage.
- **March**: Discussion of LDC amendment issues continued, focusing more on water quality in anticipation of that being raised at the next advisory committee review. That also dovetailed with a meeting with island landscapers on vegetation and runoff, where they all expressed a desire to work with the panel on drafting language. A vision statement for Captiva was also addressed, with discussion of the various draft statements gathered prior to this meeting. A final vision statement was approved, as were minor language changes in two existing Lee Plan policies affecting Captiva; all were to be sent to county staff for review and adoption.
- **April**: The first "Monday After The Masters" golf tournament to benefit the panel was held at South Seas. At the panel meeting, discussion continued on the LDC amendment process with the focus now on existing septic system regulations by both the county and state in hopes of determining where any new language could be inserted or proposed language could be amended. One portion of the proposed LDC amendment draft on OSDTS regulation was amended, and two others were deleted. Signage regulations were also discussed, with some changes in the proposed language approved. Panel funding was also an agenda item, with options being brought up for future review.
- **May**: Property owners on Laika and Wightman Lanes came to the panel seeking assistance in mediating issues between residents and adjacent businesses on a number of persistent concerns, which had already been discussed with county staff. After discussion, the panel opted not to take an immediate role but urged homeowners to meet with businesses to explore issue and potential resolution. On the pending LDC amendment, sign regulation language was further revised based on county review and panel discussion. The issue of code enforcement was broached, with a request for more information at a future meeting.
- **June**: The LDC amendment was heard by the Local Planning Agency with general success, and was on course for review and adoption by the Board of County Commissioners. An interpretation question on the revised building height language and a conflict between the Plan and the Code was resolved. Some questions concerning bike/ped safety and the flashing light on Captiva Drive were raised, and the issue of code enforcement was again discussed as to process and initiation. Representatives of the Captiva Fire District and the Lee County Sheriff's Office were asked to attend as necessary to provide updates. Due to lack of a quorum, the July meeting was cancelled.
- **August**: The panel received an update on damages from Tropical Storm Debbie, mainly in the form of accelerated beach erosion and some road concerns near the Jensen's Curve. With approval from the LPA, the LDC amendments would move on to the county commission at a late August or early September hearing, which was discussed. Also at issue were rental terms affecting the rest of the island, in light of the proposed new language for the RSC-2 zoned properties of the Gold Coast. Based on panel and public

input, the panel discussed item for its future agenda, culling a list down and identifying whether the issue was a short-term or long-term discussion.

- **September**: With the final public hearing on the LDC amendment set for Sept. 11, the panel reviewed a change in the septic language proposed by county staff. While some criticized it as too tepid, the panel ultimately voted not to object to the proposed change prior to adoption. A discussion on panel priorities continued. With panel openings and pending term limits, looking at potential new panel members and any conflicts with other island groups was discussed.
- **October**: With commission approval of the Captiva LDC amendment, that long phase of planning was finally complete. With that, discussion turned to the next phase, with initial comments about the availability of county grant funding for a new cycle. (This also resulted in a review of how other panels around the county operate and are funded.) County staffers also presented a code enforcement workshop to discuss the process and steps to enforce. Panel priorities would be an agenda item in November, and the panel agreed to form a committee to review its bylaws for possible amendment in 2013.
- **November**: The Captiva Fire District began offering monthly updates at panel meetings, with a discussion on plans to replace the current station with a new building. To understand changes in the sign regulations, the panel reviewed a letter from planner Max Forgey that summarized the pertinent major changes; it was approved after discussion. Panel priorities were discussed with input from the pubic present and through panel members. A 2013 budget and scheduled was initially discussed. The Bylaws Committee began its meetings after this panel meeting.
- **December**: There was extensive discussion on county funding options and ensuring that the island was receiving its fair share – particularly given issues in TDC funding that could impact beach management funds. In response to questions raised during the public e-survey about island priorities, a bike/ped staffer with the county would be invited to an upcoming meeting to discuss options to enhance safety on the island. A lengthy discussion on panel finances led to the need to develop proposals for both expenses and revenues in 2013, which would be discussed an upcoming meetings once the potential and timing for county funding was explored. Panel priorities were discussed, with the need for a new mission or focus a centerpiece.

CAPTIVA COMMUNITY PANEL

June 11, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of April 9 and May 7 minutes
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — ?
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (5 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- Fund-raising — ?

9:35 a.m. Other business and public comment

- Confirm dates for next meeting (July 9)

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for July 9 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

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At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

CAPTIVA COMMUNITY PANEL

July 9, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of June 11 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson & design consultants
9:40 a.m. LCSO update — Deputy Mike Sawicki
9:45 a.m. Hurricane Preparedness & Response Committee — ?
9:50 a.m. Committee reports (as necessary):

- Planning — Max Forgey (15 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (4 minute)
- Fund-raising — Paul McCarthy

10:10 a.m. Other business and public comment

- Confirm dates for next meeting (Aug. 13 or Sept. 10?)

Adjourn

The panel's Bylaws Subcommittee will meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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Captiva Plan deliverables

July 8, 2013

1.0	Public input -- $15,000
2.0	Resource inventory -- $2,000
3.0	Prepare draft recommended actions -- $26,000
4.0	Professional support to adoption -- $6,000
TOTAL	**$50,000** in reimbursable expenses

Focus areas:

1) *An update to the Community Plan for Captiva Island*. The Panel will review the existing Community Plan as a whole to ensure that it reflects the vision and goals of the community over the next 25 years, incorporating significant changes in the community since its original adoption.

2) *A review of economic and demographic changes* which have impacted Captiva Island since the adoption of the existing Captiva Community Plan with special attention to the results of the 2010 US Census. The Panel will also consider other data sources, including general revenues, special taxation district revenues, and tourist tax revenues, to gauge the island's economic health and draw conclusions about its long term future.

3) *Proposed amendments to the Lee Plan*, as identified by local residents and business owners. These topics, which the Panel anticipates will appear in some form in the Community Plan document, and which may be further reflected in proposed amendments to the Lee Plan, include:

   (a) *Landscaping*, with emphasis on the appearance of Captiva Drive. The Panel will encourage input from members of the public, the landscape industry, environmental interests, and public safety specialists to articulate a strategy for Captiva vegetation planning that avoids harm to our local environment, encourages compatible plant use (especially natives and non-exotics), slows runoff and conserves water and other natural resources.

   (b) *Preservation of historic buildings and sites*. Captiva residents and business owners have expressed an interest in exploring how to recognize the island's historic and prehistoric resources while providing flexibility to property owners in the use of their land.

   (c) *Lighting*. This topic has also been identified at Panel meetings. Here again, residents appear to be concerned with a dynamic balance — enough for public safety concerns (both bike/ped safety and identification of properties by first responders), but avoiding inappropriate lighting that has environmental impacts (e.g. to sea turtles) and can detract from the island's image as a natural refuge.

   (d) *A review of existing county services to Captiva Island*, addressing needs as identified by the community and specific approaches to facilitate more efficient provision of those.

   (e) *Land uses in the Village.* Captiva's mixed use district includes the commercial and residential properties in the Village area (as shown on the adjacent map), both of which have historic and legal standing.

(f) *Pedestrian/bicycle safety*. This topic has been frequently identified by local residents at Panel meetings. The Panel will review existing right-of-way constraints and options facing the island (islandwide, but focusing on the Village where the interaction between bike/ped and vehicular traffic is concentrated), considering ways to engage planning activities to deal with conflicting issues and enhance bike/ped safety and review any other Lee Plan additions or amendments that could foster changes sought by the community in bicycle/pedestrian safety.

Deliverables:

1.0 PUBLIC INPUT

Description:

1.1 **Prepare and forward community survey** distributed via Panel's website and email list, canvassing public input on topics of general interest to be identified in advance of the first public meeting by the Panel.

1.2 **Conduct at least three public workshops.** At least two of these workshops will be conducted in conjunction with a regular Panel meeting. These will be supervised by professional planners, who may use volunteer or student facilitators; appropriate county staff will be invited to participate. Breakout groups will be assigned to their topics of interest. *Additional workshops may be conducted if requested by the Captiva Community Panel or the community, and may extend into the month of March 2014. These will be conducted by the Panel's professional consultants.*

1.3 **Conduct one technical meeting with landscape professionals**. This will be scheduled in the fall to allow for a high level of participation during the landscape industry's off-peak season.

1.4 **Prepare written report** to Panel and to county staff summarizing public and professional input. (Panel will receive update at every monthly meeting with copy to staff.)

1.5 **Ongoing inputs from public**. The Panel will continue to engage the public and receive public comment after the workshops have been conducted, and will advise their professional staff of inputs received from the public which, in the Panel's opinion, merit consideration and inclusion in upcoming reports and products. Professional staff will be responsible for advising consultants of these items.

Components

- Develop electronic survey and data collection process
- Schedule public workshops, arrange facilitators as necessary, follow up as necessary to clarify or refine input
- Schedule technical meetings, identify key professional/private stakeholders; follow up as necessary to clarify or refine input.
- Use regular panel meetings both to report progress and solicit input on an ongoing basis (important in a transient residency community such as Captiva).
- Solicit and capture other input as received from other sources.

Deliverables

Ongoing and a final summary report of public input from surveys, public workshops, technical meetings and other sources.

Time frame: Throughout the life of the project with research to commence in late summer 2013, meetings to commence in fall-winter 2014 (to capture input during the high-occupancy season), follow up and reports throughout and input to (and through) the transmittal phase to adoption.

Cost: $15,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

2.0 RESOURCE INVENTORY

Description:

2.1 **Update of economic and demographic data**. Review and analyze the results of the 2010 US Census and other data resources, including tax receipts, as they relate to Captiva's economy and population.

2.2 **Conduct visual inventory of the Village area,** identifying measures that can be taken to minimize long-term conflicts between commercial establishments and their customers, and their residential neighbors. Identify formal boundaries for the Village area which may need to be incorporated into the Lee Plan.

2.3 **Identify Captiva's historic sites and buildings**, based upon the Florida Department of State inventory and testimony received from Public Input. Working with Lee County staff, define and inventory historic properties and identify appropriate options for their preservation.

2.4 **Issue written reports** summarizing the results of items 2.1 through 2.3.

Components

- Identify economic/demographic databases pertinent to study.
- Analyze and prepare an executive summary of pertinent data for panel and community review.
- Develop Village inventory matrix for proposed analysis
- Using state/county criteria, develop historic site/building database, including coordination with Captiva Historical Society as appropriate.
- Summarize historic designation options and impacts for community and panel review.

Deliverables

- Executive summary of island economic/demographic data.
- Inventory of Village elements and formal boundary description.
- Summary of historic sites/buildings (map, photo and brief description).
- Executive summary of historic preservation options and impacts.

Timeframe: The bulk of this work can likely be accomplished early in the project timeline (Q3-4 2013) so it is available in time for public workshops if possible. Final reports may need to wait until majority of public input effort is complete to reflect any issues generated during that process.

Cost: $2,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

3.0 PREPARE DRAFT RECOMMENDED ACTIONS

Description

3.1 **Landscaping-related amendments** to the Lee Plan as they relate to Captiva Island

3.2 **Village-related amendments** to the Lee Plan as they relate to Captiva Island.

3.3 **Historic preservation-related amendments** to the Lee Plan as they relate to Captiva Island.

3.5 **Additional amendments to Lee Plan** as identified in the community workshops.

Components

- Compile and distill public and professional input. This phase also includes research into planning and legal issues that might influence eventual language.
- Draft initial Lee Plan amendment language for panel/public discussion. This will include schedule public meetings (beyond the monthly Panel meeting) if necessary with island stakeholders for a more focused review of issues and proposed solution.
- Revise draft language to hone language based on community feedback.
- Review draft language with appropriate county staff and incorporate any issues or concerns into a final review by panel and public.
- Prepare the necessary Lee Plan applications and documentations for delivery to county staff.
- Follow up as necessary to initiate formal review period.

Deliverables

- Report on public/professional input for panel review.
- Draft Lee Plan amendment language as driven by panel/public input.
- Revised Lee Plan language for informal county review.
- Final Lee Plan application and documentation for formal county review.

Timeframe: Public input report would be developed once the majority of the formal public input effort (survey and meetings) was complete, as content would be based on the input – probably Q2 2014. Draft language would be developed in late Q2 2014, with revisions during Q3 2014 if the target date for submission is Sept. 30, 2014. If that deadline is eliminated as the result of a change in county rules, the panel may opt to push final review of proposed amendment language to early Q4 2014 to allow for more public participation as islanders return for the winter season.

Cost: $26,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

4.0 PROFESSIONAL SUPPORT TO ADOPTION

Description

The Captiva Community Panel will provide professional support to county staff as needed through the transmittal and adoption phases of the Lee Plan amendments, including review by the Local Planning Agency (LPA) and the Board of County Commissioners (BoCC), and review by the appropriate state agencies. The following actions will be performed by the Panel's professional consultants, who will be responsible for working with county staff and with the BoCC to resolve outstanding issues:

4.1 **Presentation** at the Lee County Local Planning Agency (LPA) public hearing(s). This will include any negotiations necessary with county staff in advance of the LPA packet for the hearing.

4.2 **Presentation** at the Lee County Board of County Commissioners (BoCC) transmittal hearing(s). This will include any negotiations necessary with county staff in advance of the BoCC packet for the hearing.

4.3 **State review**. Panel consultants will participate as necessary with preparation of the packet for state review and in negotiations with the Florida Department of Economic Opportunity (DEO) in cooperation with county staff on the Panel's if necessary to achieve resolution of state-level issues.

4.4 **Presentation** at the Lee County Board of County Commissioners (BoCC) adoption hearing**.** This will include any negotiations necessary with county staff in advance of the BoCC packet for the hearing.

Components

- Presentations as noted above.
- Panel consultant support as noted above.
- Public and panel input as desired to individual commissioners and at the various public hearings.
- Transmitted and final adopted Lee Plan language.

Deliverables

- Presentations as noted above.
- Transmitted and final adopted Lee Plan language.

Timeframe: If the county maintains the Sept. 30 deadline for Lee Plan amendment applications, the presentations and consultant support will follow in Q4 2014 and Q1 2015, depending on the final schedule for the various public hearings (which often is influenced by other Lee Plan amendments and other unrelated government operations).

Cost: $6,000 in reimbursable out-of-pocket expenses, plus in-kind and non-reimbursable costs borne by the Panel.

Captiva Community Panel
Balance Sheet
As of July 5, 2013

	Jul 5, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	27,548.43
Total Checking/Savings	27,548.43
Accounts Receivable	
Accounts receivable	1,800.00
Total Accounts Receivable	1,800.00
Total Current Assets	29,348.43
TOTAL ASSETS	**29,348.43**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-5,267.50
Total Equity	29,348.43
TOTAL LIABILITIES & EQUITY	**29,348.43**

Captiva Community Panel
Profit & Loss YTD Comparison
July 1 - 5, 2013

	Jul 1 - 5, 13	Oct 1, '12 - Jul 5, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	26,100.00
Total Contributed support	0.00	26,100.00
Total Income	0.00	26,100.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Processing charges	0.00	270.85
Service charge	0.00	103.90
Taxes - other	0.00	122.50
Total Business expenses	0.00	507.25
Consulting		
Administration	1,650.00	16,500.00
Planning & coordination	1,000.00	9,000.00
Total Consulting	2,650.00	25,500.00
Misc expenses		
Advertising expenses	0.00	971.60
Insurance - non-employee	0.00	920.00
Mileage & tolls	39.30	417.44
Storage rental	0.00	185.80
Web site/computer services	150.00	2,189.02
Total Misc expenses	189.30	4,683.86
Non-personnel expenses		
Postage, shipping, delivery	0.00	5.60
Printing & copying	8.21	370.79
Total Non-personnel expenses	8.21	376.39
Other personnel expenses		
Accounting fees	0.00	300.00
Total Other personnel expenses	0.00	300.00
Total Expense	2,847.51	31,367.50
Net Ordinary Income	-2,847.51	-5,267.50
Net Income	**-2,847.51**	**-5,267.50**

GENERAL FUND SCENARIOS

		Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5	Scenario 6	Scenario 7	Scenario 8
Revenues Excluding Ad Valorem	(121,394,102)								
Less: Expenditures	345,751,921								
Deficit w/o ad valorem & rev. adj.	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)	(224,357,819)
Ad valorem @ 3.6506	190,519,005	190,519,005	190,519,005						
FPL increase from 3% to 4.5%	4,000,000		4,000,000		4,000,000		4,000,000		4,000,000
LCEC increase from 0% to 4.5%	3,300,000		3,300,000		3,300,000		3,300,000		3,300,000
Ad valorem @ 3.9506 (+ 0.3 mills)	206,175,527			206,175,527	206,175,527				
Ad valorem @ 4.0506 (+ 0.4 mills)	211,394,369					211,394,369	211,394,369		
Ad valorem @ 4.1506 (+ 0.5 mills)	216,613,209							216,613,209	216,631,209
(Deficit) Surplus		(33,838,814)	(26,538,814)	(18,182,292)	(10,882,292)	(12,963,450)	(5,663,450)	(7,744,610)	(426,610)

Notes:

Deficit includes the Sheriff's budget increase of $4.8 million

Ad valorem revenues are computed at the collection rate of 96%

Each 0.10 mill = $5.2 million

Each 0.10 mill = $10 on a $150,000 home with $50,000 homestead exemption (less than $0.03 per day)

An additional 1/2% increase in appraised values would add approximately $1 million to revenues @ 3.6506 mills

CAPTIVA COMMUNITY PANEL

Aug. 13, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of July 9 minutes
9:05 a.m. CEPD update — Kathy Rooker
~~9:10 a.m. Captiva Fire District update – ???~~
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (5 minutes)
  Update on county grant application for Lee Plan revisions
- ~~Communications — Susan Stuart (1 minute)~~
- Financial & budget— Ken Gooderham (1 minute)
- ~~Fund-raising — Paul McCarthy~~

9:35 a.m. Discussion of draft community survey language – Ken Gooderham
10:05 a.m. Water quality discussion
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (Sept. 3 or 10? – we may have 5 in person for 9/3, 2 for 9/10)

Adjourn

The panel's Bylaws Subcommittee may meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

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Captiva Community Panel

2013 BUDGET

August 11, 2012

Revenues:	**Proposed**	**Revised**	**YTD**
"Monday After The Masters"	$15,000.00	$15,000.00	$25,300.00
Lee County reimbursement	$0.00	$25,000.00	
Expenses:	**Proposed**	**Revised**	**YTD**
Forgey Planning Services	$12,000.00	$16,500.00	$9,000.00
Planning -- outside contractors	$0.00	$15,000.00	$0.00
Gooderham & Associates	$19,800.00	$19,800.00	$16,500.00
Copies and mileage	$960.00	$960.00	$788.23
Webmaster	$3,000.00	$2,600.00	$2,189.02
Storage	$192.00	$192.00	$185.80
Advertising for meetings	$800.00	$630.00	$971.60
Fund-raising -- mailing	$0.00	$1,000.00	$5.60
Insurance	$1,900.00	$980.00	$1,888.43
Accounting	$500.00	$350.00	$300.00
Taxes & fees	$400.00	$400.00	$132.50
Meeting coffee	$0.00	$0.00	$0.00
Other (2% contingency)	$791.04	$1,168.24	$376.75
Operations total expenses	**$40,343.04**	**$59,580.24**	**$32,337.93**
Committee expenses			
Hurricane committee	$2,200.00	$2,200.00	$0.00
Community survey	$0.00	$0.00	$0.00
Land Development Code committee	$0.00	$0.00	$0.00
Water quality committee	$0.00	$0.00	$0.00
Committees total expenses	**$2,200.00**	**$2,200.00**	**$0.00**
Total expenses	**$42,543.04**	**$61,780.24**	**$32,337.93**
Cash on hand	**$33,165.49**	**$33,165.49**	**$20,431.68**
Expected revenue	**$15,000.00**	**$40,000.00**	**$25,300.00**
Year-end cash position	**$5,622.45**	**$11,385.25**	**$13,393.75**

Captiva Community Panel
Profit & Loss YTD Comparison
August 1 - 9, 2013

	Aug 1 - 9, 13		Oct 1, '12 - Aug 9, 13
Ordinary Income/Expense			
Income			
Contributed support			
Indiv/business contribution	0.00		26,100.00
Total Contributed support		0.00	26,100.00
Total Income		0.00	26,100.00
Expense			
Business expenses			
Organizational (corp) expenses	0.00		10.00
Processing charges	0.00		270.85
Service charge	0.00		105.90
Taxes - other	0.00		122.50
Total Business expenses		0.00	509.25
Consulting			
Administration	0.00		16,500.00
Planning & coordination	0.00		9,000.00
Total Consulting		0.00	25,500.00
Misc expenses			
Advertising expenses	0.00		971.60
Insurance - non-employee	0.00		1,888.43
Mileage & tolls	0.00		417.44
Storage rental	0.00		185.80
Web site/computer services	0.00		2,189.02
Total Misc expenses		0.00	5,652.29
Non-personnel expenses			
Postage, shipping, delivery	0.00		5.60
Printing & copying	0.00		370.79
Total Non-personnel expenses		0.00	376.39
Other personnel expenses			
Accounting fees	0.00		300.00
Total Other personnel expenses		0.00	300.00
Total Expense		0.00	32,337.93
Net Ordinary Income		0.00	-6,237.93
Net Income		**0.00**	**-6,237.93**

Captiva Community Panel
Balance Sheet
As of August 9, 2013

	Aug 9, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	27,578.00
Total Checking/Savings	27,578.00
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	28,378.00
TOTAL ASSETS	**28,378.00**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-6,237.93
Total Equity	28,378.00
TOTAL LIABILITIES & EQUITY	**28,378.00**

DRAFT – DRAFT – DRAFT – DRAFT – DRAFT -- DRAFT

Captiva Community Panel

COMMUNITY SURVEY

To launch its latest update to the Captiva Plan (county-adopted land use and zoning policies covering the island), the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by _____

• Results will be discussed at the _____ panel meeting •

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

More information is available online at www.captivacommnitypanel.com

Landscaping

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.3:** 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).

___ Yes, leave it as is.
___ It should be changed to include the following: TEXT BOX
__ Don't care.

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.14:** 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.)

NOTE: The Captiva Drive landscape plan has yet to be developed.

___ Yes, leave it as is.
___ Yes, but it need to updated in the following way: TEXT BOX
__ No, it should be changed to include the following: TEXT BOX
__ Don't care.

Historic preservation

Do you support preserving historic buildings and other resources on the island?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

If such preservation efforts limited what a building owner could do with the structure, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

If such preservation efforts allow a building owner to make improvement to a structure without having to bring it completely up to current code, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

Lighting

Which statement best matches your opinion of lighting on the island?
___ We need more lighting on the roadways to make it safer and easier to see at night.
___ We need more light in the Village area at night only to make it safer and easier to see.
___ We need less light on the island at night in general.
___ The lighting we now have works pretty well for me.
___ Don't know.
___ Other: TEXT BOX

Is it your opinion that the island needs lighting rules that will help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?
___ Yes.
___ No.

___ Not sure, need more information.
___ Don't care.

The Village

Are you concerned about maintaining the commercial core of the island in the Village?
___ Yes, we need to keep essential businesses in the Village
___ Yes, but the commercial core will survive without regulatory intervention.
___ No, there are too many businesses there now.
___ Not sure, need more information.
___ I don't care about the business community on the island.

Which of the following statements do you agree with?
___ I like the current mix of commercial and residential uses in the Village.
___ I think there should be more businesses and fewer residences in the Village.
___ I think there should be more residences and fewer businesses in the Village.
___ There needs to be more of a buffer between businesses and residences in the Village.
___ The Village needs more parking to make it easier to drive there.
___ The Village needs less parking to encourage people to walk or bike.

What's the one business Captiva really needs? _____

What's the one business Captiva really doesn't need? _____

Do you believe Captiva businesses primarily serving residents, or tourists and other businesses, or a combination of the two?
___ Residents
___ Tourists and other businesses
___ Combination of the two

Pedestrian & bicycle safety

Do you feel safe walking or biking on Captiva's streets?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

Would you like to do more biking or walking on Captiva? If so, what's holding you back?
___ Yes, but I won't because_____.
___ No, I'm happy with the current situation.
___ Not sure, need more information.
___ Don't care.

Which of the following issues should be part of a community discussion? Rank your top three items by number:
__ Slower traffic speeds
__ Separated bike/walk paths away from traffic
__ Wider bike/walk shoulders in the Village
__ More enforcement of traffic/speed laws
__ More enforcement of bike/walk laws

__ Better parking to help eliminate cruising traffic
__ Other alternatives to driving for on-island transport (trolleys, pedicabs, van shuttles)

What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island? TEXT BOX

Where do you live on the island?
__ Gold Coast
__ Tween Waters stretch
__ Village
__ South Seas

Which best describes you?
__ Full-time (9 months or more) resident & property owner
__ Full-time (9 months or more) renter
__ Part-time (3-9 months) resident & property owner
__ Property owner, but on island less than 3 months per year
__ Business owner
__ Business employee
__ Other: _____

From 2010 survey:

Survey security:

This survey is open to all property owners and registered voters on Captiva; if you are both, you can complete this survey twice, using the different security numbers requested below. You are allowed one survey response per property or voter's registration; if you own more than one property, you can answer more than one survey using the STRAP number for each property you own.

If you are a property owner, please enter your property's STRAP number here (it's the 17-digit number on the address label of the postcard you received): _____

If you are a registered voter, please enter your voter ID number here (it's the 8-digit number on your voter's registration card or the address label of the postcard you received notifying you about this survey): _____

- Do you own property on Captiva?
  □ Yes □ No
  Address (optional) _____

- On which section of the island do you live?
  □ Gold Coast □ Tween Waters □ Village □ South Seas

- Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?
  □ Yes □ No

- Have you read the final draft of the Captiva Land Development Code? (It is available online at www.captivacommunitypanel.com.)
  □ Yes □ No

Other questions or comments?

CAPTIVA COMMUNITY PANEL

Sept. 17, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Aug. 13 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (5 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- Fund-raising — Paul McCarthy (5 minutes?)

9:40 a.m. Discussion of draft community survey language and workshop schedule – Ken Gooderham
10:05 a.m. Water quality discussion?
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (Oct. 8)

Adjourn

The panel's Bylaws Subcommittee may meet immediate after the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Oct. 8 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Profit & Loss YTD Comparison
September 1 - 16, 2013

	Sep 1 - 16, 13	Oct 1, '12 - Sep 16, 13
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	26,100.00
Total Contributed support	0.00	26,100.00
Total Income	0.00	26,100.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	10.00
Processing charges	0.00	270.85
Service charge	0.00	107.90
Taxes - other	0.00	122.50
Total Business expenses	0.00	511.25
Consulting		
Administration	1,650.00	19,800.00
Planning & coordination	0.00	11,000.00
Total Consulting	1,650.00	30,800.00
Misc expenses		
Advertising expenses	0.00	971.60
Insurance - non-employee	0.00	1,888.43
Mileage & tolls	39.90	497.24
Storage rental	0.00	185.80
Web site/computer services	150.00	2,489.02
Total Misc expenses	189.90	6,032.09
Non-personnel expenses		
Postage, shipping, delivery	0.00	5.60
Printing & copying	39.43	448.49
Total Non-personnel expenses	39.43	454.09
Other personnel expenses		
Accounting fees	0.00	300.00
Total Other personnel expenses	0.00	300.00
Total Expense	1,879.33	38,097.43
Net Ordinary Income	-1,879.33	-11,997.43
Net Income	**-1,879.33**	**-11,997.43**

Captiva Community Panel
Balance Sheet
As of September 16, 2013

	Sep 16, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	21,818.50
Total Checking/Savings	21,818.50
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	22,618.50
TOTAL ASSETS	**22,618.50**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	34,615.93
Net Income	-11,997.43
Total Equity	22,618.50
TOTAL LIABILITIES & EQUITY	**22,618.50**

Captiva Planning Grant **Task Summary Table**

Task		Responsible Party	Deliverables	Time Frame	Cost
1	**Public Input**	Captiva Community Panel	Community Survey	October 31, 2013 - February 28, 2014	15,000.00
			Public Workshops	October 31, 2013 - April 30, 2014	
			Scoping Technical Meeting	January 1, 2013	
			Task 1 Summary Report	December 1, 2014	
2	**Resource Inventory**	Captiva Community Panel	Economic/Demographic Data Review	October 31, 2013 - February 28, 2014	3,000.00
			Captiva Village inventory	October 31, 2013 - February 28, 2014	
			Historic survey	October 31, 2013 - February 28, 2014	
			Task 2 Summary Report	May 31, 2014	
3	**Draft Plan Amendments**	Captiva Community Panel	Initial Draft Lee Plan Amendments	May 31, 2014	26,000.00
			Revised Draft Lee Plan Amendments	September 30, 2014	
			Final Draft Lee Plan Amendements	December 31, 2014	
4	**Plan Amendment Adoption**	Captiva Community Panel	LPA Hearings	January 30, 2015	6,000.00
			BoCC Transmittal Hearings	March 31, 2015	
			DEO Transmittal	June 30, 2015	
			BoCC Adoption Hearing	October/30/2015	
				Total	50,000.00

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Captiva Community Panel

COMMUNITY SURVEY

To launch its latest update to the Captiva Plan (county-adopted land use and zoning policies covering the island), the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by _____

• Results will be discussed at the _____ panel meeting •

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

More information is available online at www.captivacommnitypanel.com

Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

> *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.*

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

The Panel anticipates the future landscape regulations will mostly affect public lands, but some rules could either target the **prohibition or removal of unwanted species** (such as Australian pine or Brazilian pepper) or **encourage the planting of native, low-water species** that would thrive in the island climate. The Panel welcomes your thoughts on what **level of regulation**—if any— is needed, and what **level of enforcement** is practical.

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.3:** 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).

___ Yes, leave it as is.
___ It should be changed to include the following: TEXT BOX
___ No opinion.
Comments: TEXT BOX

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.14:** 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.)

NOTE: The Captiva Drive landscape plan has yet to be developed.

___ Yes, leave it as is.
___ Yes, but it needs to be updated in the following way: TEXT BOX
___ No, it should be changed to include the following: TEXT BOX
___ No opinion.
Comments: TEXT BOX

Historic preservation

Although most people don't think of Captiva Island as a famous place in US history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are no Captiva sites on the National Register of Historic Places. (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. They would like to know **how you define "historic,"** in a Captiva context, if there

any **specific sites** that are particularly important, and whether there are any **new measures** that Lee County should take to promote historic preservation on the island.

Do you support preserving historic buildings and other resources on the island?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

If such preservation efforts limited what a building owner could do with the structure, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

If such preservation efforts allow a building owner to make improvements to a structure without having to bring it completely up to current code, would you support it?
___ Yes.
___ No.
___ Codes impacting public safety should be met with any improvements, but other conditions could be as is for an historic structure.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642(5)), although identification signs—popular on the island's front yards—are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. They would like to know if you would like to see **more or less restriction** on lighting on the island, and **in what areas** and **under what conditions**. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

Which statement best matches your opinion of lighting on the island? (Mark as many answers as you want):
___ We need more lighting on the roadways to make it safer and easier to see at night.
___ We need more light in the Village area only at night to make it safer and easier to see.

___ We need less light on the island at night in general to minimize light pollution.
___ The lighting we now have works pretty well for me.
___ No opinion.
Comments: TEXT BOX

Is it your opinion that the island needs lighting rules, such as those that exist on Sanibel, that will help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

The Village

In referring to "the Village," this covers the area north of the Jensen S-curve and south of South Seas Island Resort.

Are you concerned about maintaining the commercial core of the island in the Village?
___ Yes, we need to keep essential businesses in the Village
___ Yes, but the commercial core will survive without regulatory intervention.
___ No, there are too many businesses there now.
___ Not sure, need more information.
___ I don't care about the business community on the island.

Which of the following statements do you agree with?
___ I like the current mix of commercial and residential uses in the Village.
___ I think there should be more businesses and fewer residences in the Village.
___ I think there should be more residences and fewer businesses in the Village.
___ There needs to be more of a buffer between businesses and residences in the Village.
___ The Village needs more parking to make it easier to drive there.
___ The Village needs less parking to encourage people to walk or bike.
Comments: TEXT BOX

Should there be a question about architectural standards and maintaining a Village "look"?

What's the one new business Captiva really needs? _____
Comments: TEXT BOX

What's the one business Captiva really doesn't need? _____
Comments: TEXT BOX

Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?
___ Residents
___ Tourists and other businesses
___ Combination of the two
Comments: TEXT BOX

Pedestrian & bicycle safety

Do you feel safe walking or biking on Captiva's streets?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Would you like to do more biking or walking on Captiva? If so, what's holding you back?
___ Yes, but I won't because_____.
___ No, I'm happy with the current situation.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Which of the following issues should be part of a community discussion? Rank your top three items by number:
__ Slower traffic speeds in selected zones
__ Faster traffic speeds in selected zones
__ Separated bike/walk paths away from traffic
__ Wider bike/walk shoulders in the Village
__ More enforcement of traffic/speed laws
__ More enforcement of bike/walk laws
__ Better parking to help eliminate cruising traffic
__ Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
Comments: TEXT BOX

Parking

Public parking has always been an issue on Captiva. With the Corps of Engineers withholding federal funds for beach renourishment due to a lack of public beach access and parking, island property owners may have to foot more of the beach project's cost now and into the future.

Which of these statements reflects your opinion?
___ I support more public beach parking in general.
___ I support more public beach parking if it would guarantee the island federal funds for beach renourishment.
___ I do not support more public beach parking on the island, even if property owners have to pay more to maintain the beach.
___ No opinion.

Other issues

What should be the Captiva Community Panel's top priority over the next two years? TEXT BOX
Prior to receiving this survey, were you aware of the Captiva Community Panel:
___ Yes
___ No

If "yes," what is your perception of the panel?
___ Positive
___ Negative

___ No option
Comments: TEXT BOX

Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?
___ Yes
___ No

Have you read the final draft of the Captiva Land Development Code? (It is available online at www.captivacommunitypanel.com.)
___ Yes
___ No

Any comments on the current code? TEXT BOX

What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island? TEXT BOX

Other questions or comments? TEXT BOX

Survey security:

This survey is open to all property owners and registered voters on Captiva. If you are both, you can complete this survey twice, using the different security numbers requested below. You are allowed no more than two survey responses (property owner and voter).

If you are a property owner, please enter your property's STRAP number here (it's the 17-digit number on the address label of the postcard you received):
_____

If you are a registered voter, please enter your voter ID number here (it's the 8-digit number on your voter's registration card or the address label of the postcard you received notifying you about this survey): _____

Where do you live on the island?
__ Gold Coast
__ Tween Waters stretch
__ Village
__ South Seas

Which best describes you?
__ Full-time (9 months or more) resident & property owner
__ Full-time (9 months or more) renter
__ Part-time (3-9 months) resident & property owner
__ Property owner, but on island less than 3 months per year
__ Business owner
__ Employee
__ Other: _____

CAPTIVA COMMUNITY PANEL

Oct. 8, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

8:15 a.m. Bylaws Committee meeting

9:00 a.m. Introductions and roll call; approval of Aug. 13 and Sept. 17 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (5 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & budget— Ken Gooderham (1 minute)
- Fund-raising — Paul McCarthy (5 minutes?)

9:40 a.m. Discussion of draft community survey language and distribution, and workshop schedule – Ken Gooderham
10:00 a.m. Bylaws revision on panel structure – discussion
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (Nov. 12)

Adjourn

The panel's Bylaws Subcommittee may meet immediately before the panel meeting adjourns in the same room. Two or more panel members will be in attendance.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Nov.128 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

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CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

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At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel

2013 BUDGET

October 4, 2013

Revenues:	**Proposed**	**Revised**	**YTD**
"Monday After The Masters"	$15,000.00	$15,000.00	$25,300.00
Lee County reimbursement	$0.00	$25,000.00	$0.00
Cash forward 10/1/2102	$33,165.49	$33,165.49	$33,165.49
Total 2013 balance	$48,165.49	$73,165.49	$58,465.49
Expenses:	**Proposed**	**Revised**	**YTD**
Forgey Planning Services	$12,000.00	$16,500.00	$12,000.00
Planning -- outside contractors	$0.00	$15,000.00	$0.00
Gooderham & Associates	$19,800.00	$19,800.00	$19,800.00
Copies and mileage	$960.00	$960.00	$945.73
Webmaster	$3,000.00	$2,600.00	$2,489.02
Storage	$192.00	$192.00	$185.80
Advertising for meetings	$800.00	$630.00	$971.60
Fund-raising -- mailing/postage	$0.00	$1,000.00	$49.60
Insurance	$1,900.00	$980.00	$1,888.43
Accounting	$500.00	$350.00	$300.00
Taxes & fees	$400.00	$400.00	$132.50
Processing & service charges	$0.00	$0.00	$380.75
Other (2% contingency)	$791.04	$1,168.24	$0.00
Operations total expenses	**$40,343.04**	**$59,580.24**	**$39,143.43**
Committee expenses			
Hurricane committee	$2,200.00	$2,200.00	$0.00
Community survey	$0.00	$0.00	$0.00
Land Development Code committee	$0.00	$0.00	$0.00
Water quality committee	$0.00	$0.00	$0.00
Committees total expenses	**$2,200.00**	**$2,200.00**	**$0.00**
Total expenses	**$42,543.04**	**$61,780.24**	**$39,143.43**
Year-end cash position	**$5,622.45**	**$11,385.25**	**$19,322.06**

Captiva Community Panel
Balance Sheet
As of October 4, 2013

	Oct 4, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	18,780.78
Total Checking/Savings	18,780.78
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	19,580.78
TOTAL ASSETS	**19,580.78**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,572.50
Net Income	-1,991.72
Total Equity	19,580.78
TOTAL LIABILITIES & EQUITY	**19,580.78**

Captiva Community Panel
Profit & Loss YTD Comparison
October 1 - 4, 2013

	Oct 1 - 4, 13	Oct 1 - 4, 13
Ordinary Income/Expense		
Expense		
Consulting		
Administration	1,650.00	1,650.00
Total Consulting	1,650.00	1,650.00
Misc expenses		
List rental	28.00	28.00
Mileage & tolls	46.68	46.68
Web site/computer services	200.00	200.00
Total Misc expenses	274.68	274.68
Non-personnel expenses		
Postage, shipping, delivery	11.71	11.71
Printing & copying	55.33	55.33
Total Non-personnel expenses	67.04	67.04
Total Expense	1,991.72	1,991.72
Net Ordinary Income	-1,991.72	-1,991.72
Net Income	**-1,991.72**	**-1,991.72**

Captiva Community Survey 2013

Captiva Community Panel Community Survey

Lee County is in the process of updating its land use and zoning policies, which are a part of the county's overall plan. To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by Nov. 15, 2013. Results will be discussed at the Dec. 10 panel meeting and at subsequent public meetings.

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

Captiva Community Survey 2013

Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

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.

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

Future landscape regulations, for example, could either target the prohibition or removal of unwanted species (such as Australian pine or Brazilian pepper) or encourage the planting of native, low-water species that would thrive in the island climate. The Panel welcomes your thoughts on what level of regulation -— if any -— is needed, and what level of enforcement is practical.

1. What should a landscaping plan for Captiva include? (Check all that apply)

- [ ] Encouraging use of native or low-water species
- [ ] Removal of non-native, invasive species
- [ ] Restoring the canopy along Captiva Drive where possible
- [ ] Creating a vegetative buffer between homes where possible
- [ ] Using vegetation to enhance beach management
- [ ] Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive
- [ ] I have no opinion on this issue
- [ ] Other (please specify)

Captiva Community Survey 2013

2. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

- [ ] If we offer landscaping guidelines, private owners will mostly follow them
- [ ] We will need greater enforcement to achieve any impact
- [ ] A public education campaign will convince owners of the benefits of any new rules
- [ ] People will plant what they want, regardless of what county rules say
- [ ] I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

Historic preservation

Although most people don't think of Captiva Island as a famous place in U.S. history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are two Captiva sites on the National Register of Historic Places – the Tween Waters cottages and the Chapel by the Sea (pending). (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. They would like to know how you define "historic," in a Captiva context, if there any specific sites that are particularly important, and whether there are any new measures that Lee County should take to promote historic preservation on the island.

3. Do you support preserving historic buildings and other resources on the island?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Other (please specify)

4. What do you consider criteria for a designation as a historic property? (Check all that apply)

- ☐ Age or longevity
- ☐ Historical significance
- ☐ Cultural/social significance
- ☐ Archeological significance
- ☐ Not sure, need more information.
- ☐ I have no opinion on this issue

Other (please specify)

5. What site on the island do you think deserves preservation by a "historic" designation?

Captiva Community Survey 2013

Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642 (5)), although identification signs — popular on the island's front yards — are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. They would like to know if you prefer to see more or fewer restrictions on lighting on the island, and in what areas and under what conditions. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

6. Which statement best matches your opinion of lighting on the island? (Check all that apply)

- [ ] We need more lighting on the roadways to make it safer and easier to see at night.
- [ ] We need more lights at individual driveways to make it easier to see house numbers.
- [ ] We need more light in the Village area only at night to make it safer and easier to see.
- [ ] We need less or better directed light on the island at night to minimize light pollution.
- [ ] The lighting we now have works pretty well for me.
- [ ] I have no opinion on this issue

Other (please specify)

7. Is it your opinion that the island needs lighting rules, such as those that exist on Sanibel, that will encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

The Village

In referring to “the Village,” this covers the area north of the Jensen S-curve and south of South Seas Island Resort.

8. Are you concerned about maintaining the commercial core of the island in the Village?

- ◯ Yes, we need to keep essential businesses in the Village
- ◯ Yes, but the commercial core will survive without regulatory intervention
- ◯ No, there are too many businesses there now
- ◯ Not sure, need more information.
- ◯ I don’t care about the business community on the island.
- ◯ I have no opinion on this issue

Other (please specify)

9. Which of the following statements do you agree with? (Check all that apply)

- ☐ I like the current mix of commercial and residential uses in the Village.
- ☐ I think there should be more businesses and fewer residences in the Village.
- ☐ I think there should be more residences and fewer businesses in the Village.
- ☐ There needs to be more of a buffer between businesses and residences in the Village.
- ☐ The Village needs more parking to make it easier to drive there.
- ☐ The Village needs less parking to encourage people to walk or bike.
- ☐ I have no opinion on this issue

Other (please specify)

10. What’s the one new business Captiva really needs?

11. What’s the one business Captiva really doesn’t need?

12. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- ◯ Residents
- ◯ Tourists and other businesses
- ◯ Combination of the two

Other (please specify)

Captiva Community Survey 2013

Pedestrian & bicycle safety

13. Do you feel safe walking or biking on Captiva's streets?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

Other (please specify)

14. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

- ◯ Yes, but I won't because (give reason below).
- ◯ No, I'm happy with the current situation.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

I won't bike/walk more on Captiva because...

15. Which of the following issues should be part of a community discussion? (Check all that apply)

- [ ] Slower traffic speeds in selected zones
- [ ] Faster traffic speeds in selected zones
- [ ] Separated bike/walk paths away from traffic
- [ ] Wider bike/walk shoulders in the Village
- [ ] More enforcement of traffic/speed laws
- [ ] More enforcement of bike/walk laws
- [ ] Better parking to help eliminate cruising traffic
- [ ] Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
- [ ] I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

Parking

Public parking has always been an issue on Captiva. With the Corps of Engineers recently withdrawing federal funds for beach nourishment due to a lack of public beach access and parking on Captiva, island property owners may have to pay more of the beach project's cost now and into the future.

16. Which of these statements reflects your opinion?

- ◯ I support more public beach parking in general.
- ◯ I support more public beach parking if it would guarantee the island federal funds for beach renourishment.
- ◯ I do not support more public beach parking on the island, even if property owners have to pay more to maintain the beach.
- ◯ I have no opinion on this issue.

Other (please specify)

Captiva Community Survey 2013

Other issues

17. Do you fell the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

- [ ] Establishing standards to maintain a Village "look"
- [ ] Putting island power lines underground
- [ ] Brining limited sanitary sewer services to the island
- [ ] Creating bike/walk lanes on Captiva Drive
- [ ] Creating a bike/shared-use path on the island
- [ ] Having uniform rental rules for the entire island
- [ ] Enforcing leash laws on the beach
- [ ] Reducing stormwater runoff to improve water quality

Other (please specify)

18. What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island?

19. Prior to receiving this survey, were you aware of the Captiva Community Panel?

- ◯ Yes
- ◯ No

Other (please specify)

20. If "yes," what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

- ◯ 1 -- Very negative
- ◯ 2
- ◯ 3
- ◯ 4
- ◯ 5 -- Neutral
- ◯ 6
- ◯ 7
- ◯ 8
- ◯ 9
- ◯ 10 -- Very positive
- ◯ I have no opinion on this issue.

Other (please specify)

21. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

- ◯ Yes
- ◯ No

Other (please specify)

22. Other questions or comments?

Captiva Community Survey 2013

Tell us about you

A few final questions to help us analyze the survey results.

*23. Where do you live on the island?

- ◯ Gold Coast
- ◯ Tween Waters stretch
- ◯ The Village
- ◯ South Seas Island Resort

24. Where do yo own property on the island? (Check all that apply.)

- ☐ Gold Coast
- ☐ Tween Waters stretch
- ☐ The Village
- ☐ South Seas Island Resort

*25. Do you own multiple properties on the island?

- ◯ Yes
- ◯ No

*26. Which best describes you? (Check all that apply)

- ☐ Full-time (9 months or more) resident & property owner
- ☐ Full-time (9 months or more) renter
- ☐ Part-time (3-9 months) resident & property owner
- ☐ Property owner, but on island less than 3 months per year
- ☐ Business owner
- ☐ Employee

Other (please specify)

27. OPTIONAL: Give us your name, address and/or email if we need to follow up on your responses.

Name

Address

Email

28. If you are not currently receiving email updates from the panel, would you like to be added to our emai list? (We limt how many messages we send, and you can opt out at any time.)

- ◯ Yes
- ◯ No

What is your email address?

Thanks for taking the time to complete this survey, and be sure to attend an upcoming Community Panel meeting to hear the results.

CAPTIVA COMMUNITY PANEL

Nov. 12, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Oct. 8 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley
9:25 a.m. Committee reports (as necessary):

- Planning — Max Forgey (5 minutes)
  Update on county grant application for Lee Plan revisions
- Communications — Susan Stuart (1 minute)
- Financial & 2014 budget— Ken Gooderham (5 minutes)
- Fund-raising — Paul McCarthy (5 minutes?)
- Nominating – Board members willing to serve a second term (Brown, Cunningham, Kelly, McClure, Rohn) (5 minutes)

9:45 a.m. Update on community survey, discussion of workshop schedule – Ken Gooderham
10:00 a.m. Bylaws revision on panel structure – discussion
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (Dec. 10)

Adjourn

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4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

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- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
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- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

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Captiva Community Panel
Balance Sheet
As of November 11, 2013

	Nov 11, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	15,154.81
Total Checking/Savings	15,154.81
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	15,954.81
TOTAL ASSETS	**15,954.81**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,569.50
Net Income	-5,614.69
Total Equity	15,954.81
TOTAL LIABILITIES & EQUITY	**15,954.81**

Captiva Community Panel
Profit & Loss YTD Comparison
November 1 - 11, 2013

	Nov 1 - 11, 13	Oct 1 - Nov 11, 13
Ordinary Income/Expense		
Expense		
Consulting		
Administration	1,650.00	3,300.00
Planning & coordination	1,000.00	1,000.00
Total Consulting	2,650.00	4,300.00
Misc expenses		
List rental	0.00	28.00
Mileage & tolls	39.90	86.58
Web site/computer services	200.00	400.00
Total Misc expenses	239.90	514.58
Non-personnel expenses		
Community survey costs	612.44	612.44
Postage, shipping, delivery	0.00	11.71
Printing & copying	120.63	175.96
Total Non-personnel expenses	733.07	800.11
Total Expense	3,622.97	5,614.69
Net Ordinary Income	-3,622.97	-5,614.69
Net Income	**-3,622.97**	**-5,614.69**

Captiva Community Panel

2014 BUDGET

November 11, 2013

Revenues:	**Proposed**	**2013 YTD**
"Monday After The Masters"	$20,000.00	$25,300.00
Lee County reimbursement	$25,000.00	$0.00
Solicited donations	$15,000.00	$0.00
Cash forward 11/11/2013	$15,154.81	$33,165.49
Total 2013 balance	$75,154.81	$58,465.49
Expenses:	**Proposed**	**YTD**
Forgey Planning Services	$12,000.00	$12,000.00
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Gooderham & Associates	$19,800.00	$19,800.00
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Storage	$192.00	$185.80
Advertising for meetings & events	$1,000.00	$971.60
Fund-raising -- mailing/postage	$1,500.00	$49.60
Insurance -- D&O	$970.00	$1,888.43
Insurance -- Hole in One	$920.00	
Accounting	$400.00	$300.00
Taxes & fees	$200.00	$132.50
Processing & service charges	$400.00	$380.75
Other (2% contingency)	$826.84	$0.00
Operations total expenses	**$42,168.84**	**$39,143.43**
Committee expenses		
Hurricane committee	$2,200.00	$0.00
Community survey	$0.00	$0.00
Land Development Code committee	$0.00	$0.00
Water quality committee	$0.00	$0.00
Committees total expenses	**$2,200.00**	**$0.00**
Total expenses	**$44,368.84**	**$39,143.43**
Year-end cash position	**$30,785.97**	**$19,322.06**

of recommendations on community planning for environmental and land-use initiatives and such other related information including dissenting perspectives for the further edification of Lee County.
2. Contracting as needed for the services of staff and/or other professionals and always working in concert with regulatory agencies which have oversight on Captiva- related issues.
3. Proceeding with any research, data analysis, and result compilations in an objective, organized and deliberate manner which recognizes and elicits input from separate zones of common interest, i.e. the Gold Coast, the 'Tween Water's area, the Village and South Seas.
4. Funding and consensus will require obtaining cooperation, support, financial and other assistance from both public and private organizations as well as property owners.
5. Informing Captiva property owners and organizations of dates, hearings, and overall progress of specific planning and zoning matters, to encourage active participation in the process of these specific planning and zoning matters.
6. Following the procedures and criteria of the Lee County Administrative Code AC-13-3.[3]
7. Providing an accessible public forum whereby Captiva property owners can:
    a) Present projects requiring zoning variances,
    b) Receive feedback from and answer questions of the Panel Members,
    c) Receive feedback from and answer questions of neighbors and other Captiva property owners, residents and organizations.
8. Advising Lee County of the planning perspectives of the Panel and other interested Captiva participants, including but not limited to those attending the public meetings wherein any variance request is presented. It should be noted that the Panel has no decision-making authority concerning such variance requests. [4]
9. Presenting a balanced perspective on community planning and Panel views in all requests and recommendations offered to Lee County, including dissenting opinions.

ARTICLE TWO
GENERAL

Section 1 – Panel structure

~~The Panel structure shall be determined according to the aforementioned Lee County agreement.~~ The Panel shall consist of ten (10) voting Members. ~~The Panel shall consist of five (5) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc.(CCA) and an additional three (3) Members to be appointed from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation.~~ [5]

Section 2 – Conflicts of Interest

No Panel Member may participate in any vote in which said Member may have an economic or otherwise self-serving interest. Should an organization or other business or

[3] Adapted from Estero Community Planning Panel bylaws
[4] Language formulated by the Captiva Community Panel for variance discussions.
[5] Agreement between Lee County and CPOA; PANEL actions in February 2002 and March 2006.

Section 2 - Qualification of the Officers

Preference in choosing a President will be given to the Panel Members who have been on the Panel and have previously attended a minimum of twelve (12) Regular meetings prior to his or her nomination as President. As to other Officers, including Vice President, Secretary and Treasurer, preference will be given to the Panel Members who have previously attended a minimum of six (6) Regular meetings prior to his or her nomination and shall serve a term ending at the second December meeting of their regular Panel term or for the period ending with their regular term, whichever is the lesser period.

Section 3 – Nominations and Voting

The ~~Nominations~~ Nominating Committee (NC), see Article 7.3.b, will provide nominations for vacant Panel seats.

Section 4 – Responsibilities of Officers

A. **The President** shall:

1) preside at all meetings of the Panel,
2) conduct meetings in accordance with the Bylaws and Robert's Rules of Order,
3) act on behalf of the Panel in carrying out the purposes and decisions of the Panel; including but limited to: authorizing and executing in the name of, and on behalf of, the Captiva Community Panel (Panel) all certificates, contracts, and other documents or legal instruments authorized or issued by the Panel
4) perform such duties as may be assigned by the Panel
5) be an ex-officio member of all committees of the Panel, with the exception of the Nominating Committee, without power to vote.

B. The Vice President shall:

1) perform all duties and exercise all powers of the President when the President is absent or otherwise unable to act or serve.
2) perform such other duties as may be prescribed and delegated by the Panel.

C. The Secretary (or from time to time, a designee) shall:

1) keep full and accurate minutes for all meetings of the Panel, transmit all notices required of the Panel by the By-Laws to Members and the community,
2) keep custody of all official records of the Panel,
3) perform all duties incident to the office and such other duties as may be required of the Panel by the By-Laws,
4) attest to the signature of the President on any Panel document as required.

D. The Treasurer (or from time to time, a designee) shall:

1) keep charge and custody of all Panel funds and financial records,
2) keep and maintain adequate and correct accounts of the Panel business transactions consistent with applicable fiduciary principles and

terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

Section 3 – Staggered Terms of office

Staggered terms of office will commence in 2007 following the adoption of these bylaws. All Panel seats shall be assigned a number, such that each Panel member shall know which seat the member occupies~~, as well as whether the seat is an at large seat, appointed by the CCA or by the CPOA~~. Terms will subsequently follow a staggering of seats at the annual meeting such that odd numbered seats will change on odd numbered years and even numbered seats will change on even numbered years.

Section 4 -- Nomination and election of Panel Members

Nominees to fill vacancies on the Panel shall be nominated by the Nominating Committee (NC), Article 7.3.B.~~A. Panel Members shall be nominated in a timely manner to fill positions on the basis of the process by which they were originally appointed. Those seats designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the Captiva Property Owner's Association (CPOA). Those seats designated for appointment by the Captiva Civic Association (CCA) shall be filled by the Captiva Civic Association (CCA). In the event of a vacancy which has not been filled in a timely manner (i. e. sixty days or less) by the respective organizations, the Panel board may fill the vacancy upon two weeks written notice to the respective organization, as if the seats were at large seats (see Article 6.4.B below).The appointed Member filling such a vacancy which was previously designated for the Captiva Property Owner's Association (CPOA) or the Captiva Civic Association (CCA) will serve a regular term or the balance of the term of the seat being filled, but upon conclusion of such term, the respective organization shall again be offered their designated seat to fill.~~

~~B. Nominees to fill those seats so designated for appointment by the Panel at large shall be nominated by the Nominating Committee, Article 7.3.a. Additional nominations for these seats will be accepted at the General October Panel meeting, Article 7.3.a~~

Section 5 – Attendance

It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings in a calendar year is subject to removal from the Panel at the discretion of the Panel, such seat to be replaced by the Panel.

Section 6 -- Removal and resignation

A. Any Panel Member may be removed for cause by a two-thirds vote of the full Panel. Such vote must be scheduled and noticed at least forty-five (45) days in advance of the

committee meetings must be publicly noticed and recorded pursuant to Florida law. The common concerns explored by the committees must be presented to the full Panel during a properly noticed public meeting as outlined in Lee County Administrative Code 13-3.[16]

Section 3 – Definition and Responsibilities of Standing Committees

The following Standing committees shall always be active:

A. The Finance Committee

The Finance Committee, chaired by the duly elected Panel Treasurer, shall be responsible for establishing the fiscal policy of the Panel, including budget and spending. It shall make regular reports to the Panel of current financial standing, and expected future financial needs and requirements. The Finance Committee shall also develop and recommend to the Panel such fiscal policies as deemed appropriate. It shall arrange for keeping of the books, records and accounts of the Panel.

B. The Nominating Committee

The Nominating Committee shall be comprised of ~~three (3)~~ five (5) members appointed by the ~~President~~Captiva Community Panel. The Nominating Committee shall be appointed on a yearly basis no later than May of the calendar year in which nominations shall be offered and shall be ratified by the Panel at the May meeting. No more than one (1) of the members of the Nominating Committee shall be a sitting member of the Panel. At a Regular meeting, no later than the Regular October meeting, the Nominating committee shall present to the Panel its formal nominations for Panel Members. The Nominating committee shall at all times operate pursuant to, and in accordance with the terms, obligations, qualifications and requirements of these Bylaws. The Panel shall not be bound by the recommendations of the Nominating committee and may accept the recommendations as presented, or suggest other names of its own choosing and on its own accord. The Panel will not vote on the nominations until December but may, by the Regular November meeting, submit additional nominations as follows:

1) Nominations will be accepted in writing at a public meeting no later than November, prior to the annual public meeting.
2) Panel Members shall be allowed to vote in December for a single nominee included in the formal list for each available position. In the event a nominee fails to receive a majority of all votes, then the Members shall immediately recast their ballots in a run off election. The only nominees eligible to receive votes shall be the two nominees receiving the largest pluralities in the original election.
3) The nominee with the most votes in the run off election will be appointed to serve.

C. The Development Committee

[16] Adapted from the agreement between Lee County and CPOA.

The Development Committee shall review, approve, and recommend to the Panel all major fund raising initiatives for the Panel. The Development Committee shall establish all policies for the methods and manners of solicitation, receipt, stewardship and recognition of all gifts to the Panel. At least the Treasurer, or one member of the Finance committee, shall sit on the Development committee.

Section Four -- Meetings of the Committees
Each committee shall determine its own schedule of meetings throughout the year. The day, hour and place of such meetings shall be determined by the Chairperson of each committee and reported where applicable through the Secretary pursuant to rules on Notices.

Section Five – Committee Members ***of all Standing Committees except the Nominating Committee (NC)***

A. The Chairperson and/or Co-Chairpersons of ~~the Nominating Committee and of~~ all ~~other~~ Standing Committees shall be designated annually by the President, subject to the Panel's approval, no later than the regular March meeting.
B. The President may conditionally remove and/or replace the Chairperson of any committee at any time, are subject to ratification by the Panel.
C. Committee Members shall be appointed by the Chairperson of the committee subject to the approval of the Panel.
D. Members of the Panel may be Committee Chairpersons and committee members.

Section Six – Committee Procedure
There shall be no quorum required for the transaction of business of committees. The vote of a majority of the members of a committee present at a meeting of the committee shall represent the decision of the committee. Each committee shall keep a record of its meetings and other proceedings, except as defined otherwise in Article 3.2.A.5. The chairperson of each such committee shall be responsible for recording the committee meetings. Any action required or permitted to be taken at any committee meeting may be taken by the committee in lieu of a physical meeting of the committee, provided the action so taken shall be set forth in writing, and shall be signed by a majority of those members of the committee entitled to vote on the subject. The actions and decisions of the committees are purely advisory as applied to and by the Panel and shall require a vote of ratification by the Panel to have any force and effect. The Panel may at any time modify or set aside any action or decision of a committee by a majority vote of the Panel.

ARTICLE EIGHT
COMMUNITY SURVEYS

From time to time major community planning issues of common concern will be presented to and/or initiated by the Panel which affects a significant number of the properties on Captiva. Examples of such issues include: Captiva specific changes to the Lee County Comprehensive Land Use Plan, sanitary sewer systems, changes to septic inspection quality standards, burying of electric power lines/utilities, and widening of Captiva Drive to include safety shoulders. On such planning issues the Panel shall be

2014 meeting dates

If panel and CEPD hold to same schedule as this year (second Tuesday/second Wednesday):

	CCP Proposed	**CEPD Planned?**	
January	Jan. 14	Jan. 8	NOT ON SAME WEEK?
February	Feb. 11	Feb. 12	
March	March 11	March 12	
April	April 8	April 9	
May	May 13	May 14	
June	June 10	June 11	
July	July 8	July 9	
August	Aug. 12	Aug. 13	
September	Sept. 9	Sept. 10 (plus budget hearings)	
October	Oct. 14	Oct. 8	NOT ON SAME WEEK?
November	Nov. 11	Nov. 12	
December	Dec. 9	Dec. 10	

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 12-14 — possible conflict for CEPD if anyone attends
- ASBPA Summit: Feb. 25-27 — no conflict
- FSBPA annual meeting: Sept. 24-27 — no conflict
- ASBPA Coastal Conference: Oct. 14-17 — Gooderham conflict

Monday After The Masters: April 14

CAPTIVA COMMUNITY PANEL

Dec. 10, 2013, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Nov. 12 minutes
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. CEPD update — Kathy Rooker
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (5 minutes?)
- Communications — Susan Stuart (1 minute)
- Planning — Max Forgey (5 minutes)
- Financial & 2014 budget— Ken Gooderham (5 minutes)
- Panel – Confirm returning 2014 members (five) and 2014 officers (5 minutes)

9:45 a.m. Update on community survey, discussion of workshop schedule – Ken Gooderham
10:15 a.m. Bylaws revision on panel structure – discussion and vote (?)
10:45 a.m. Property tax and appraisal issues – Mike Mullins
11:00 a.m. Other business and public comment

- Confirm dates for next meeting (Jan. 14)
- Confirm 2014 meeting schedule

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Jan.14 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2014 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2013 (see below).
3) Develop and approve a 2014 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2013 with another two-year term possible: Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of December 6, 2013

	Dec 6, 13
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	12,045.29
Total Checking/Savings	12,045.29
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	12,845.29
TOTAL ASSETS	**12,845.29**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,569.50
Net Income	-8,724.21
Total Equity	12,845.29
TOTAL LIABILITIES & EQUITY	**12,845.29**

Captiva Community Panel
Profit & Loss YTD Comparison
December 1 - 6, 2013

	Dec 1 - 6, 13	Oct 1 - Dec 6, 13
Ordinary Income/Expense		
Expense		
Business expenses		
Service charge	0.00	3.00
Total Business expenses	0.00	3.00
Consulting		
Administration	1,650.00	4,950.00
Planning & coordination	1,000.00	2,000.00
Total Consulting	2,650.00	6,950.00
Misc expenses		
List rental	0.00	28.00
Mileage & tolls	39.90	126.48
Storage rental	95.40	95.40
Web site/computer services	200.00	600.00
Total Misc expenses	335.30	849.88
Non-personnel expenses		
Community survey costs	39.90	652.34
Postage, shipping, delivery	5.60	17.31
Printing & copying	75.72	251.68
Total Non-personnel expenses	121.22	921.33
Total Expense	3,106.52	8,724.21
Net Ordinary Income	-3,106.52	-8,724.21
Net Income	**-3,106.52**	**-8,724.21**

Captiva Community Panel

2014 BUDGET

December 6, 2013

Revenues:	**Proposed**	**2013 YTD**
"Monday After The Masters"	$20,000.00	$25,300.00
Lee County reimbursement	$25,000.00	$0.00
Solicited donations	$15,000.00	$0.00
Cash forward 11/11/2013	$15,154.81	$33,165.49
Total 2013 balance	$75,154.81	$58,465.49
Expenses:	**Proposed**	**YTD**
Forgey Planning Services	$12,000.00	$12,000.00
Planning -- outside contractors	$0.00	$0.00
Gooderham & Associates	$19,800.00	$19,800.00
Copies and mileage	$960.00	$945.73
Webmaster	$3,000.00	$2,489.02
Storage	$192.00	$185.80
Advertising for meetings & events	$1,000.00	$971.60
Fund-raising -- mailing/postage	$1,500.00	$49.60
Insurance -- D&O	$970.00	$1,888.43
Insurance -- Hole in One	$920.00	
Accounting	$400.00	$300.00
Taxes & fees	$200.00	$132.50
Processing & service charges	$400.00	$380.75
Other (2% contingency)	$826.84	$0.00
Operations total expenses	**$42,168.84**	**$39,143.43**
Committee expenses		
Hurricane committee	$2,250.00	$0.00
Community survey	$850.00	$0.00
Land Development Code committee	$0.00	$0.00
Water quality committee	$0.00	$0.00
Committees total expenses	**$3,100.00**	**$0.00**
Total expenses	**$45,268.84**	**$39,143.43**
Year-end cash position	**$29,885.97**	**$19,322.06**

Important Dates January-April 2014

Month	Date	Event
Jan	1 (Wed)	New Year's Day
Jan	14 (Tue)	CAPTIVA COMMUNITY PANEL REGULAR MEETING Probable date for First Workshop (10:00 to 12:00)
Jan	20 (Mon)	MLK Holiday
Feb	2 (Sun)	Super Bowl XLVIII @ MetLife Stadium—East Rutherford, NJ
Feb	7 (Fri)	Winter Olympics begin in Sochi Russia
Feb	11 (Tue)	CAPTIVA COMMUNITY PANEL REGULAR MEETING Probable date for Workshop (10:00 to 12:00)
Feb	15 (Sat)	Edison Festival of Light Parade Fort Myers
Feb	17 (Mon)	Presidents' Day (Washington's Birthday) Holiday
Feb	23 (Sun)	Winter Olympics end
Feb	23 (Sun)- 27 (Thu)	Ken out of area
Mar	6 (Thu)	Hurricane Education Program probable time 3:30 PM.
Mar	11 (Tue)	CAPTIVA COMMUNITY PANEL REGULAR MEETING Probable date for Workshop (10:00 to 12:00) Daniel Noah, US Weather Service Skywarn Tween Waters Ding Darling Room probable time 1:30 PM.
Mar	18 (Tue)	NCAA Mens' Tournament begins
Mar	27 (Thu)- 29 (Sat)	Max out of area
Apr	5 (Sat)	NCAA National Semifinals @ Arlington TX
Apr	7 (Mon)	NCAA Tournament Finals
Apr	8 (Tue)	CAPTIVA COMMUNITY PANEL REGULAR MEETING Possible date for Workshop (10:00 to 12:00)
Apr	13 (Sun)	Palm Sunday—Final round of Masters' Golf Tournament
Apr	14 (Mon)	MONDAY AFTER THE MASTERS GOLF TOURNAMENT Passover begins at sundown
Apr	18 (Fri)	Good Friday
Apr	20 (Sun)	Easter Sunday
Apr	26 (Sat)- 30 (Wed)	American Planning Association National Conference in Atlanta

Questions to be resolved:

- **Is Community Center available?** ***Yes, per Jack C.***
- **Is 10:00 AM to 12:00 noon a good time for workshops?** ***Yes, per consensus.***
- **What would be good time for a fourth workshop?** ***To be addressed 12/10.***
- **Would Panel like to focus on specific topics at workshops, or keep them open?** ***First one general; remaining three will focus on a narrower range of topics.***

2014 Community Panel meeting dates

	CCP Proposed	**CEPD Approved**	
January	Jan. 14	Jan. 8	NOT ON SAME WEEK?
February	Feb. 11	Feb. 12	
March	March 11	March 12	
April	April 8	April 9	
May	May 13	May 14	
June	June 10	June 11	
July	July 8	July 9	
August	Aug. 12	Aug. 13	
September	Sept. 9	Sept. 22 (plus 9/5 and 9/22 budget hearings)	
October	Oct. 14	Oct. 8	NOT ON SAME WEEK?
November	Nov. 11	Nov. 12	
December	Dec. 9	Dec. 10	

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 12-14 — possible conflict for CEPD if anyone attends
- ASBPA Summit: Feb. 25-27 — no conflict
- FSBPA annual meeting: Sept. 24-27 — no conflict
- ASBPA Coastal Conference: Oct. 14-17 — Gooderham conflict

Monday After The Masters – April 14
Easter – April 20
Labor Day – Sept. 1

POSSIBLE PLANNING WORKSHOPS

Feb. 11 – after panel meeting	Introduction and overview
March 5 or 6 – early afternoon?/in Community Center?	Topic discussions
March 11 – after panel meeting	Topic discussions
April 8 – after panel meeting	Summary session

2014 community survey/Executive summary

Landscaping:

1) Encouraging use of native or low-water species
2) Removal of non-native, invasive species
3) Restoring the canopy along Captiva Drive where possible
4) Using vegetation to enhance beach management
5) Creating a vegetative buffer between homes where possible
6) Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive

COMMENTS:

- Save the existing pines, landscape for hurricanes and natural appearance.

1) A public education campaign will convince owners of the benefits of any new rules
2) If we offer landscaping guidelines, private owners will mostly follow them
3) We will need greater enforcement to achieve any impact
4) People will plant what they want, regardless of what county rules say

COMMENTS:

- General dislike for rules here and respect for private property rights, perhaps only regulating for non-natives or invasive species.

Historic preservation

- Good support for historic preservation, less so for rules and rewards systems.
- Historical significance top criteria.
- Many feel it's too late to save truly historic structures.
- Chapel/cemetery tops the ones worthy of preservation, followed by Tween Waters cottages (both of these are on National Register of Historic Places), then the fish houses, shell mound at South Seas, Island Store and Bubble Room

Lighting

- Status quo lighting got most support, followed by less light pollution.
- Many concerned about safety for walkers in Village and Rauschenberg corner, need for more enforcement.
- 63% support some lighting rules, but 15% need more info. Many comments wonder what else could realistically be done and urge enforcement of existing rules.

Village commercial core

- Support for essential businesses in the Village, but not convinced of the need for regulator intervention.
- Current mix of business/residential backed by 70%
- Urge more walking to curtail traffic and parking issues.
- New business needs: Pharmacy, grocery, something with hardware. Lots of comments.
- Strong support for businesses serving both residents and tourists, as a recognition of the obvious

Walking/biking

- 60% feel safe on Captiva, 35% don't
- Half of the respondents happy with current bike/walk conditions
- Wider shoulders in the Village, a separated path were top two issues raised
- Making safety shoulder wider raised repeatedly in comments, as was enforcement of speed limits. Aggressive drivers and cyclists cited as issue.
- Some mixed messages… some suggest trolleys, others vehemently oppose them. Some suggest extending the golf cart zone, others suggest cart are adding to traffic congestion now.

Parking/beach access

- 55% oppose more public parking and beach access. 27% might support it only if it would guarantee beach funding
- Comments reinforce general opposition to more parking, as it would draw daytrippers, overload beaches and use space the island does not have

Other issues

1) Undergrounding power lines (60%)
2) Wider bike/walk lanes on Captiva Drive (58%)
3) Standards for a Village "look" (46%)
4) Sanitary sewer service (44%)
5) Separate bike/shared use path (38%)

- Low overall response to the open-ended question… major theme was keeping Captiva as is through a variety of concerns

Panel awareness

- 61% aware of panel prior to survey
- Perception is neutral to good
- Only 25% of respondents had attended a panel meeting in the past year, Many cite inability to attend

Other metrics

- 241 responses out of approx. 1,200 audience – 20% response, good for a survey of this type
- Number of responses probably lower than 2010 survey because we did not send duplicate mailings (for multiple properties) and Survey Monkey blocked more than one response from the same ISP (a new and unexpected feature of theirs)
- Half of those responding live ta South Seas, higher level than for 2010 survey
- Geographic responses line up almost exactly with number of properties per area
- Only 25% of respondents own more than one property on island
- 35% were part-time (less than 3 months) owners. Jumps to 60% if you add in those who are here less than nine months.
- 25% of respondents were timeshare owners

of recommendations on community planning for environmental and land-use initiatives and such other related information including dissenting perspectives for the further edification of Lee County.
2. Contracting as needed for the services of staff and/or other professionals and always working in concert with regulatory agencies which have oversight on Captiva- related issues.
3. Proceeding with any research, data analysis, and result compilations in an objective, organized and deliberate manner which recognizes and elicits input from separate zones of common interest, i.e. the Gold Coast, the 'Tween Water's area, the Village and South Seas.
4. Funding and consensus will require obtaining cooperation, support, financial and other assistance from both public and private organizations as well as property owners.
5. Informing Captiva property owners and organizations of dates, hearings, and overall progress of specific planning and zoning matters, to encourage active participation in the process of these specific planning and zoning matters.
6. Following the procedures and criteria of the Lee County Administrative Code AC-13-3.[3]
7. Providing an accessible public forum whereby Captiva property owners can:
    a) Present projects requiring zoning variances,
    b) Receive feedback from and answer questions of the Panel Members,
    c) Receive feedback from and answer questions of neighbors and other Captiva property owners, residents and organizations.
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2) conduct meetings in accordance with the Bylaws and Robert's Rules of Order,
3) act on behalf of the Panel in carrying out the purposes and decisions of the Panel; including but limited to: authorizing and executing in the name of, and on behalf of, the Captiva Community Panel (Panel) all certificates, contracts, and other documents or legal instruments authorized or issued by the Panel
4) perform such duties as may be assigned by the Panel
5) be an ex-officio member of all committees of the Panel, with the exception of the Nominating Committee, without power to vote.

B. The Vice President shall:

1) perform all duties and exercise all powers of the President when the President is absent or otherwise unable to act or serve.
2) perform such other duties as may be prescribed and delegated by the Panel.

C. The Secretary (or from time to time, a designee) shall:

1) keep full and accurate minutes for all meetings of the Panel, transmit all notices required of the Panel by the By-Laws to Members and the community,
2) keep custody of all official records of the Panel,
3) perform all duties incident to the office and such other duties as may be required of the Panel by the By-Laws,
4) attest to the signature of the President on any Panel document as required.

D. The Treasurer (or from time to time, a designee) shall:

1) keep charge and custody of all Panel funds and financial records,
2) keep and maintain adequate and correct accounts of the Panel business transactions consistent with applicable fiduciary principles and

terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

Section 3 – Staggered Terms of office

Staggered terms of office will commence in 2007 following the adoption of these bylaws. All Panel seats shall be assigned a number, such that each Panel member shall know which seat the member occupies~~, as well as whether the seat is an at large seat, appointed by the CCA or by the CPOA~~. Terms will subsequently follow a staggering of seats at the annual meeting such that odd numbered seats will change on odd numbered years and even numbered seats will change on even numbered years.

Section 4 -- Nomination and election of Panel Members

Nominees to fill vacancies on the Panel shall be nominated by the Nominating Committee (NC), Article 7.3.B.~~A. Panel Members shall be nominated in a timely manner to fill positions on the basis of the process by which they were originally appointed. Those seats designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the Captiva Property Owner's Association (CPOA). Those seats designated for appointment by the Captiva Civic Association (CCA) shall be filled by the Captiva Civic Association (CCA). In the event of a vacancy which has not been filled in a timely manner (i. e. sixty days or less) by the respective organizations, the Panel board may fill the vacancy upon two weeks written notice to the respective organization, as if the seats were at large seats (see Article 6.4.B below).The appointed Member filling such a vacancy which was previously designated for the Captiva Property Owner's Association (CPOA) or the Captiva Civic Association (CCA) will serve a regular term or the balance of the term of the seat being filled, but upon conclusion of such term, the respective organization shall again be offered their designated seat to fill.~~

~~B. Nominees to fill those seats so designated for appointment by the Panel at large shall be nominated by the Nominating Committee, Article 7.3.a. Additional nominations for these seats will be accepted at the General October Panel meeting, Article 7.3.a~~

Section 5 – Attendance

It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings in a calendar year is subject to removal from the Panel at the discretion of the Panel, such seat to be replaced by the Panel.

Section 6 -- Removal and resignation

A. Any Panel Member may be removed for cause by a two-thirds vote of the full Panel. Such vote must be scheduled and noticed at least forty-five (45) days in advance of the

committee meetings must be publicly noticed and recorded pursuant to Florida law. The common concerns explored by the committees must be presented to the full Panel during a properly noticed public meeting as outlined in Lee County Administrative Code 13-3.[16]

Section 3 – Definition and Responsibilities of Standing Committees

The following Standing committees shall always be active:

A. The Finance Committee

The Finance Committee, chaired by the duly elected Panel Treasurer, shall be responsible for establishing the fiscal policy of the Panel, including budget and spending. It shall make regular reports to the Panel of current financial standing, and expected future financial needs and requirements. The Finance Committee shall also develop and recommend to the Panel such fiscal policies as deemed appropriate. It shall arrange for keeping of the books, records and accounts of the Panel.

B. The Nominating Committee

The Nominating Committee shall be comprised of ~~three (3)~~ five (5) members appointed by the ~~President~~Captiva Community Panel. The Nominating Committee shall be appointed on a yearly basis no later than May of the calendar year in which nominations shall be offered and shall be ratified by the Panel at the May meeting. No more than one (1) of the members of the Nominating Committee shall be a sitting member of the Panel. At a Regular meeting, no later than the Regular October meeting, the Nominating committee shall present to the Panel its formal nominations for Panel Members. The Nominating committee shall at all times operate pursuant to, and in accordance with the terms, obligations, qualifications and requirements of these Bylaws. The Panel shall not be bound by the recommendations of the Nominating committee and may accept the recommendations as presented, or suggest other names of its own choosing and on its own accord. The Panel will not vote on the nominations until December but may, by the Regular November meeting, submit additional nominations as follows:

1) Nominations will be accepted in writing at a public meeting no later than November, prior to the annual public meeting.
2) Panel Members shall be allowed to vote in December for a single nominee included in the formal list for each available position. In the event a nominee fails to receive a majority of all votes, then the Members shall immediately recast their ballots in a run off election. The only nominees eligible to receive votes shall be the two nominees receiving the largest pluralities in the original election.
3) The nominee with the most votes in the run off election will be appointed to serve.

C. The Development Committee

[16] Adapted from the agreement between Lee County and CPOA.

The Development Committee shall review, approve, and recommend to the Panel all major fund raising initiatives for the Panel. The Development Committee shall establish all policies for the methods and manners of solicitation, receipt, stewardship and recognition of all gifts to the Panel. At least the Treasurer, or one member of the Finance committee, shall sit on the Development committee.

Section Four -- Meetings of the Committees
Each committee shall determine its own schedule of meetings throughout the year. The day, hour and place of such meetings shall be determined by the Chairperson of each committee and reported where applicable through the Secretary pursuant to rules on Notices.

Section Five – Committee Members ***of all Standing Committees except the Nominating Committee (NC)***

A. The Chairperson and/or Co-Chairpersons of ~~the Nominating Committee and of~~ all ~~other~~ Standing Committees shall be designated annually by the President, subject to the Panel's approval, no later than the regular March meeting.
B. The President may conditionally remove and/or replace the Chairperson of any committee at any time, are subject to ratification by the Panel.
C. Committee Members shall be appointed by the Chairperson of the committee subject to the approval of the Panel.
D. Members of the Panel may be Committee Chairpersons and committee members.

Section Six – Committee Procedure
There shall be no quorum required for the transaction of business of committees. The vote of a majority of the members of a committee present at a meeting of the committee shall represent the decision of the committee. Each committee shall keep a record of its meetings and other proceedings, except as defined otherwise in Article 3.2.A.5. The chairperson of each such committee shall be responsible for recording the committee meetings. Any action required or permitted to be taken at any committee meeting may be taken by the committee in lieu of a physical meeting of the committee, provided the action so taken shall be set forth in writing, and shall be signed by a majority of those members of the committee entitled to vote on the subject. The actions and decisions of the committees are purely advisory as applied to and by the Panel and shall require a vote of ratification by the Panel to have any force and effect. The Panel may at any time modify or set aside any action or decision of a committee by a majority vote of the Panel.

ARTICLE EIGHT
COMMUNITY SURVEYS

From time to time major community planning issues of common concern will be presented to and/or initiated by the Panel which affects a significant number of the properties on Captiva. Examples of such issues include: Captiva specific changes to the Lee County Comprehensive Land Use Plan, sanitary sewer systems, changes to septic inspection quality standards, burying of electric power lines/utilities, and widening of Captiva Drive to include safety shoulders. On such planning issues the Panel shall be

CPA2015-00009
2014
PACKETS

CAPTIVA COMMUNITY PANEL

Jan. 14, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Dec. 10 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (5 minutes?)
- Communications — Susan Stuart (1 minute)
- Planning — Max Forgey (3 minutes)
- Financial — Ken Gooderham (1 minute)

9:35 a.m. Update on community survey, discussion of workshop schedule – Ken Gooderham & Max Forgey
10:05 a.m. Bylaws change discussion
10:15 a.m. Discussion of property assessment and appraisal issues – Mike Mullins
10:30 a.m. Other business and public comment

- Confirm dates for next meeting (Feb. 11)

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Feb.11 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Robert Baugh, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2014 with another two-year term possible: Baugh, Stilwell

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2013)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

History of the Captiva Panel

The Captiva Community Panel advocates for Captiva's land use and zoning issues before our local and state governments. Formed in 2002 under Lee County financial support and guidance, the Panel uses surveys and public forums to offer all Captivans a voice in determining our island's future. The Panel builds consensus on land use issues and seeks funding for projects that fulfill its mission to protect Captiva's unique island ambience and precious natural resources.

The Captiva Community Panel believes in the importance of clean bay and offshore waters, well-maintained beaches, diverse and healthy marine life, and robust native vegetation.

Progress Made

- Drafting and implementing the Captiva Plan, 15 land-use policies to help preserve and protect the island.
- Drafting and winning County Commission approval for the Captiva Land Development Code, September 11, 2012.
- The Captiva Drive safety shoulder, a $1 million county project made possible after a strong showing of community support through a panel survey and public meetings.
- Re-vegetating the island after Hurricane Charley, using grant subsidies to plant more than 1,000 trees on private properties and by securing state funds to plant native vegetation on public rights-of-way.
- Monitoring the quality of waters surrounding the island by winning county support to fund a two-year study conducted by SCCF into island water quality issues.
- Acting as a community clearinghouse for issues such as underground utilities, golf cart use on public roadways, and land use and zoning request for island properties.
- Supporting additional community efforts such as the Captiva Hurricane Preparation and Response Committee, earning the island a "Storm Ready" designation.

See our website: captivacommunitypanel.com

Charting our Future

Testimonials

"I agreed to join the panel with one key objective being to help better unify the community. I believe this process is well underway. The opportunity to serve Captiva as a member of the panel is an honor I take very seriously."

Jack Cunningham

"This is a great form of government for any small community. The Panel provides a forum for Captiva stake holders to present ideas that will improve our quality of life and also a place to complain about local issues. Couple this with having Lee County Government's expertise in Land Use and other services...Captiva is a great place to live and work!"

Dave Jensen

"Participating as a Captiva Panel member represents an important opportunity to work with Lee County to create a specific land use plan for Captiva's unique needs and values.

With the assistance of many interested Captivans, the Panel has completed and the County has accepted a comprehensive Captiva Land Use Plan and its accompanying Code enforcement language."

Mike Kelly

We need your support

The Panel advocates for your interests. You can volunteer to serve on the Panel, to help with its fundraisers, make a comment, or send a donation to:

Captiva Community Panel
P.O. Box 72
Captiva, FL 33924
Phone: 239-489-2616

NAME

ADDRESS

CITY

STATE ZIP

PHONE

EMAIL

Enclosed is $_____
to help with your efforts.

COMMENTS

The Captiva Community Panel is a local advocacy group organized to preserve and improve Captiva Island as a great place to live, work, or vacation.

Get involved

The Panel meets every second Tuesday at 9:00 AM at South Seas Island Resort. There are occasional special workshops and meetings are sometimes rescheduled, so consult our website just in case. Everyone is welcome, including permanent and seasonal residents, and business owners and managers.

"If you want to learn about the issues facing our community and also understand the long-term vision for future growth and development on Captiva, attend the monthly meetings of the Captiva Community Panel. These meetings are open to the public and provide a forum for the community to hear from and ask questions of many local organizations, such as the Captiva Erosion Prevention District, the Captiva Fire District and other Lee County agencies. The Panel members are a passionate and knowledgeable group of individuals who care deeply about the future of Captiva."

Cindy Brown

Captiva Community Panel
P.O. Box 72
Captiva, FL 33924
Phone: 239-489-2616
E-mail: captivacommunitypanel@gmail.com

Website: **captivacommunitypanel.com**

Captiva Community Panel

Advocating on a range of local issues.

We invite you to join us for a casual cruise to meet & greet Captiva Community Panel Members and fellow Captiva residents & business owners.

Date: Tuesday February 11, 2014

Time: 5:00pm to 6:30pm

Where: McCarthy's Marina

RSVP: 239-472-5300
(limited vessel capacity)

Captiva Community Panel
Balance Sheet
As of January 10, 2014

	Jan 10, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	8,849.73
Total Checking/Savings	8,849.73
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	9,649.73
TOTAL ASSETS	**9,649.73**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,569.50
Net Income	-11,919.77
Total Equity	9,649.73
TOTAL LIABILITIES & EQUITY	**9,649.73**

Captiva Community Panel
Profit & Loss YTD Comparison
January 1 - 10, 2014

	Jan 1 - 10, 14	Oct 1, '13 - Jan 10, 14
Ordinary Income/Expense		
Expense		
Business expenses		
Service charge	0.00	6.00
Total Business expenses	0.00	6.00
Consulting		
Administration	1,650.00	6,600.00
Planning & coordination	0.00	3,000.00
Total Consulting	1,650.00	9,600.00
Misc expenses		
List rental	0.00	28.00
Mileage & tolls	79.80	206.28
Storage rental	95.40	190.80
Web site/computer services	200.00	800.00
Total Misc expenses	375.20	1,225.08
Non-personnel expenses		
Community survey costs	110.13	762.47
Postage, shipping, delivery	5.60	22.91
Printing & copying	51.63	303.31
Total Non-personnel expenses	167.36	1,088.69
Total Expense	2,192.56	11,919.77
Net Ordinary Income	-2,192.56	-11,919.77
Net Income	**-2,192.56**	**-11,919.77**

Captiva Plan survey & workshops

Jan. 6, 2014

FROM: Ken Gooderham

TO: Captiva Community Panel members

As a follow-up to discussion at the Dec. 10 Community Panel meeting, what follows is a more detailed review of the community survey conducted in fall 2013 and what steps the panel could consider undertaking based on the response and comments.

First, I want to clarify the task at hand and the differences between Captiva Plan language (as contained in the Lee Plan) and Captiva Code language (as contained in the county Land Development Code).

The task: Under the terms of the county grant which is funding this effort, the goal is to update the Captiva Plan some 10 years after its original approval. The outcomes (as detailed in the county Task Summary in the appendix at the end) will result in suggested amendments to the Captiva/Lee Plan for review by the county and approval by the county commission.

The Plan: The Captiva Plan, part of the Lee Plan, is the county's (and thus the island's) comprehensive land use planning document, which guides all land use and zoning decisions and is legally enforceable in court. It is also the guiding force for the Land Development Code (LDC), setting forth the broader principles and policies which are further detailed and given specifics in the Code. Simply put, the Plan = broad policies.

The Code: The Captiva Code, part of the Lee County LDC, more specifically implements the land use and zoning policies set forth in the Plan. As such, all Code language must conform to Plan policies, and Code language does not have the legal standing that Plan policies have (which also means they can be waived or modified by means of a variance request, unlike the Plan language). Simply put, the Code = specific rules.

With this in mind, let's move to the recent community survey.

The survey focused on six areas of concern that had come up repeatedly in community and panel discussions over the past few years. Respondents were asked to comment on a few questions in each of these areas, with numerous opportunities for open-ended responses as well as multiple-choice or ranked responses. Also, respondents were asked to identify any other issues they felt were important to the island and perhaps in need of action, and some other perception and demographic questions were also included.

A link to an online survey was mailed to approx. 1,200 island property owners and registered voters, with duplicates removed when easily identifiable. (An unanticipated Survey Monkey block allowing only one response per IP address further limited duplicate responses.) Printed surveys were mailed to those

who requested them, and those were entered into the online database in addition to the electronic responses. Respondents were given approx. 30+ days to complete the survey, from mid-October to mid-November.

All told, 241 response were received, a 20% response rate. The geographic distribution of responses mirrored the property breakdown by geographic area almost exactly. About half of those responding live at South Seas (much higher than in past surveys), and 60% of those responding live on the island nine months a year or less.

Planner Max Forgey has done a more detailed analysis of a number of the focus issues (attached), which I urge you to read; you also already received the full survey response summary and comments prior to the Dec. 10 panel meeting.

Looking more briefly at the six issues, as well as anything new that came up in the surveys:

Issue: Landscaping

Response: Of the six choices respondents were given, these ranked the highest:
1) Encouraging use of native or low-water species
2) Removal of non-native, invasive species
3) Restoring the canopy along Captiva Drive where possible (ranked high in comments as well)
4) Using vegetation to enhance beach management

Comments encouraged preserving the remaining pines, restoring the Captiva Drive canopy and encouraging landscaping for hurricane and natural appearance.

In the second question, these two responses were virtually tied:
1) A public education campaign will convince owners of the benefits of any new rules
2) If we offer landscaping guidelines, private owners will mostly follow them

Comments expressed concern that private property rights were respected and a general dislike of unnecessary rules.

Possible Plan action: A review of the existing plan policies (13.1.3, 13.1.13 and 13.1.14) is warranted, particularly since #3 and #14 are outdated or may not reflect community sentiments thoroughly. #14 needs to address the limited options available for replanting in the Captiva Drive right-of-way given the constraints imposed by adjacent utilities and Lee DOT requirements. (As to #13, there has been discussion whether this offers sufficient protection and whether the county will/can do anything more since it does not regulate mangroves.) Input from the island's landscapers and vegetation experts is also encouraged, as they may have some Captiva-specific issues not current addressed in the Lee Plan.

Possible Code action: No implementing language has ever been written, and this needs to eventually be done to let the Plan policies have any impact. Input from the island's landscapers and vegetation experts is also encouraged, as they may have some Captiva-specific issues not current addressed in the Lee LDC. Also, no implementing language has ever been enacted for Policy 84.1.4 (which was adopted at the behest of the Captiva Community Panel) regarding fill setback requirements from existing mangroves.

Options: Given the limited public land on the island, a public education campaign targeting private property owners may have the most impact to encourage use of native vegetation, eliminate existing exotics and bulk up the canopy and buffer. Beach vegetation was generally supported in the survey, which is a good sign of support for the CEPD's current and future beach vegetation plans.

Issue: Historic preservation

Response: General support for the concept, less for the rules and any impact on private property rights. Many feel it's too late to have a major impact, since most of the historic structures not already protected (Tween Waters cottages and Chapel by the Sea) are gone. Historical significance was the major criteria suggested for preservation consideration.

Possible Plan action: A review of the current Lee Plan section on historic preservation is warranted, to determine whether there are Captiva-specific issues that should be addressed. A general policy in support of preservation could be included, if desired.

Possible Code action: Review of the county's current historic preservation rules should be undertaken at the appropriate time to determine if there are any Captiva-specific issues missing or unaddressed.

Options: A discussion with those who own properties that could be considered for historic preservation may be useful to determine whether there are any actions the panel or county could take to encourage or enhance such preservation.

Issue: Lighting

Response: Generally, people were happy with the status quo, but there was some interest in further regulation of lighting to address loss of dark skies. Many noted that existing rules need to be better enforced, and that more rules were not always welcomed. There was concern expressed about bike/ped safety in the Village due to the higher use and fewer lights along Captiva Drive there.

Possible Plan action: There is no Plan policy on general lighting policies, which could be useful in LDC rule-making in the future if the panel wants to further assess community sentiment on sky-glow issues. Pedestrian safety could also be addressed, although that's may be more appropriate for county staff and the community to explore options on specific stretches of roadway.

Possible Code action: Would need to be driven by Plan language, unless there are any gaps in current county codes regarding beach lighting for turtles that should be addressed.

Options: Include this in the bike/ped safety discussion discussed below.

Issue: The Village

Response: There was support for essential businesses in the Village, but respondents were not convinced of the need for regulator intervention. The current mix of business/residential uses was backed by 70% of those responding. Many urged more walking to curtail current traffic and parking

issues. The question about new business needs generated a wide range of responses, tops were pharmacy, grocery or something with hardware.

Possible Plan action: Limited. The plan current allows some mixed-use latitude on commercial-zoned properties, and there's not much else in land use that could be done unless current business property owners have any suggestions. General support for maintain the current Village mix could be included, but hard to say what (if any) impact that would have.

Possible Code action: Again, unless current business owners have specific issues to bring to the panel, there seems to be little. The only possibility is more explicit mixed-use language if specific issues are brought forward. There might be buffer issues that could be strengthened, but given the limited land area options there are equally limited.

Options: The interaction between businesses and residents in the Village has come before the panel previously, with no resolution (partly because many felt it was not the correct forum for such a dialogue). Not certain that's an issue the panel wants to revisit at this time.

Issue: Walking & biking

Response: Some 60% of respondents feel safe walking and biking on Captiva, 35% don't… and the narrow shoulder or lack of a separated lane was frequently cited. Half of the respondents happy with current bike/walk conditions. Wider shoulders in the Village and a separated path were top two issues raised… both of which have right-of-way issues. Making the safety shoulder wider was raised repeatedly in comments, as was enforcement of speed limits. Aggressive drivers and cyclists cited as issue. Some mixed messages… some suggest trolleys, others vehemently oppose them. Some suggest extending the golf cart zone, others suggest carts are adding to traffic congestion now.

Possible Plan action: A policy encouraging use of alternate modes of transportation beyond motor vehicles might be wise, as it could be used to support future LDC and county action to enhance the bike/walk experience.

Possible Code action: Would need to be driven by specific issues. For example, encouraging bike parking facilities by businesses (in lieu of vehicle parking) might be helpful… but only if people feel safe biking or walking.

Options: Many of the issues raised through the survey have difficult constraints to overcome or are not going to be solved through legislative action. For example:

- A wider safety shoulder starts with a conversation with Lee DOT and a review of the existing road right-of-way, to see whether a wider shoulder could be included in future paving plans.
- A separated bike path, a long-time island discussion, will take the support of private property owners willing to allow use of their land for such a path. There is not sufficient public land (or a budget to acquire the same) to achieve a separated path at this point.

- More enforcement is an issue with the Lee County Sheriff's Office, which has stepped up enforcement of current rules in the past with a mixed response from the community.
- Any change in the cart zone is also a Lee DOT discussion, as its traffic engineers make that decision.
- Safety is always a big bike/ped issue, not just on Captiva. Often, the best route is education of both walkers/bikers and drivers, perhaps in combination with improved signage and bike/ped facilities (or marking of existing ones).

All topics for community discussion, but with limited options for panel action through land use policies.

Issue: Parking & beach access

Response: A rather clear NO: 55% oppose more public parking and beach access; 27% might support it only if it would guarantee beach funding. Comments reinforce general opposition to more parking, as it would draw day-trippers, overload beaches and use space the island does not have.

Possible Plan action: None

Possible Code action: None, unless the CEPD has any suggestions.

Options: Really beyond the scope of panel action, but was a good opportunity to assess community sentiment on this issue in a timely manner.

Issue: Other issues

Response: These were the most commonly mentioned issues:

1) Undergrounding power lines (60%)

2) Wider bike/walk lanes on Captiva Drive (58%)

3) Standards for a Village "look" (46%)

4) Sanitary sewer service (44%)

5) Separate bike/shared use path (38%)

Low overall response to the open-ended question… major theme was keeping Captiva as is through a variety of concerns

Possible Plan action: Very limited. Sewer is already referenced in Policy 13.1.5. Architectural standards are more a Code issue, if anyone even wants to go near that issue (which is unlikely based on past discussions). Undergrounding utilities is not a land use matter, instead strongly influenced by the utility provider and costs. The bike/walk issues are discussed above… though the fact they were brought up again here is worth noting as a sign of community interest.

Possible Code action: Hard to imagine any action, unless specific issues were brought to the panel.

Options:

1) **Undergrounding power lines**: This has a history on the island and with the panel, and that past would need to be examined to determine whether there is any reason to return to this issue. Lots of support, but how to design a fair method of paying for it is the major stumbling block.

2) **Wider bike/walk lanes on Captiva Drive**: See above.

3) **Standards for a Village "look":** The regulatory necessities of making this possible are almost insurmountable, and it's unlikely that community support for this level of regulatory invasiveness – or a panel willing to commit to the time necessary to make this work in a timely manner – would exist.

4) **Sanitary sewer service**: Another issue with a past on Captiva. This is a long-term, high-cost issue which requires coordination with either public entities (e.g. Sanibel) or private businesses (e.g. Aquasource). Would take a "champion" to focus engagement and follow-through, as well as strong community support to deal with the multi-year process and level of disruption.

5) **Separate bike/shared use path**: See above.

In addition, the panel has generated its own list of other issues that have been discussed at monthly meetings:

- County services and a fair return on taxation
- Property appraisal and taxation process
- How to fund the planning process more effectively

In general, none of these issues (community or panel driven) needs to be (or is appropriate to be) part of this plan update process. The panel can decide if and how it wants to proceed on these issues during regular meetings, and may want to discuss further what action is possible and what preliminary steps would be necessary to initiate it.

Update of other plan policies

Of course, the panel also has the option of review and revising existing Captiva Plan policies as part of this undertaking, should it be determined that the existing language is outmoded or insufficient. Panel members should review the plan policies (attached) to see whether any of them warrant discussion.

On my cursory review, these appear to be the ones worth of your review to determine action (of course, all existing policies can be discussed should other issues arise):

- **Policy 13.1.3**: Landscaping, as discussed above
- **Policy 13.1.7**: Do you want to revisit making the panel the first choice for such meetings?
- **Policy 13.1.9**: Is this still pertinent and accurate?
- **Policy 13.1.13**: Is this language still sufficient?
- **Policy 13.1.14**: Landscaping, as discussed above.

- **Policy 13.2.1**: Is there anything further that should be included in additional policies?

Workshop schedule and focus

Based on prior discussions and this review, the panel could consider the following:

- **Jan. 14**: Panel meeting 9 a.m., discussion of plans and workshops
- **Feb. 11**: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Overview of plan update, review of survey results.
- **March 6?**: Public workshop not connected to panel meeting (date and time to be determined). Focus on lighting and bike/ped issues.
- **March 11**: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Focus on landscaping and historic preservation.
- **April 8**: Panel meeting 9 a.m. Public workshop 10:30 a.m.-noon. Other issues and summary of workshop discussions.
- **May 13**: Panel meeting 9 a.m. Review of possible actions and timetable to develop any desired Plan language for community review.

Captiva Planning Grant Task Summary Table					
Task		Responsible Party	Deliverables	Time Frame	Cost
1	**Public Input**	Captiva Community Panel	Community Survey	Oct. 31, 2013 – Feb. 28, 2014	$15,000
			Public Workshops	Oct. 31, 2013 - April 30, 2014	
			Scoping Technical Meeting	Jan. 1, 2013	
			Task 1 Summary Report	Dec. 1, 2014	
2	**Resource Inventory**	Captiva Community Panel	Economic/Demographic Data Review	Oct. 31, 2013 – Feb. 28, 2014	$3,000
			Captiva Village inventory	Oct. 31, 2013 – Feb. 28, 2014	
			Historic survey	Oct. 31, 2013 – Feb. 28, 2014	
			Task 2 Summary Report	May 31, 2014	
3	**Draft Plan Amendments**	Captiva Community Panel	Initial Draft Lee Plan Amendments	May 31, 2014	$26,000
			Revised Draft Lee Plan Amendments	Sept. 30, 2014	
			Final Draft Lee Plan Amendments	Dec. 31, 2014	
4	**Plan Amendment Adoption**	Captiva Community Panel	LPA Hearings	Jan. 30, 2015	$6,000
			BoCC Transmittal Hearings	March 31, 2015	
			DEO Transmittal	June 30, 2015	
			BoCC Adoption Hearing	Oct. 31, 2015	
				Total	$50,000

The Captiva Plan

(As cited in the Lee County Comprehensive Land Use Plan)

November 2011

GOAL 13: 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).

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

POLICY 13.1.1: No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01).

POLICY 13.1.2: The height of buildings and structures may not exceed the least restrictive of the two following options:

a. 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b. 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs. If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area.

POLICY 13.1.3: 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).

POLICY 13.1.4: Lee County will 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).

POLICY 13.1.5: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01).

POLICY 13.1.6: 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).

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).

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).

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).

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.)

POLICY 13.1.12: 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.)

POLICY 13.1.13: Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19.)

POLICY 13.1.14: 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.)

POLICY 13.1.15: 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 capability 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.)

OBJECTIVE 13.2: 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.

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one residential unit in addition to commercial uses. Such developments will only be permitted if approved as a Commercial Planed Development.

XIII. Procedures and Administration
b. Administrative Interpretations of the Plan
B. Standards for Administrative Interpretations
4. Single-Family Residence Provision
b. Construction Regulations
(6) For mixed use developments in the Captiva community in the areas identified by Policy 13.2.1, such developments may be allowed one residential unit in addition to commercial uses. A Minimum Use Determination will not be required to construct a residential unit for mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure on those parcels identified by Policy 13.2.1.

POLICY 84.1.4: By the end of 2006, Lee County will amend the Lee County Land Development Code to establish a sufficient setback requirement for the placement of fill adjacent to existing mangroves or require development designs that address the interface of fill areas with existing mangroves to eliminate impacts from fill sloughing or washing into mangrove areas. Techniques to accomplish this include, but are not limited to: setbacks; stabilized slopes; retaining walls; and, rip rap revetments. (Added by Ordinance No. 05-19.)

CAPTIVA COMMUNITY PANEL
2014 Revisions to Community Plan

Topic: Vegetation

Question: ***Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with?*** The survey offered four possible responses, plus a fifth option ("I have no opinion on this issue.") The options were:

1. If we offer landscaping guidelines, private owners will mostly follow them**. (Ranked #2 for positive responses 53.1% agreed; N=119)**
2. We will need greater enforcement to achieve any impact. **(#3; 28.6% agreed; N=64)**
3. A public education campaign will convince owners of the benefits of any new rules. **(#1; 53.6% agreed; N=134)**
4. People will plant what they want, regardless of what county rules say. **(#4; 25.0%; N=56)**
5. I have no opinion on this issue. **(#5; 4.9% agreed; N=11)**

Summary of public comments: Of the 240 responses to the Survey, **224** answered the question. 28 respondents offered written comments. Several themes emerged in their comments:

Regarding **individual property rights**, there was a spectrum of opinion, as demonstrated in the following comments which range from the highly *laissez faire* to pro-regulatory:

- We don't need vegetation rules.
- I am not in favor of a "Big Brother" approach.
- People should be able to plant what they want within reason.
- Panel will have to use care in deciding which landscape policies are important enough to override individual property rights.
- Educate, regulate and enforce. Stress self-interest to achieve compliance, introduce new laws only in situations where environmental damage is measurable.

Some did not advocate more regulation of landscaping/vegetation on grounds that current, **perceived lax enforcement** on the county's part is not likely to improve, or which would be too costly to implement:

- The county will not enforce regulations just as they do not enforce zoning regulations NOW.
- It will be very tough to enforce. We need the plant police, which will cost taxpayers more money.

Some advocate heavy reliance on **public education**, **voluntary compliance** with guidelines, and **working closely with landscape companies**:

- I believe that "rules" should only apply to invasive species. Freedom of choice otherwise but with an education campaign to at least inform what is recommended.
- I think working with the landscape companies who could then encourage the homeowner…
- I think guidelines, public education and enforcement are all necessary.
- …Landscapers play an important role.

When regulation is called for, it is to eliminate noxious and invasive species:

- I do not favor regulation of plant species…except to the extent of controlling noxious weeds or invasive species.
- …[i]nvasives…should be removed.

Possible *long-term* actions identified in Survey: There are two long-term actions identified in this survey—(1) drafting and implementing new regulations and (2) public education.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

CAPTIVA COMMUNITY PANEL
2014 Revisions to Community Plan

Topic: Historic Buildings and Properties (criteria)

Question #2: ***What do you consider criteria for a designation as a historic property?*** The survey offered six possible responses. Their responses were as follows:

1. Age or longevity**. (Ranked #4; 39.4% agreed; N=89)**
2. Historical significance. **(#1; 86.3% agreed; N=195)**
3. Cultural/social significance. **(#3; 49.1% agreed; N=111)**
4. Archaeological significance**. (#2; 50.0% agreed; N=113)**
5. Not sure; I need more information. **(#5; 9.3% agreed; N=21)**
6. I have no opinion on this issue. **(#6; 3.5%; N=8)**

Summary of public comments: Of the 240 responses to the Survey, **226** answered the question. 13 respondents offered written comments. Their comments tend to repeat the responses to the earlier question, but they raised some new points in response to this question as found in this sampling:

- All of these elements could represent a significant factor, but a decision would eventually rest on the specifics of the case, including the broader context of the property under construction.
- The problem with granting historic preservation to structures that do not meet flood zone requirements, will selectively allow such owners special privilege under current zoning laws. Because of our barrier island and storm surge issues, no buildings should be given historic status unless they are elevated to meet current zoning requirements.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1 Do Captiva residents advocate specific regulations to preserved historic properties?
2 Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

CAPTIVA COMMUNITY PANEL
2014 Revisions to Community Plan

Topic: Historic Preservation

Question #1: ***Do you support preserving historic buildings and other resources on the island?***
The survey offered four possible responses. The options were:

1. Yes**. (Ranked #1 for positive responses 69.6% agreed; N=158)**
2. No. **(#3; 9.7% agreed; N=22)**
3. Not sure, I need more information. **(#2; 19.4%% agreed; N=44)**
4. I have no opinion on this issue. **(#4; 1.3%; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **227** answered the question. 22 respondents offered written comments. Generally speaking, Captiva residents advocate some form of historic preservation, as indicated in these comments:

- They add to the charm.
- Cultural history is the only link we have to our past. Our legacies (good and bad) shouldn't be discarded or reinvented.
- The unique character, including the intimate and natural feeling of the island, is worth preserving.
- Captiva is losing itself. The older houses and buildings have something worth saving.

Some respondents question whether there are sufficient resources to preserve and whether aesthetic measures may be more effective:

- Houses north of Tween Waters are already gone, Andy Rosse houses are gone, South Seas historic cottage is now on Sanibel, so there is nothing left that is worth the effort. Island is scenic, minimally historic.
- More important to preserve the historic look of Captiva rather than specific structures.

Some respondents oppose any additional regulations aimed at historic preservation:

- I do not support this! We do not need some board or historical society telling Private Property owners what they can and cannot do with their PRIVATE property!!
- There is too much talk of restrictions which holds back the island from being a premier destination. Lack of restaurants, services, etc.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1. Do Captiva residents advocate specific regulations to preserved historic properties?
2. Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

CAPTIVA COMMUNITY PANEL
2014 Revisions to Community Plan

Topic: Lighting

Question #1: ***Which statement best matches your opinion of lighting on the island?*** The survey offered six possible responses and respondents were allowed to check all that applied. Their responses were as follows:

1. We need more lighting on the roadways to make it safer and easier to see at night**. (Ranked #3; 14.4% agreed; N=33)**
2. We need more lights at individual driveways to make it easier to see house numbers. **(#5; 8.3% agreed; N=19)**
3. We need more light in the Village area only at night to make it safer and easier to see. **(#4; 10.5% agreed; N=24)**
4. We need less or better directed light on the island at night to minimize light pollution**. (#2; 32.8% agreed; N=75)**
5. The lighting we have now works pretty well for me. **(#1; 53.3% agreed; N=122)**
6. I have no opinion on this issue. **(#6; .9%; N=2)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 26 respondents offered written comments. Some of their themes can be characterized as follows:

New regulations are unnecessary:

- Enforce what is on the books. We don't need more regulation.
- If you are going to walk and it is dark, carry a flash light or glow stick.
- Upward directed lighting needs enforcement. The current regulations work well.
- We don't have a light problem—we have a driving problem, especially around Andy Rosse Ln and SSIR.

Existing lighting may not be enough to assure public safety:

- It is very hard at night to see people walking on the street.
- Where roads are narrow and pedestrians may be walking or bikers riding, more lighting would be beneficial.

More lighting would reduce the island's atmosphere:

- Captiva should adopt a "dark skies" policy and enforce a Sanibel-style lighting policy. No to more light in Village…
- I love the peace, quiet, and nature. 25w bulbs are all we need outside.

Take advantage of new technologies:

- Try to increase road safety, especially for pedestrians and bikers, by using directed LED lighting. Avoid overhead street lamps. Power with solar panels. The nearly universal use of GPS…makes seeing numbers almost irrelevant.
- If lighting is added it should be low glare, high efficiency fixtures. Losing the "star filled night sky" takes away from the island experience.

Items for further review and consideration:

1 Are there specific areas that need more lighting for public safety?
2 Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?
3 What lighting technologies should be considered to improve public safety on the island?

CAPTIVA COMMUNITY PANEL
2014 Revisions to Community Plan

Topic: Lighting

Question #2: ***Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?*** The survey offered four possible responses. Their responses were as follows:

1. Yes**. (Ranked #1; 63.8% agreed; N=146)**
2. No. **(#2; 19.7% agreed; N=45)**
3. Not sure, I need more information. **(#3; 15.3% agreed; N=35)**
4. I have no opinion on this issue**. (#4; 1.3% agreed; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 18 respondents offered written comments which supplement the responses to Lighting question #1. Some of their themes can be characterized as follows:

Wildlife protection should be a high priority:

- The value of the island ultimately depends on preserving its wonderful, natural character. Producing another suburb can be undertaken anywhere, but why do that to a property as unique as Captiva?
- Sanibel is a wonderful illustration of how lighting, when properly done, can provide needed illumination while preserving the nighttime skies, improving ambience and protecting sea turtles.

Wildlife protection can be overdone; additional regulations are not needed:

- The beach is dark so I don't understand how there could be too much light for the turtles, besides I think sometimes we get carried away with the preservation of animals.
- Sanibel is ruined due to all the regulations; we do not need any more for Captiva.

Existing regulations are sufficient:

- Voluntary rules now work well.
- Enforce existing rules.

Items for further review and consideration:

1 Are there specific areas that need more lighting for public safety?
2 Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?

3 What lighting technologies should be considered to improve public safety on the island?

CAPTIVA COMMUNITY PANEL

Feb. 11, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Jan. 14 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (5 minutes?)
- Communications — Susan Stuart (1 minute)
- Planning — Max Forgey (5 minutes)
- Financial — Ken Gooderham (1 minute)

9:40 a.m. Bylaws change discussion
9:50 a.m. Discussion of property assessment and appraisal issues – Mike Mullins
10:15 a.m. Other business and public comment

- Confirm dates for next meeting (March 11)

Adjourn

10:30 a.m. Public workshop on Captiva Plan update

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for March 11 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of February 10, 2014

	Feb 10, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	3,697.57
Total Checking/Savings	3,697.57
Accounts Receivable	
Accounts receivable	800.00
Total Accounts Receivable	800.00
Total Current Assets	4,497.57
TOTAL ASSETS	**4,497.57**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,569.50
Net Income	-17,071.93
Total Equity	4,497.57
TOTAL LIABILITIES & EQUITY	**4,497.57**

Captiva Community Panel
Profit & Loss YTD Comparison
February 1 - 10, 2014

	Feb 1 - 10, 14	Oct 1, '13 - Feb 10, 14
Ordinary Income/Expense		
Expense		
Business expenses		
Organizational (corp) expenses	61.25	61.25
Service charge	0.00	9.00
Total Business expenses	61.25	70.25
Consulting		
Administration	1,650.00	8,250.00
Design services	0.00	765.00
Planning & coordination	0.00	4,000.00
Total Consulting	1,650.00	13,015.00
Misc expenses		
Advertising expenses	133.40	133.40
List rental	0.00	28.00
Mileage & tolls	39.60	245.88
Storage rental	0.00	190.80
Web site/computer services	200.00	1,000.00
Total Misc expenses	373.00	1,598.08
Non-personnel expenses		
Community planning outreach	629.05	629.05
Community survey costs	0.00	762.47
Postage, shipping, delivery	0.00	22.91
Printing & copying	85.86	974.17
Total Non-personnel expenses	714.91	2,388.60
Total Expense	2,799.16	17,071.93
Net Ordinary Income	-2,799.16	-17,071.93
Net Income	**-2,799.16**	**-17,071.93**

Help plan Captiva's future!

The Captiva Community Panel is updating the existing Captiva Plan, which sets out the land use and zoning policies the county uses for island properties. As a follow-up to the community survey the Panel conducted last fall, it will hold public workshops to let Captivans discuss key issues identified in the surveys. We invite the public to participate in one or all of these workshops to provide your input and insights on Captiva's future.

Tuesday, Feb. 11

Community Panel meeting 9 a.m.
Auger Room at Chadwicks Square, South Seas Island Resort

Public workshop 10:30 a.m.-noon
Overview of Captiva Plan update and previous panel planning efforts, review of community survey results.

Thursday, March 6

Public workshop
(Time and location to be determined)
Focus on lighting and bike/ped issues.

Tuesday, March 11

Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort

Public workshop 10:30 a.m.-noon.
Focus on landscaping and historic preservation.

Tuesday, April 8

Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort

Public workshop 10:30 a.m.-noon
Discussion of other issues and summary of workshop discussions.

Tuesday, May 13

Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort
Review of community input, discuss possible actions and timetable to develop any desired Plan language for community review.

If changes in the Captiva Plan are recommended based on community input, new language would be drafted by the panel over the summer for public review and discussion in next winter.

For more information:
Online: www.captivacommunitypanel.com ■ Email: captivacommunitypanel@gmail.com
Call: Administrator Ken Gooderham, (239) 489-2616 ■ Planner Max Forgey, (239) 560-5864

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CAPTIVA COMMUNITY PANEL

March 11, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

8:30 a.m. Bylaws Committee meeting – two or more panel members may be in attendance

9:00 a.m. Introductions and roll call; approval of Feb. 11 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — ~~Paul McCarthy~~ Ken Gooderham (2 minutes?)
- Communications — Susan Stuart (1 minute)
- Planning — Max Forgey (1 minute)
- Financial — Ken Gooderham (1 minute)

9:30 a.m. 14790 Binder discussion – ~~Paul McCarthy~~ Susan Stuart/Ken Gooderham
9:45 a.m. Bylaws Committee update
9:50 a.m. Other business and public comment

- Confirm dates for next meeting (April 8)

Adjourn

10:00 a.m. Public workshop on Captiva Plan update, same room

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for April 8 in the Cone Room at South Seas Island Resort, Captiva

Public workshops on the Captiva Plan update will be held on:

- **Feb. 11** (overview)
- **March 6** (Design… landscaping, Captiva Drive and community appearance)
- **March 11** (Transportation… bike/ped and lighting/safety)
- **March 27** (Economic Development… commercial and mixed uses in the Village)
- **April 8** (Water Quality… waste and storm water management

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Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

CAPTIVA COMMUNITY PANEL

April 8, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

8:30 a.m. Bylaws Committee meeting – two or more panel members may be in attendance

9:00 a.m. Introductions and roll call; approval of March 11 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes?)
- Communications — Susan Stuart (1 minute)
- Planning — Max Forgey (1 minute)
- Financial — Ken Gooderham (1 minute)

9:30 a.m. Speakers/issues to invite for summer presentations – Ken Gooderham/Max Forgey

- Experts/background on Captiva Plan issues coming forth from workshops
- Multifamily uses and rental regulations islandwide
- Zoning vs. DOR codes and impact on appraisals
- Transportation issues and MPO
- NFIP and insurance rates/reforms

9:45 a.m. Bylaws Committee update
9:50 a.m. Other business and public comment

- Confirm dates for next meeting (May 13)

Adjourn

10:00 a.m. Public workshop on Captiva Plan update, same room

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for May 13 in the Cone Room at South Seas Island Resort, Captiva

Public workshops on the Captiva Plan update will be held on:

- **March 6** (Design… landscaping, Captiva Drive and community appearance)
- **March 11** (Transportation… bike/ped and lighting/safety)
- **March 27** (Economic Development… commercial and mixed uses in the Village)
- **April 8** (Water Quality… waste and storm water management

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Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of April 7, 2014

	Apr 7, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	6,124.82
Total Checking/Savings	6,124.82
Accounts Receivable	
Accounts receivable	4,500.00
Total Accounts Receivable	4,500.00
Total Current Assets	10,624.82
TOTAL ASSETS	**10,624.82**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts payable	1,000.00
Total Accounts Payable	1,000.00
Total Current Liabilities	1,000.00
Total Liabilities	1,000.00
Equity	
Unrestrict (retained earnings)	21,069.50
Net Income	-11,444.68
Total Equity	9,624.82
TOTAL LIABILITIES & EQUITY	**10,624.82**

Captiva Community Panel
Profit & Loss YTD Comparison
April 1 - 7, 2014

	Apr 1 - 7, 14	Oct 1, '13 - Apr 7, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	4,968.47
Indiv/business contribution	4,200.00	9,350.00
Total Contributed support	4,200.00	14,318.47
Total Income	4,200.00	14,318.47
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	35.15
Service charge	0.00	43.00
Total Business expenses	0.00	214.40
Consulting		
Administration	1,650.00	11,550.00
Design services	0.00	765.00
Planning & coordination	1,000.00	7,000.00
Total Consulting	2,650.00	19,315.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	1,523.00
List rental	0.00	28.00
Mileage & tolls	118.80	404.28
Storage rental	0.00	190.80
Web site/computer services	200.00	1,400.00
Total Misc expenses	318.80	3,679.48
Non-personnel expenses		
Community planning outreach	0.00	629.05
Community survey costs	52.01	891.14
Postage, shipping, delivery	0.00	34.11
Printing & copying	0.00	999.97
Total Non-personnel expenses	52.01	2,554.27
Total Expense	3,020.81	25,763.15
Net Ordinary Income	1,179.19	-11,444.68
Net Income	**1,179.19**	**-11,444.68**

CAPTIVA COMMUNITY PANEL

May 13, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

8:30 a.m. Bylaws Committee meeting – two or more panel members may be in attendance

9:00 a.m. Introductions and roll call; approval of April 8 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Deputy Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes?)
- Communications — Susan Stuart (1 minute)
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (1 minute)

9:30 a.m. Summary of public input on possible Captiva Plan changes and next steps – Ken Gooderham/Max Forgey
River Hall amendment and potential impact on Captiva – Ken Gooderham/Max Forgey??
Dept. of Revenue codes and appraisals/assessments update – Ken Gooderham??
10:00 a.m. Bylaws Committee update
10:10 a.m. Other business and public comment

- Confirm dates for next meeting (June 10)
- Note: Ken Gooderham will not be available for the July 8 meeting

Adjourn

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Next Captiva Community Panel meeting tentatively scheduled for June 10 in the Cone Room at South Seas Island Resort, Captiva

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4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

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TERM STATUS:

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CURRENT OFFICERS: (elected January 2014)

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- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

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Captiva Community Panel
Balance Sheet
As of May 11, 2014

	May 11, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	15,168.34
Total Checking/Savings	15,168.34
Accounts Receivable	
Accounts receivable	2,700.00
Total Accounts Receivable	2,700.00
Total Current Assets	17,868.34
TOTAL ASSETS	**17,868.34**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,069.50
Net Income	-3,201.16
Total Equity	17,868.34
TOTAL LIABILITIES & EQUITY	**17,868.34**

Captiva Community Panel
Profit & Loss YTD Comparison
May 1 - 11, 2014

	May 1 - 11, 14	Oct 1, '13 - May 11, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	4,968.47
Indiv/business contribution	0.00	19,860.00
Total Contributed support	0.00	24,828.47
Total Income	0.00	24,828.47
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	111.25
Service charge	0.00	43.00
Total Business expenses	0.00	290.50
Consulting		
Administration	1,650.00	13,200.00
Design services	0.00	765.00
Planning & coordination	0.00	7,000.00
Total Consulting	1,650.00	20,965.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	1,523.00
List rental	0.00	28.00
Mileage & tolls	79.20	483.48
Monday After The Masters	30.99	30.99
Other expenses	0.00	200.00
Storage rental	0.00	190.80
Web site/computer services	200.00	1,600.00
Total Misc expenses	310.19	4,189.67
Non-personnel expenses		
Community planning outreach	2.20	631.25
Community survey costs	0.00	891.14
Postage, shipping, delivery	0.00	34.11
Printing & copying	27.99	1,027.96
Total Non-personnel expenses	30.19	2,584.46
Total Expense	1,990.38	28,029.63
Net Ordinary Income	-1,990.38	-3,201.16
Net Income	**-1,990.38**	**-3,201.16**

Captiva Community Panel topics

May 2014

Captiva Plan update:

- Encourage alternate transportation options
- Dark Skies language? Lighting language in general
- Rentals vs. residents – overload and intensity of use – extend 7-day limit?
- Revise vegetation policy: invasive vs. non-invasive, native vs. non-native
- Clarify building heights language?
- Blind Pass maintenance?
- Look at current policies: 13.1.3, 13.1.7, 13.1.9, 13.1.13, 13.1.14, 13.2.1

Captiva Code:

- Lot size calculations on Laika and Wightman Lanes due to road vacation
- Connectivity
- Dark Skies?
- Rentals – based on policies? Extend 7-day limit islandwide?
- Look at lot size re: setbacks and mass
- Look into original plats vs. reconfigured lots in Village
- Floor-area ratio (Village)
- Walkability issues
- Permeable surfaces
- Vegetation – based on policies
- Fertilizer limits

Other issues:

- Bike/ped options – ROW, education, path on one side of road
- Trolley in Village in season?
- Beach bike path?
- Lower speed limits at night
- Traffic calming measures
- Restrict traffic on Andy Rosse Lane or enhance bed options?
- Underground utilities – scope of MSBU, support, could that create room for shared-use path?
- Educate new residents about Captiva and island living
- AirBnB regulations – is that the next wave?
- Create downtown area – Chadwicks to Andy Rosse or Green Flash… what does that require?

2014356er

An act relating to the regulation of public lodging establishments and public food service establishments; amending s. 509.032, F.S.; revising the permitted scope of local laws, ordinances, and regulations regarding vacation rentals; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 509.032, Florida Statutes, is amended to read:

509.032 Duties.—

(7) PREEMPTION AUTHORITY.—

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not ~~restrict the use of vacation rentals,~~ prohibit vacation rentals~~,~~ or regulate the duration or frequency of rental of vacation rentals ~~based solely on their classification, use, or occupancy~~. This

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

(c) Paragraph (b) does not apply to any local law, ordinance, or regulation exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern designation.

Section 2. This act shall take effect July 1, 2014.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL:	SB 356
INTRODUCER:	Senator Thrasher and others
SUBJECT:	Regulation of Public Lodging Establishments and Public Food Service Establishments
DATE:	February 4, 2014 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	Imhof	RI	**Favorable**
2.	Stearns	Yeatman	CA	**Favorable**

I. Summary:

SB 356 repeals the provision in s. 509.032(7), F.S., that prohibits local laws, ordinances, or regulations from restricting the use of vacation rentals, prohibiting vacation rentals, or regulating vacation rentals based solely on their classification, use, or occupancy.

II. Present Situation:

The Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (department) is the state agency charged with enforcing the provisions of ch. 509, F.S., and all other applicable laws relating to the inspection and regulation of public lodging establishments and public food service establishments for the purpose of protecting the public health, safety, and welfare.

The term "public lodging establishments" includes transient and nontransient public lodging establishments.[1] The principal differences between transient and nontransient public lodging establishments are the number of times that the establishments are rented in a calendar year and the length of the rentals.

Section 509.013(4)(a)1., F.S., defines a "transient public lodging establishment" to mean:

> any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

Section 509.013(4)(a)2., F.S., defines a "nontransient public lodging establishment" to mean:

[1] Section 509.013(4)(a), F.S.

> any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 days or 1 calendar month.

Section 509.013(4)(b), F.S., exempts the following types of establishments from the definition of "public lodging establishment":

> 1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.
> 2. Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Family Services or other similar place regulated under s. 381.0072.
> 3. Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients.
> 4. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent.
> 5. Any migrant labor camp or residential migrant housing permitted by the Department of Health under ss. 381.008-381.00895.
> 6. Any establishment inspected by the Department of Health and regulated by chapter 513.
> 7. Any nonprofit organization that operates a facility providing housing only to patients, patients' families, and patients' caregivers and not to the general public.
> 8. Any apartment building inspected by the United States Department of Housing and Urban Development or other entity acting on the department's behalf that is designated primarily as housing for persons at least 62 years of age. The division may require the operator of the apartment building to attest in writing that such building meets the criteria provided in this subparagraph. The division may adopt rules to implement this requirement.
> 9. Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242.

Public lodging establishments are classified as a hotel, motel, vacation rental, nontransient apartment, transient apartment, or bed and breakfast inn.[2]

Section 509.242(1)(c), F.S., defines the term "vacation rental" as:

[2] Section 509.242(1), F.S.

> any unit or group of units in a condominium, cooperative, or timeshare plan or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment.

The 37,155 public lodging establishments licensed by the division are distributed as follows:[3]

- Hotels – 1,676 licenses;
- Motels – 2,751 licenses;
- Nontransient apartments – 17,515 licenses;
- Transient apartments – 981 licenses;
- Bed and Breakfast Inns – 262 licenses;
- Vacation rental condominiums – 3,608 licenses; and
- Vacation rental dwellings – 10,362 licenses.

The department licenses vacation rentals either as condominiums or dwellings.[4] A vacation rental license will be issued for "a single-family house, a townhouse, or a unit or group of units in a duplex, triplex, quadruplex, or other dwelling unit that has four or less units collectively."[5]

Section 509.032(7)(a), F.S., provides that "the regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state." This section was amended in 2011 to add the provisions relating to local government zoning of vacation rentals.[6]

Section 509.032(7)(b), F.S., provides that local laws, ordinances, or regulations may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. However, this prohibition does not apply to any local law, ordinance, or rule adopted on or before June 1, 2011.

Section 509.032(7)(c), F.S., provides that the prohibition in s. 509.032(7)(b), F.S., does not apply to local laws, ordinances, or regulations exclusively relating to property valuation as a criterion for vacation rental if the law, ordinance or regulation is required to be approved by the

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[3] *Division of Hotels and Restaurants Annual Report for FY 2012-2013*, Department of Business and Professional Regulation. A copy of the report is available at: http://www.myfloridalicense.com/dbpr/hr/reports/annualreports/documents/ar2012_13.pdf (Last visited January 6, 2014).
[4] Rule 61C-1.002(4)(a)1., F.A.C.
[5] Vacation rental dwellings are divided into single - 9,459, group - 91, and collective – 812. A single license may include one single-family house or townhouse, or a unit or group of units within a single building that are owned and operated by the same individual person or entity. A group license is a license issued by the division to a licensed agent to cover all units within a building or group of buildings in a single complex. A collective license is a license issued by the division to a licensed agent who represents a collective group of houses or units found on separate locations not to exceed 75 houses per license.
[6] *See* s. 2, ch. 2011-119, L.O.F.

Department of Community Affairs (DCA) pursuant to an area of critical state concern designation.[7]

Attorney General Opinion

The office of the Attorney General issued an Informal Legal Opinion on October 22, 2013, regarding whether Flagler County could intercede and stop vacation rental operations, as defined in ch. 509, F.S., in private homes that were zoned, prior to June 1, 2011, for single-family residential use.[8] According to the opinion, "due to an increase in the number of homes being used as vacation rentals in Flagler County, many permanent residents in neighborhoods with vacation rentals have raised concerns about the negative effects such rentals have on their quality of life and the character of their neighborhood." Flagler County had no regulation governing vacation rentals before the June 1, 2011, grandfather date in s. 509.032(7)(b), F.S. The Attorney General concluded that the fact that the county had a local zoning ordinance for single-family homes existing on or before June 1, 2011, did not restrict the rental of such property as a vacation rental and that such zoning ordinances could not now be interpreted to restrict vacation rentals.

III. Effect of Proposed Changes:

The bill repeals s. 509.032(7)(b) and (c), F.S. The repeal of these provisions would allow local governments to enact local laws, ordinances, or regulations restricting the use of vacation rentals, prohibiting vacation rentals, or regulating vacation rentals based solely on their classification, use, or occupancy.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

[7] This exemption relates to the Village of Islamorada. According to a representative for the village, its housing ordinance is regularly amended at the DCA's direction, and without this provision they were concerned that the grandfather provision in s. 509.032(7)(b), F.S., would not be sufficient.

[8] Florida Attorney General, Informal Legal Opinion to Mr. Albert Hadeed, Flagler County Attorney, regarding "Vacation Rental Operation-Local Ordinances," dated October 22, 2013.

B. Private Sector Impact:

The bill does not directly impact the operation of vacation rentals. However, the owners of vacation rentals may be affected by the bill to the extent that local governments amend their laws, ordinances, or regulations to restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 509.032 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

State of Florida
Lee County Property Appraiser

DEPARTMENT OF REVENUE PROPERTY CLASSIFICATION CODES

CODE	DESCRIPTION • RESIDENTIAL (Codes 00 - 09)
00	VACANT RESIDENTIAL
01	SINGLE FAMILY RESIDENTIAL
02	MOBILE HOME
03	MULTI-FAMILY 10 OR MORE
04	CONDOMINIUM
05	COOPERATIVES
06	RETIREMENT HOMES
07	MISCELLANEOUS RESIDENTIAL
08	MULTI-FAMILY LESS THAN 10
09 **	TIMESHARE

CODE	DESCRIPTION • COMMERCIAL (Codes 10 - 39)
10	VACANT COMMERCIAL
11	STORES, ONE STORY
12	COMMERCIAL, MIXED USE
13	DEPARTMENT STORE
14	SUPERMARKETS
15	REGIONAL SHOPPING CENTER
16	COMMUNITY SHOPPING CENTER
17	OFFICE, ONE STORY
18	OFFICE, MULTI-STORY
19	PROFESSIONAL BUILDING
20	AIRPORTS, TERMINALS, PIERS
21	RESTAURANTS, CAFETERIAS
22	DRIVE-IN RESTAURANTS
23	FINANCIAL INSTITUTIONS
24	INSURANCE COMPANY OFFICES
25	REPAIR SERVICE SHOPS
26	SERVICE STATIONS
27	AUTO SALES, REPAIR, ETC
28	PARKING LOTS, MH PARKS, ETC
29	WHOLESALE, PRODUCE, MFG
30	FLORISTS, GREENHOUSES
31	DRIVE-IN THEATER, OPEN STADIUM
32	ENCLOSED THEATER/AUDITORIUM
33	NIGHT CLUBS, LOUNGES, BARS
34	BOWLING ALLEYS, RINKS, ARENAS

DEPARTMENT OF REVENUE PROPERTY CLASSIFICATION CODES

CODE	DESCRIPTION • COMMERCIAL (Codes 10 - 39)
35	TOURIST ATTRACTIONS
36	CAMPS
37	RACE TRACKS
38	GOLF COURSE, DRIVING RANGE
39	HOTELS, MOTELS

CODE	DESCRIPTION • INDUSTRIAL (Codes 40 - 49)
40	VACANT INDUSTRIAL
41	LIGHT MANUFACTURING
42	HEAVY INDUSTRIAL
43	LUMBER YARDS, SAWMILLS
44	PACKING PLANTS
45	CANNERY, BREWERY, WINERY
46	OTHER FOOD PROCESSING
47	MINERAL PROCESSING
48	WAREHOUSING, DISTRIBUTION TERMINALS
49	OPEN STORAGE

CODE	DESCRIPTION • AGRICULTURAL (Codes 50 - 69)
50	IMPROVED AGRICULTURAL
51	CROPLAND CLASS I
52	CROPLAND CLASS II
53	CROPLAND CLASS III
54	TIMBERLAND INDEX 90+
55	TIMBERLAND INDEX 80-89
56	TIMBERLAND INDEX 70-79
57	TIMBERLAND INDEX 60-69
58	TIMBERLAND INDEX 50-59
59	TIMBERLAND NOT CLASSIFIED
60	GRAZING LAND CLASS I
61	GRAZING LAND CLASS II
62	GRAZING LAND CLASS III
63	GRAZING LAND CLASS IV
64	GRAZING LAND CLASS V
65	GRAZING LAND CLASS VI
66	ORCHARD GROVES, CITRUS, ETC
67	POULTRY, BEES, TROPICAL FISH, RABBITS
68	DAIRIES, FEED LOTS
69	ORNAMENTALS, MISCELLANEOUS AG

CODE	DESCRIPTION • INSTITUTIONAL (Codes 70 - 79)
70	VACANT INSTITUTIONAL
71	CHURCHES, TEMPLES
72	PRIVATE SCHOOLS & COLLEGES
73	PRIVATELY OWNED HOSPITALS

DEPARTMENT OF REVENUE PROPERTY CLASSIFICATION CODES

CODE	DESCRIPTION • INSTITUTIONAL (Codes 70 - 79)
74	HOMES FOR THE AGED
75	ORPHANAGES, NON-PROFIT SERVICE
76	MORTUARY, CEMETERY, CREMATORIUM
77	CLUBS, LODGES, UNION HALLS
78	SANITARIUM, CONVALESCENT & REST HOME
79	CULTURAL ORG, FACILITIES

CODE	DESCRIPTION • GOVERNMENT (Codes 80 - 89)
80	VACANT GOVERNMENTAL
81	MILITARY
82	FOREST, PARKS, RECREATIONAL
83	PUBLIC COUNTY SCHOOLS
84	COLLEGES
85	HOSPITALS
86	COUNTIES - OTHER
87	STATE - OTHER
88	FEDERAL - OTHER
89	MUNICIPAL - OTHER

CODE	DESCRIPTION • MISCELLANEOUS (Codes 90 - 99)
90	LEASEHOLD INTERESTS
91	UTILITY
92	MINING, PETROLEUM, GAS LANDS
93	SUBSURFACE RIGHTS
94	RIGHT-OF-WAY
95	RIVERS, LAKES, SUBMERGED LAND
96	SEWAGE DISPOSAL, WASTE LANDS
97	OUTDOOR RECREATIONAL
98	CENTRALLY ASSESSED
99	ACREAGE NOT AG CLASSIFIED

CODE	DESCRIPTION • SPECIAL DESIGNATIONS
C. **	CONDOMINIUM
H.	OTHER HEADERS
M. **	MOBILE HOME
N.	COMMON ELEMENT / NOTES PARCELS
P. **	PLANNED UNIT DEVELOPMENT
R. **	RENTAL MOBILE HOME PARK
S. **	SUBDIVISION
T. **	TAX PARCEL HEADER - BUILDING ONLY

**** Undefined by Florida Department of Revenue Used by Lee County Property Appraiser**

CAPTIVA COMMUNITY PANEL

June 10, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of May 13 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes?)
- ~~Communications — Susan Stuart (1 minute)~~
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (1 minute)

9:30 a.m. Discussion of possible Captiva Plan changes – Ken Gooderham
10:00 a.m. River Hall amendment and potential impact on Captiva – Max Forgey
10:15 a.m. Other business and public comment

- Confirm dates for next meeting (July 8)
- Note: Ken Gooderham will not be available for the July 8 meeting

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for July 8 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of June 7, 2014

	Jun 7, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	14,303.36
Total Checking/Savings	14,303.36
Accounts Receivable	
Accounts receivable	8,303.62
Total Accounts Receivable	8,303.62
Total Current Assets	22,606.98
TOTAL ASSETS	**22,606.98**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	21,069.50
Net Income	1,537.48
Total Equity	22,606.98
TOTAL LIABILITIES & EQUITY	**22,606.98**

Captiva Community Panel
Profit & Loss YTD Comparison
June 1 - 7, 2014

	Week of Jun 1, 14	Oct 1, '13 - Jun 7, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,172.09
Indiv/business contribution	0.00	25,560.00
Total Contributed support	0.00	37,732.09
Total Income	0.00	37,732.09
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	111.25
Service charge	0.00	107.60
Total Business expenses	0.00	355.10
Consulting		
Administration	1,650.00	14,850.00
Design services	0.00	765.00
Planning & coordination	1,000.00	8,000.00
Total Consulting	2,650.00	23,615.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	1,523.00
List rental	0.00	28.00
Mileage & tolls	46.32	529.80
Monday After The Masters	30.99	5,061.98
Other expenses	0.00	200.00
Storage rental	95.40	286.20
Web site/computer services	200.00	1,800.00
Total Misc expenses	372.71	9,562.38
Non-personnel expenses		
Community planning outreach	0.00	631.25
Community survey costs	0.00	891.14
Postage, shipping, delivery	77.67	111.78
Printing & copying	0.00	1,027.96
Total Non-personnel expenses	77.67	2,662.13
Total Expense	3,100.38	36,194.61
Net Ordinary Income	-3,100.38	1,537.48
Net Income	**-3,100.38**	**1,537.48**

Captiva Plan update

June 4, 2014

Based on the feedback from the May 13 panel meeting, I've provided some starting points for discussion of the Captiva Plan update over the next 2-3 meetings. Since this is a lot of material to digest, I plan to introduce it at the June 10 meeting (where about half the panel will be in attendance) in order that it can be reviewed and discussed at more length at the July 8 meeting (where eight panel members are planning to attend, although I will not be there) and the Aug. 12 meeting as necessary. Of course, you'll also want input from Max during these meetings or otherwise. New language or my comments are underlined. – ***Ken Gooderham***

Encourage alternate transportation options

POLICY 13.1.??: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage connectivity and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

Dark Skies language? Lighting language in general

POLICY 13.1.??: The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

Rentals vs. residents – overload and intensity of use – extend 7-day limit?

Do you want to codify a seven-day rental minimum on all non-hotel/motel dwelling units? Do you want to state support for low-intensity non-commercial use of existing residential properties in consideration of neighbors, the community and the overall island ambience?

Revise vegetation policy: invasive vs. non-invasive, native vs. non-native

(Existing) POLICY 13.1.3: 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.

(Existing) POLICY 13.1.14: 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.

RATHER THAN REQUIRING CODES THAT PROBABLY WILL NEVER BE WRITTEN, WOULD IT BE BETTER TO INCLUDE A GENERAL STATEMENT OF SUPPORT FOR NATIVE/NON-INVASIVE VEGETATION AND ADEQUATE BUFFERING FOLLOWED BY A COUPLE OF POLICIES THAT GO INTO MORE SPECIFIC DETAIL?

OBJECTIVE 13.3: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.3.1: Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.3.2: The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.3.3: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.3.4: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

POLICY 13.3.5: County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

Clarify building heights language?

Based on feedback, not necessary

Blind Pass maintenance?

POLICY 13.1.??: Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open and navigable pass due to its benefits to the hear-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

Look at current policies:

POLICY 13.1.7: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one publicly advertised informational session on Captiva open to the general public where the owner or 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. Whenever feasible, this informational session should be held in conjunction with the regularly scheduled meeting of the Captiva Community Panel. 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.

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. DO YOU WANT TO INCLUDE ANYTHING ABOUT BUFFERING REQUIREMENTS BETWEEN PROPERTIES AND/OR SITES WITH DIFFERING USES (COMMERCIAL VS/ RESIDENTIAL)?

POLICY 13.1.13: Mangroves on Captiva Island will be protected to the greatest extent possible. THIS STILL MAY BE THE STRONGEST LANGUAGE YOU CAN HAVE… AGREED?

Community character

JUST SOME RANDOM THOUGHTS AS A STARTING POINT, BASED ON WORKSHOP DISCUSSIONS AND OTHER COMMUNITY POLICIES:

Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with building standards.

One important aspect of the Captiva Community Plan goal is to retain its barrier island character and low-intensity land use where it currently exists. Therefore no land use map amendments to Captiva Island will be permitted after Dec. 31, 2014?, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

In order to maintain the traditional scale and historic patterns of development on Captiva Island, particular in the island's Village core area, the Captiva community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage "mega houses" or the further "mansionization" of Captiva. New development or redevelopment will recognize that

traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed development or redevelopment on Captiva Island, should be maintained.

Lawfully existing businesses and commercial buildings in the Captiva Village (commercial zoned) areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary.

Lee County will enforce the existing leash laws on Captiva's beaches to the greatest extent possible.

Within two years of the adoption of this policy, Lee County will establish policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events.

Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events.

Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Captiva Island through measures to control the risk of harm attributable to human impact.

Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Pine Island Sound, Charlotte Harbor and the near shore waters of the Gulf of Mexico.

Community services

Do you want to codify support for the Captiva Fire District? For cooperation with the City of Sanibel in issues related to hurricane evacuation and return? LCSO coverage? Maintaining a county public library on the island? Anything else?

Captiva vision statement in Lee Plan

Captiva Island is a coastal barrier island with a low-density residential lifestyle supported by commercial activities to serve residents and visitors who are drawn toward a tranquil, unhurried experience in a natural setting. Captiva's natural environment is its most important attraction. Captivans regard the protection of its beaches, wildlife, flora, mangrove fringe, water quality and dark night skies as matters of paramount importance. Toward this end, the Captiva community works together with Lee County and other regulatory bodies to preserve its unique historic character and sustain the fragile and limited resources of the island.

~~7. Captiva - This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Costa Island, Useppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2030. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)~~

Other Lee Plan text changes

POLICY 13.1.4: Lee County will continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Florida law, to preserve, protect and maintain Captiva's beaches and inlets using environmentally responsible methods.

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, runoff control, 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. Indigenous or native trees

will be replanted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive.

CAPTIVA COMMUNITY PANEL

July 8, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of June 10 minutes
9:05 a.m. CEPD update — Kathy Rooker
~~9:10 a.m. Captiva Fire District update – Chief Rich Dickerson~~
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes?)
- Communications — Susan Stuart (1 minute)
- ~~Financial — Ken Gooderham (1 minute)~~
- Planning — Max Forgey (1 minute)

9:30 a.m. S-Car-go trolley discussion – Sandy Stilwell
10 a.m. Captiva Plan update discussion —Max Forgey
10:30 a.m. River Hall update – Max Forgey
10:35 a.m. Other business and public comment

- Confirm dates for next meeting (Aug.12)

Adjourn

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2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

CAPTIVA COMMUNITY PANEL

Aug. 12, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of July 8 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- ~~Fund-raising — Paul McCarthy (2 minutes?)~~
- ~~Communications — Susan Stuart (1 minute)~~
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (1 minute)

9:30 a.m. Captiva Plan update discussion — Max Forgey
10:00 a.m. River Hall update – Max Forgey
10:05 a.m. Other business and public comment

- Confirm dates for next meeting (Sept. 9)
- **Reminder**: Galloway Captiva Tri Sunday. Sept. 14 – Captiva Drive will be closed 6:45-8:45 a.m.

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Sept. 9 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
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Captiva Community Panel
Profit & Loss YTD Comparison
August 1 - 8, 2014

	Aug 1 - 8, 14	Oct 1, '13 - Aug 8, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,172.09
Indiv/business contribution	0.00	25,560.00
Total Contributed support	0.00	37,732.09
Total Income	0.00	37,732.09
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	111.25
Service charge	0.00	107.60
Total Business expenses	0.00	355.10
Consulting		
Administration	0.00	18,150.00
Design services	0.00	765.00
Planning & coordination	1,000.00	11,000.00
Total Consulting	1,000.00	29,915.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	2,491.34
List rental	0.00	28.00
Mileage & tolls	0.00	569.40
Monday After The Masters	0.00	5,061.98
Other expenses	0.00	200.00
Storage rental	0.00	286.20
Web site/computer services	0.00	2,000.00
Total Misc expenses	0.00	10,770.32
Non-personnel expenses		
Community planning outreach	0.00	631.25
Community survey costs	0.00	891.14
Postage, shipping, delivery	0.00	122.98
Printing & copying	16.58	1,116.09
Total Non-personnel expenses	16.58	2,761.46
Total Expense	1,016.58	43,801.88
Net Ordinary Income	-1,016.58	-6,069.79
Net Income	**-1,016.58**	**-6,069.79**

Captiva Community Panel
Balance Sheet
As of August 8, 2014

	Aug 8, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	14,916.29
Total Checking/Savings	14,916.29
Accounts Receivable	
Accounts receivable	1,100.00
Total Accounts Receivable	1,100.00
Total Current Assets	16,016.29
TOTAL ASSETS	**16,016.29**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts payable	1,016.58
Total Accounts Payable	1,016.58
Total Current Liabilities	1,016.58
Total Liabilities	1,016.58
Equity	
Unrestrict (retained earnings)	21,069.50
Net Income	-6,069.79
Total Equity	14,999.71
TOTAL LIABILITIES & EQUITY	**16,016.29**

Draft Language for Captiva Community Plan July 2014
KG=Ken; MF=Max; YV=Your version

POSSIBLE NEW LANGUAGE
Encourage alternate transportation options [KG]

POLICY 13.1.??: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage connectivity and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

—Or—

Encourage alternate transportation options [MF]

POLICY 13.1.??: Recognizing that Captiva Island has only one point of entry and exit, is served by only one two-lane north-south road, and is nearing the point of buildout, Lee County will actively promote public safety through the use of multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Specifically, Lee County will consider and evaluate such tools as adjusted tolls, alternative transportation and parking modes, shared parking, and park and ride.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Dark Skies language Lighting language in general [KG]

POLICY 13.1.??: The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

—Or—

Lighting and Dark Skies [MF]

POLICY 13.1.??: Lee County acknowledges that Captiva Island's dark night skies are a benefit to residents and an attraction to tourists who enjoy the island's tranquility, and they are essential to the protection of island wildlife. Lee County will actively promote the Captiva community's efforts to limit exterior residential and commercial lighting as a means of reducing light pollution and light trespass, without compromising public safety.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE

Rentals vs. residents – overload and intensity of use – extend 7-day limit [KG]:

Do you want to codify a seven-day rental minimum on all non-hotel/motel dwelling units? Do you want to state support for low-intensity non-commercial use of existing residential properties in consideration of neighbors, the community and the overall island ambience?

—Or—

Rentals vs. residential properties [MF]

☞ It might read something like this:

POLICY 13.Y.Y. Lee County recognizes the importance of promoting low-intensity, non-commercial activity on Captiva Island in order to maintain its tranquil ambience in a natural setting. To maintain this ambience, residential units on Captiva Island may be rented for a period of less than seven (7) consecutive days.

—Or—

Your Version [YV]

☞ One option is "no such policy"

EXISTING LANGUAGE (TWO POLICIES)

Revise vegetation policy: invasive vs. non-invasive, native vs. non-native

POLICY 13.1.3: 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.

Vegetation & Landscaping

POLICY 13.1.14: 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.

☞*In the June 2014 packet to the Community Panel, Ken wrote:*
RATHER THAN REQUIRING CODES THAT PROBABLY WILL NEVER BE WRITTEN, WOULD IT BE BETTER TO INCLUDE A GENERAL STATEMENT OF SUPPORT FOR NATIVE/NON-INVASIVE VEGETATION AND ADEQUATE BUFFERING FOLLOWED BY A COUPLE OF POLICIES THAT GO INTO MORE SPECIFIC DETAIL?

POSSIBLE NEW LANGUAGE

Native Vegetation & Tree Canopy [KG]

OBJECTIVE 13.3: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Native Vegetation & Tree Canopy [MF]

Lee County will actively promote the planting and preservation of native vegetation and tree canopy on Captiva Island and will work with residents and businesses to halt further degradation of estuarine and wetland resources and to assure that no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE

Trees along Captiva Drive [KG]

POLICY 13.3.1: Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

—Or—

Trees along Captiva Drive [MF]

POLICY 13.3.1: Lee County will actively promote the planting and maintenance of indigenous or native trees along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers, and will promote community efforts to inform the public about the benefits of indigenous or native trees and vegetation requiring minimal irrigation.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Invasive vegetation & nuisance pests [KG]
POLICY 13.3.2: The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Heritage Trees [KG]
POLICY 13.3.3: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Land Development Projects [KG]
POLICY 13.3.4: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

—Or—

Land Development Projects [MF]
POLICY 13.3.4: : New land development projects on Captiva Island will be designed to maintain the integrity of the natural environment, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
No degradation of resources [KG]
POLICY 13.3.5: County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Your Version [YV]

Should Captiva clarify building heights language?
Based on feedback received in survey and at workshops, this does not appear to be needed.

POSSIBLE NEW LANGUAGE
Blind Pass Maintenance[KG]
POLICY 13.1.??: Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open and navigable pass due to its benefits to the near-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

—Or—

Your Version [YV]

☞Community character, existing policies, and community services will be addressed at our August meeting.

CAPTIVA COMMUNITY PANEL

Sept. 9, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Aug. 12 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley
9:25 a.m. Committee reports (as necessary):

- ~~Fund-raising — Paul McCarthy (2 minutes)~~
- ~~Communications — Susan Stuart (1 minute)~~
- Financial — Ken Gooderham (2 minutes)
- Planning — Max Forgey (3 minutes)

9:30 a.m. Property taxation discussion – Mike Mullins?
9:45 a.m. Rental discussion — Max Forgey
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (Oct. 14) – NOTE: Ken Gooderham will miss this meeting
- **Reminder**: Galloway Captiva Tri Sunday. Sept. 14 – Captiva Drive will be closed 6:45-8:45 a.m.

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Sept. 9 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
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Article 6, Section 2 – Terms of office

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CAPTIVA COMMUNITY PANEL

Oct. 14, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Sept. 9 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes)
- Communications — Susan Stuart (1 minute)
- ~~Financial — Ken Gooderham (2 minutes)~~
- Planning — Max Forgey (3 minutes)

9:30 a.m. Morris-Depew Associates presentation on amending the South Seas Resort Master Development Plan – Hailey Underwood
10:15 a.m. Property taxation discussion – Mike Mullins?
10:30 a.m. Proposed plan language discussion — Max Forgey
10:50 a.m. Panel member and officer nominations – Mike Mullins
11:00 a.m. Other business and public comment

- Confirm dates for next meeting (Nov. 11)

Adjourn

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CAPTIVA COMMUNITY PANEL

Nov. 11, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Oct. 14 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes)
- Communications — Susan Stuart (1 minute)
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Presentation of rezoning request for Dunbar properties (16750, 16970 and 16980 Captiva Drive) – Timothy Murty
10:00 a.m. Update on amending the South Seas Resort Master Development Plan
10:05 a.m. Captiva Plan language update — Max Forgey
10:50 a.m. Panel member and officer nominations – Mike Mullins?
10:40 a.m. Panel 2015 schedule and budget – Ken Gooderham
11:00 a.m. Other business and public comment

- Confirm dates for next meeting (Dec. 9)

Adjourn

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Captiva Community Panel
Balance Sheet
As of November 9, 2014

	Nov 9, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	23,038.50
Total Checking/Savings	23,038.50
Accounts Receivable	
Accounts receivable	300.00
Total Accounts Receivable	300.00
Total Current Assets	23,338.50
TOTAL ASSETS	**23,338.50**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	11,039.29
Net Income	12,299.21
Total Equity	23,338.50
TOTAL LIABILITIES & EQUITY	**23,338.50**

Captiva Community Panel
Profit & Loss YTD Comparison
November 1 - 9, 2014

	Nov 1 - 9, 14	Jan 1 - Nov 9, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	13,213.89
Indiv/business contribution	5,600.00	38,510.00
Total Contributed support	5,600.00	51,723.89
Total Income	5,600.00	51,723.89
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	111.25
Service charge	0.00	136.08
Total Business expenses	0.00	383.58
Consulting		
Administration	750.00	15,600.00
Design services	0.00	915.00
Planning & coordination	0.00	8,800.00
Total Consulting	750.00	25,315.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	2,491.34
List rental	0.00	130.00
Mileage & tolls	0.00	482.52
Monday After The Masters	0.00	5,061.98
Other expenses	0.00	200.00
Storage rental	0.00	190.80
Web site/computer services	100.00	1,700.00
Total Misc expenses	100.00	10,390.04
Non-personnel expenses		
Community planning outreach	0.00	631.25
Community survey costs	0.00	238.80
Postage, shipping, delivery	0.00	474.38
Printing & copying	0.00	1,964.99
Telephone & telecommunications	26.64	26.64
Total Non-personnel expenses	26.64	3,336.06
Total Expense	876.64	39,424.68
Net Ordinary Income	4,723.36	12,299.21
Net Income	**4,723.36**	**12,299.21**

TIMOTHY J. MURTY, P. A.
Attorney At Law

Timothy J. Murty, Esq.
Timmurty@islandatty.com

1633 Periwinkle Way, Suite A
Sanibel Island, FL 33957-4404
Office: 239-472-1000
Fax: 239-472-4449

October 30, 2014

Mr. Ken Gooderham, Administrator
Captiva Community Panel
Captiva, FL 33924

IN RE: 16950 Captiva Drive / 03-46-21-00-00028.0050
16980 Captiva Drive / 03-46-21-00-00028.005A
16970 Captiva Drive / 03-46-21-00-00028.005B

Dear Mr. Gooderham:

The applicant is seeking to rezone the above-captioned parcels from RSC-2 to RS-3, as the parcels were approved after January 1, 2002, and do not have the minium required Lot Area of 43,560 square feet.

If the lots are rezoned to RS-3, each of the lots would substantially exceed the minium lot area of 20,000 square feet.

The three (3) existing lots, prior to September 15, 2003, consisted of two (2) lots which were developed with a main house on a lot that had 177.06 feet of frontage and a lot with a guest house that had frontage on Captiva Drive of 133.65 feet.

On September 15, 2003, a Lot Split was approved reducing the front footage to 102.25 feet and increasing the main house lot by an equal amount (see Exhibit "A" attached).

In 2004 the main house was destroyed by Hurricane Charlie and the structure was demolished.

On October 21, 2008, a Lot Split for the now vacant main house lot was approved with a zoning designation of RSC-2. Each of these lots are still vacant (see Exhibit "B" attached).

Recently, the owner of each of the parcels created signed a contract to sell one of these parcels and the buyer in the course of conducting his due diligence was advised that none of the lots met the minium lot size of 43,560 square feet.

The applicant is now seeking approval of a rezoning of all three (3) lots to RS-3. Each lot, if rezoned, would meet all the requirements of Section 34-694 of the Land Development Code.

Very truly yours,

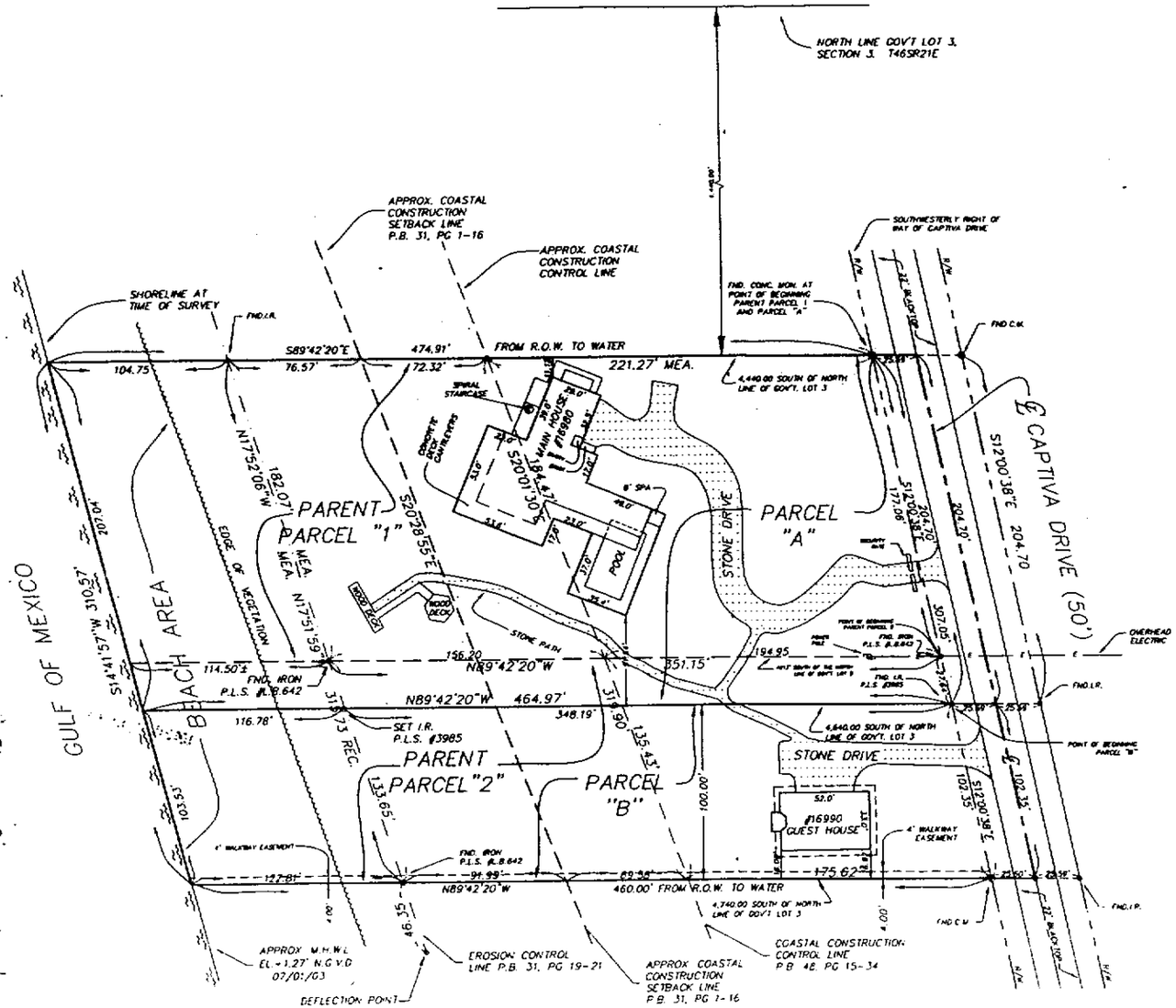
TIMOTHY J. MURTY
Attorney at Law

/km
enclosures

EX "A"

Division of Development Services
Limited Review Development Order
APPROVED
By LLL Date 9/15/03
For LOT SPLIT

DO # LDO 2003-00304
Review Type 04
Zoning _____ F.E.M.A. _____
Approval based on site information supplied by applicant.



PROPOSED LAND SPLIT
16980 & 16990 CAPTIVA DRIVE

PARCELS "A" & "B" CAPTIVA ISLAND

PART OF GOV'T. LOT 3 SECTION 3 AND GOV'T. LOT 4 SECTION 3 TOWNSHIP 46 SOUTH, RANGE 21 EAST LEE COUNTY, FLORIDA

SCALE 1" = 80'

PARENT PARCEL 1 16980 CAPTIVA DRIVE

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 2 AND GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 46 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SANIBEL-CAPTIVA ROAD (50 FEET WIDE) WITH A LINE PARALLEL WITH AND 4,440 FEET SOUTH OF THE NORTH LINE OF GOVERNMENT LOT 3, SECTION 3 RUN S 12°00'38" E ALONG SAID SOUTHWESTERLY LINE FOR 177.08 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 4,613 FEET SOUTH OF SAID NORTH LINE OF GOVERNMENT LOT 3, SECTION 3; THENCE RUN N 89°42'20" W ALONG SAID PARALLEL LINE FOR 351.15 FEET TO AN INTERSECTION WITH THE EROSION CONTROL LINE AS RECORDED IN PLAT BOOK 31 AT PAGE 19 OF THE PUBLIC RECORDS OF LEE COUNTY; THENCE RUN N 17°51'56" W ALONG SAID EROSION CONTROL LINE TO AN INTERSECTION WITH A LINE BEARING N 89°42'20" W PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S 89°42'20" E ALONG SAID LINE FOR 370.16 FEET TO THE POINT OF BEGINNING. CONTAINING 3.44 ACRES, MORE OR LESS. BEARINGS HEREINABOVE MENTIONED ARE BASED ON DEED RECORDED IN OFFICIAL RECORD BOOK 1044 AT PAGE 463 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PARENT PARCEL 2 16990 CAPTIVA DRIVE

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 3 AND GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 46 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SANIBEL-CAPTIVA ROAD (50 FEET WIDE) WITH A LINE PARALLEL WITH AND 4,613 FEET SOUTH OF THE NORTH LINE OF GOVERNMENT LOT 3, SECTION 3 RUN S 12°00'38" E ALONG SAID SOUTHWESTERLY LINE FOR 129.89 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 4,740 FEET SOUTH OF SAID NORTH LINE OF GOVERNMENT LOT 3, SECTION 3; THENCE RUN N 89°42'20" W ALONG SAID PARALLEL LINE FOR 337.16 FEET TO AN INTERSECTION WITH THE EROSION CONTROL LINE AS RECORDED IN PLAT BOOK 31 AT PAGE 19 OF THE PUBLIC RECORDS OF LEE COUNTY; THENCE RUN N 17°51'56" W ALONG SAID EROSION CONTROL LINE FOR 133.65 FEET TO AN INTERSECTION WITH A LINE BEARING N 89°42'20" W PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S89°42'20" E PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S89°42'20" E ALONG SAID LINE FOR 351.15 FEET TO THE POINT OF BEGINNING. SUBJECT TO AN EASEMENT FOR WALKWAY PURPOSES OVER AND ACROSS THE SOUTHERLY 4 FEET THEREOF. CONTAINING 1.00 MORE, MORE'S OR LESS. BEARINGS HEREINABOVE MENTIONED ARE BASED ON DEED RECORDED IN OFFICIAL RECORD BOOK 1044 AT PAGE 463 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PROPOSED PARCEL "A"

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 2 AND GOVERNMENT LOT 4, SECTION 3, TOWNSHIP 46 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SANIBEL CAPTIVA ROAD (50 FEET WIDE) WITH A LINE PARALLEL WITH AND 4,440 FEET SOUTH OF THE NORTH LINE OF GOVERNMENT LOT 3, SECTION 3 RUN S12°00'38"E ALONG SAID SOUTHWESTERLY LINE FOR 204.70 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 4,644 FEET SOUTH OF SAID NORTH LINE OF GOVERNMENT LOT 3, SECTION 3; THENCE RUN N89°42'20"W ALONG SAID PARALLEL LINE FOR 464.97 FEET TO AN INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE N17°51'57"W ALONG SAID LINE TO AN INTERSECTION WITH A LINE BEARING N89°42'20"E PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S89°42'20"E ALONG SAID LINE FOR 474.91 FEET TO THE POINT OF BEGINNING. CONTAINING 95,905.72 SQUARE FEET OR 2.203 ACRES FROM THE CENTERLINE OF CAPTIVA DRIVE TO THE WATERS OF THE GULF.

PROPOSED PARCEL "B"

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 7, SECTION 3 AND GOVERNMENT LOT 4, SECTION 3 TOWNSHIP 46 SOUTH, RANGE 21 EAST, CAPTIVA ISLAND, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SANIBEL CAPTIVA ROAD (50 FEET WIDE) WITH A LINE PARALLEL WITH AND 4,840.00 FEET SOUTH OF THE NORTH LINE OF GOVERNMENT LOT 3, SECTION 3 RUN S12°00'38"E ALONG SAID SOUTHWESTERLY LINE FOR 102.35 FEET TO AN INTERSECTION WITH A LINE PARALLEL WITH AND 4,740 FEET SOUTH OF SAID NORTH LINE OF GOVERNMENT LOT 3, SECTION 3; THENCE RUN N 89°42'20" W ALONG SAID PARALLEL LINE FOR 460.00 FEET TO AN INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE RUN N14°41'57"E ALONG SAID LINE TO AN INTERSECTION WITH A LINE BEARING N89°42'20"E PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S89°42'20"E ALONG SAID LINE FOR 474.91 FEET TO THE POINT OF BEGINNING. CONTAINING 48,900.87 SQUARE FEET OR 1.12 ACRES, FROM THE CENTERLINE OF CAPTIVA DRIVE TO THE WATERS OF THE GULF OF MEXICO.

SUBJECT TO AN EASEMENT FOR WALKWAY PURPOSES OVER AND ACROSS THE SOUTHERLY 4 FEET THEREOF.

SURVEY NOTES:
1. BASIS OF BEARINGS SHOWN HEREON TAKEN FROM THE CENTERLINE OF SANIBEL - CAPTIVA ROAD ASSUMED TO BEAR NORTH.
2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
3. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED
4. REPRODUCTIONS OF THIS DRAWING ARE VOID UNLESS SEALED WITH SIGNERS EMBOSSED SURVEYOR'S SEAL
5. ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.)
6. THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAPS
7. NATIONAL FLOOD INSURANCE DATA:
COMMUNITY NUMBER 120402
PANEL NUMBER 0007 SUFFIX E FIRM ZONE V-16
BASE FLOOD ELEVATION 13.0 EFFECTIVE DATE 8/19/86
8. STRAP NUMBER 03462100000208 0050 / 03462100000608 0054

REVISIONS	DATE
SURVEYED	8/04/03

SURVEYED TO:
BUNBAR ESTATES
LEE COUNTY
TIMOTHY J. MARTIN, ATTORNEY AT LAW

JOB # 03337

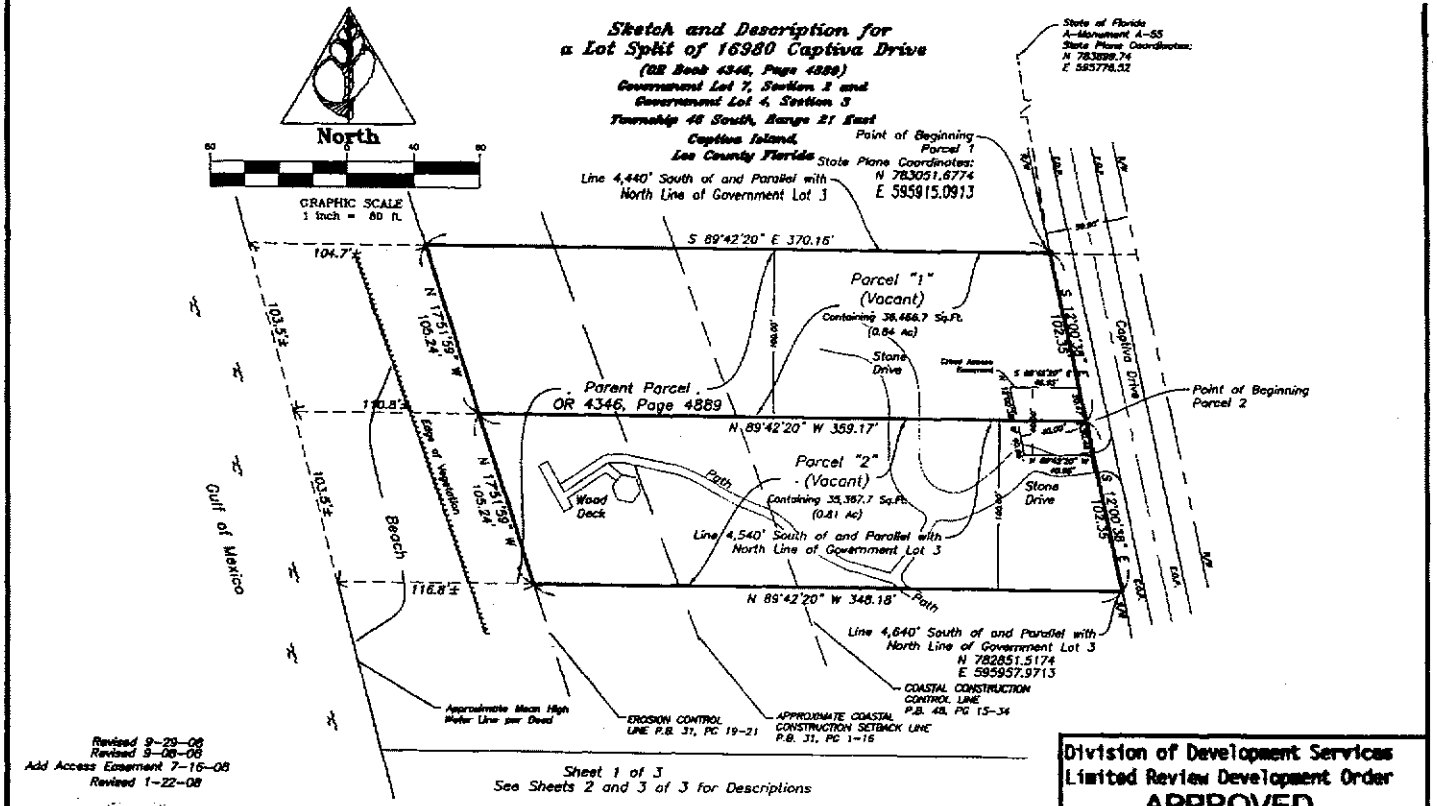
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

BY _____
WALTER L. FRAKER, P.L.S. #3985

SURVEYING & MAPPING, INC.
3466 PALM RIDGE ROAD
SANIBEL, FL 33957

Sketch and Description for a Lot Split of 16980 Captiva Drive

(OR Book 4346, Page 4889)
Government Lot 1, Section 2 and
Government Lot 4, Section 3
Township 46 South, Range 21 East
Captiva Island,
Lee County Florida



Revised 9-29-08
Revised 9-08-08
Add Access Easement 7-16-08
Revised 1-22-08

Sheet 1 of 3
See Sheets 2 and 3 of 3 for Descriptions

Valid only with Embossed seal

Job No. 00-337-A

I hereby certify that this survey was made under my responsible charge and meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 of the Florida Administrative Code, pursuant to Section 472.0027 of the Florida Statutes.

By: _____
Andrew D. Johnson, PSM 6256

Date Signed: 9/30/08

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

Division of Development Services
Limited Review Development Order
APPROVED
By M HARMON Date 10/21/08
For RESIDENTIAL LOT SPLIT

DO # LDO2008-00031
Review Type L04
Zoning RSC-2 F.E.M.A. N/A
Approval based on the information supplied by applicant.

EX "B"

Lee County Land Development Code

Sec. 34-695. - Property development regulations table.

Property development regulations for one- and two-family residential districts are as follows:

TABLE 34-695. PROPERTY DEVELOPMENT REGULATIONS FOR ONE- AND TWO-FAMILY RESIDENTIAL DISTRICTS

	Special Notes or Regulations	RSC-2	RS-1	RS-2	RS-3	RS-4	RS-5	TFC-1	TFC-2
Minimum lot area and dimensions:	34-2221 34-2222 34-2142								
Single-family detached:	Note (5)								
Lot area (square feet)		43,560	7,500	12,500	20,000	40,000	2 acres	6,000	7,500
Lot width (feet)		100	75	100	100	100	130	50	75
Lot depth (feet)		200	100	100	100	100	130	100	100
Duplex:									
Lot area (square feet)		—	—	—	—	—	—	6,000	7,500
Lot width (feet)		—	—	—	—	—	—	50	75
Lot depth (feet)		—	—	—	—	—	—	100	100
Two-family attached:									
Lot area (square feet)		—	—	—	—	—	—	12,000	12,000
Lot width (feet)		—	—	—	—	—	—	120	120
Lot depth (feet)		—	—	—	—	—	—	100	100
Minimum setbacks:									
Street (feet)	Notes (1) and (2), 34-2191et seq.	50 (3)							
Side yard (feet):	Notes (1) and (4), 34-2191et seq.								
Single-family or duplex		10	7.5	10	12	15	15	6	7.5

		Two-family		—	—	—	—	—	—	10 (3)	10 (3)
	Rear yard (feet)		Note (1), 34-2191 et seq.	20	20	20	20	20	20	20	20
	Water body (feet):		34-2191 et seq.								
		Gulf of Mexico		50	50	50	50	50	50	50	50
		Other		25	25	25	25	25	25	25	25
Maximum height (feet)			34-2171 et seq.	35	35	35	35	35	35	35	35
Maximum lot coverage (percent of total lot area)				25%	40%	40%	40%	40%	40%	45%	40%

Notes:

(1) Modifications to required setbacks for collector or arterial streets, or for solar or wind energy purposes, are permitted by variance only. Seesection 34-2191 et seq.

(2) Special street setbacks apply to portions of Colonial Boulevard and Daniels Road. Refer to section 34-2192(b).

(3) Accessory buildings and uses can be located closer to the front of the property than the main building, but must comply with all other setback requirements for accessory building uses.

(4) No side yard setback required from common side lot line for two-family attached.

(5) All lots in the "Coastal Rural" land use category in Greater Pine Island (as delineated by policies 1.4.7 and 14.1.8 of the Lee Plan) that are created after May 29, 2007 must comply with the additional regulations in section 33-1052. Lots created before that date are not required to comply with the additional regulations in section 33-1052

(Ord. No. 93-24, § 7(table 421.B), 9-15-93; Ord. No. 94-24, § 50, 8-31-94; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 07-19, § 6, 5-29-07; Orrd. No. 13-10, § 10, 5-28-13)

The 2014 Florida Statutes

Title X
PUBLIC OFFICERS, EMPLOYEES, AND RECORDS

Chapter 112
PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS

112.3143 Voting conflicts.—

(1) As used in this section:

(a) "Principal by whom retained" means an individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

(b) "Public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(c) "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(d) "Special private gain or loss" means an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.

2. The nature of the interests involved.

3. The degree to which the interests of all members of the class are affected by the vote.

4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

(2)(a) A state public officer may not vote on any matter that the officer knows would inure to his or her special private gain or loss. Any state public officer who abstains from voting in an official capacity upon any measure that the officer knows would inure to the officer's special private gain or loss, or who votes in an official capacity on a measure that he or she knows would inure to the special private gain or loss

of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained other than an agency as defined in s. 112.312(2); or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer, shall make every reasonable effort to disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

(b) A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection.

(3)(a) No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

(b) However, a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356 or s. 163.357, or an officer of an independent special tax district elected on a one-acre, one-vote basis, is not prohibited from voting, when voting in said capacity.

(4) No appointed public officer shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer, without first disclosing the nature of his or her interest in the matter.

(a) Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(b) In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a

conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

(c) For purposes of this subsection, the term “participate” means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer’s direction.

(5) If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

(6) Whenever a public officer or former public officer is being considered for appointment or reappointment to public office, the appointing body shall consider the number and nature of the memoranda of conflict previously filed under this section by said officer.

History.—s. 6, ch. 75-208; s. 2, ch. 84-318; s. 1, ch. 84-357; s. 2, ch. 86-148; s. 5, ch. 91-85; s. 3, ch. 94-277; s. 1408, ch. 95-147; s. 43, ch. 99-2; s. 6, ch. 2013-36.

Draft Amendments to Lee Plan
November 11, 2014

☞Draft changes are shown in ~~strikethrough~~ and underline format. For a clean version of existing text, see

GOAL 13: 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)

GOAL 13(A): CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and soil as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of architecture, landscape, and tourism-oriented commercial activities with a respect for private property rights.
- Levels of services that reflect and acknowledge the transitory nature of tourism use, non-resident property ownership, partial-year occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

Draft

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores.

- Shoreline and natural resources management to preserve habitat, recreation and sustainability.

- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Structural siting and standards that acknowledge the unique natural setting and hazards – overwash, erosion, vegetation, outdated lot sizes, pressure for lot-by-lot redevelopment, upgrading public infrastructure in limited public spaces.

- Limited density, height restrictions and lower intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: Protection of Environmental Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of Existing RSC-2 Parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-
2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building Heights on Captiva Island***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Draft

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

~~**POLICY 13.1.3:** 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)~~

☞ **To see amended successor language, go to Objective 13.5 below.**

POLICY 13.1.4: *Beach and Shore Preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of Adjacent Waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *Land Use Information Clearinghouse.* 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)

POLICY 13.1.7: *Public Informational Session; Staff Participation Encouraged.* 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)

POLICY 13.1.8: *Public Participation.* 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).

POLICY 13.1.9: *Historical Buildings and Structures.* 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).

POLICY 13.1.10: *Density Increases Prohibited.* 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)

POLICY 13.1.11: *Variances; Criteria for Approval.* 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)

~~**POLICY 13.1.12:** Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)~~

☞ **Comment: Policy 13.1.12 has been relocated and renumbered Policy 13.5.5.**

~~**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~~

Draft

~~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)~~

POLICY 13.1.14: *Telecommunications Tower at South Seas Resort***.** 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. 15-19)

POLICY 13.1.15: *Dark Skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. When those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *No Degradation of Resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

OBJECTIVE 13.2: 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).

POLICY 13.2.1: *Mixed Use Developments***.** Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one residential unit in addition to commercial uses.

Draft

Such developments will only be permitted if approved as a Commercial Planned Development. (Added by Ordinance No. 07-09)

OBJECTIVE 13.3: TRANSPORTATION. There will be no net increase in traffic on Captiva above 2014 standards.

Encourage Alternate Transportation Options

POLICY 13.3.1: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage inter-island connectivity facilitating greater flexibility of travel to and from Sanibel, and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Specifically, Lee County will consider and evaluate such tools as private trolley service, tiered bridge tolls, alternative transportation and parking modes, shared parking, and park and ride. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must be conducted in a low-impact manner which results in a very low level of conflict between permanent residents and visitors, such that dwelling units occupied by tourists generate no more impact on infrastructure or services, and cause no more noise, light pollution, or other problems than permanent residents.

☞ **Comment: The above draft Objective is there because it is a planning convention that you can't have a policy without an objective, and objectives are supposed to be marginally measurable.**

POLICY 13.4.1: *Short-Term Rental of Residential Units*. Residential units on Captiva Island may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees Along Captiva Drive*. Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

Draft

POLICY 13.5.2: *Invasive Vegetation and Nuisance Pests*. The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage Trees*. Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New Land Developments*. New land developments on Captiva Island will be designed to maintain the integrity of the natural environment, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible.
(Added by Ordinance No. 05-19)

Draft

2015 Community Panel meeting dates

	CCP Proposed	**CEPD Approved**	
January	Jan. 13	Jan. 14	
February	Feb. 10	Feb. 11	
March	March 10	March 11	
April	April 14	April 15	
May	May 12	May 13	
June	June 9	June 10	
July	July 14	July 15	
August	Aug. 11	Aug. 12	
September	Sept. 8	Sept. 10 & 21	
October	Oct. 13	Oct. 14	
November	Nov. 10	Nov. 10	SAME DAY DUE TO 11/11 HOLIDAY
December	Dec. 8	Dec. 9	

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 4-6
- ASBPA Summit: Feb. 24-26 — no conflict
- Coastal Sediments: May 10-14 – Gooderham conflict
- FSBPA annual meeting: Sept. 23-25 — no conflict
- ASBPA Coastal Conference: Oct. 13-16 — Gooderham conflict

Monday After The Masters – April 13
Easter – April 5
Labor Day – Sept. 7

CAPTIVA COMMUNITY PANEL

Dec. 9, 2014, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Nov. 11 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising — Paul McCarthy (2 minutes)
- Communications — Susan Stuart (1 minute)
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Update on amending the South Seas Resort Master Development Plan
9:40 a.m. Review of proposed Captiva Plan update language – Max Forgey
10:20 a.m. Panel member and officer nominations
10:40 a.m. Panel 2015 budget and schedule – Ken Gooderham
10:50 a.m. Other business and public comment

- Confirm dates for next meeting (Jan. 13)

Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Jan. 13 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2015 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2014 (see below).
3) Develop and approve a 2015 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Susan Stuart, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Paul McCarthy, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2014 and termed out(?): Mullins, McCarthy, Stuart
- Expires in December 2014 with another two-year term possible: Stilwell
- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected January 2014)

- President: Mike Mullins
- Vice president: Susan Stuart
- Secretary: Jerry McClure
- Treasurer: Mike Kelly

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of December 5, 2014

	Dec 5, 14
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	22,342.12
Total Checking/Savings	22,342.12
Accounts Receivable	
Accounts receivable	300.00
Total Accounts Receivable	300.00
Total Current Assets	22,642.12
TOTAL ASSETS	**22,642.12**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	11,039.29
Net Income	11,602.83
Total Equity	22,642.12
TOTAL LIABILITIES & EQUITY	**22,642.12**

Captiva Community Panel
Profit & Loss YTD Comparison
December 1 - 5, 2014

	Dec 1 - 5, 14	Jan 1 - Dec 5, 14
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	14,213.89
Indiv/business contribution	1,000.00	39,610.00
Total Contributed support	1,000.00	53,823.89
Total Income	1,000.00	53,823.89
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Processing charges	0.00	111.25
Service charge	0.00	136.08
Total Business expenses	0.00	383.58
Consulting		
Administration	1,500.00	17,100.00
Design services	0.00	915.00
Planning & coordination	1,000.00	9,800.00
Total Consulting	2,500.00	27,815.00
Misc expenses		
Advertising expenses	0.00	133.40
Insurance - non-employee	0.00	2,491.34
List rental	0.00	130.00
Mileage & tolls	39.60	522.12
Monday After The Masters	0.00	5,061.98
Other expenses	0.00	200.00
Storage rental	0.00	190.80
Web site/computer services	100.00	1,800.00
Total Misc expenses	139.60	10,529.64
Non-personnel expenses		
Community planning outreach	0.00	631.25
Community survey costs	0.00	238.80
Postage, shipping, delivery	49.00	523.38
Printing & copying	107.78	2,072.77
Telephone & telecommunications	0.00	26.64
Total Non-personnel expenses	156.78	3,492.84
Total Expense	2,796.38	42,221.06
Net Ordinary Income	-1,796.38	11,602.83
Net Income	**-1,796.38**	**11,602.83**

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González Architects Hospitality

SOUTH SEAS RESORT
Administrative Amendment
Narrative of Request

Administrative Amendment ADD2002-00098 established the "South Seas Resort Master Development Plan (SSRMDP) Amendment Procedure" a method by which the approved development plan for the South Seas Resort can be modified administratively "as the destination resort evolves". Specifically, ADD2002-00098 Condition 5.e. provides that "the reallocation of any of the currently existing dwelling units or the development of the unallocated dwelling units is permissible by administrative action if such reallocation or development accords with the requirements of LDC Section 34-1038(a)." The referenced section of the Land Development Code states:

> "The Director of the Department of Community Development may approve those minor changes specifically allowed pursuant to an approved final PUD development plan for a PUD. For any approved final PUD development plan for a PUD which does not specifically set forth those minor changes that may be approved by the Director of the Department of Community Development or any PUD development plan which has not received final approval prior to the effective date of the ordinance from which this subdivision is derived (July 6, 1987), minor changes (amendments) that may be approved by the Department Director include, in general, any change to the interior of the development which does not increase density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area), or which does not decrease buffers or open space. The Director shall not approve any change which results in a substantial underutilization of public resources and public infrastructure committed to the support of the development, nor shall the Director approve any change which results in a reduction of total open space, buffering, landscaping and preservation areas, or which adversely impacts on surrounding land uses."

Administrative Amendment ADD2008-00082 redistributed and reclassified 140 dwellings units for employee housing between two locations, one at the north and the other at the south end. This Administrative Amendment request seeks to modify the site plan associated with ADD2008-00082 to permit relocation of resort units from the southerly portion of the site to an area south of the golf course and west of the marina at the north end of the resort. This Administrative

Amendment request applies to the South Seas Resort Master Development Plan (SSRMDP) as approved in ADD2008-00098, and a portion of the property identified by STRAP #22-45-21-00-00005.002B as depicted in the provided sketch and description. The proposed request seeks to reallocate the previously approved 140 units from the north and south end to one central northern location, as identified on the provided sketch and description. Employee housing will be relocated into existing units within the development as necessary (see attached exhibit, "Potential Employee Housing Locations").

ADD2008-00082 amended the South Seas Resort Master Development Plan to allow the redistribution of 140 dwelling units within the South Seas Resort District to locations at the south and north end of the property. The redevelopment of the south end included demolishing the existing 7 buildings which included 140 dwelling units for employee housing and constructing 80 resort units at the same location, 20 units at the south end of the golf course, west of the marina, with the 40 additional units to be constructed at a later date. The proposed development at the north end of the resort also included a new 6,000 SF restaurant adjacent to the new residential units and a 5,000 SF spa on the east side of South Seas Plantation Drive. The approved development of the 80 unit hotel on the south end and the 20 units on the north end left 40 dwelling units for use elsewhere within the resort based upon future amendment(s) to the South Seas Resort Master Development Plan. Employee housing was to be provided within the 80 unit hotel, with 40 units to be reserved on an as needed basis.

The current request would rescind the 100 hotel units approved for redevelopment on the north and south end to aggregate all of the 140 units to one location at the north end of the South Seas Resort Property. The new proposed development will be 140 resort units; up to 40 of the new units may be used for employee housing, but other, existing units may also be assigned for employee housing, depending upon demand and seasonality on an as needed basis. As with the previous approval, specific hotel units will not be set aside as employee units. Rather as employee units are requested they will be provided throughout the South Seas Resort. The number and location of units within the resort used for employee housing will vary throughout the year depending on the seasonal need for employee housing, the type of employee for which housing is needed, demand for resort services, and resort operational factors. The new units will be located to optimize the beachfront location and will be designed to capture the flavor of the "Old Florida" architectural style as demonstrated on the attached information. Over the past few years the resort's requests for employees units have declined; this past year employee occupancy has varied significantly, utilized not only by employees of South Seas Resort, but also other businesses on Captiva Island. Based on this pattern of usage, it has been determined that specific units do not need to set aside solely for employee housing, rather a more flexible approach to meeting such demand when it actually exists would be more operationally sound.

The proposed amendment would not increase density or intensity within the development. It does not decrease buffers, open space or preservation areas. It provides for the same utilization of public resources and infrastructure as the prior development, and it does not otherwise adversely impact surrounding land uses.

The proposed development plan was presented to the Captiva Community Planning Panel on October 14, 2014. A number of the community's residents were in attendance. No changes to the development plan have been proposed since the time of the community meeting and no changes were requested by the residents in attendance. A summary of the meeting discussion and copy of sign-in sheet are included in the application materials for reference. A representative of Lee County (Sharon Jenkins-Owen) was in attendance at the meeting. A second meeting is tentatively scheduled for January to present a more detailed engineered concept plan to the Panel.

As noted above, no additional units are being proposed as part of the current request. All density calculations for the SSRMDP are consistent with the density totals found in ADD2002-00098. Open space impacts caused by the placement of units in the areas south of the golf course and west of the marina are more than offset by the removal of units from the current employee housing area at the south end of the resort. The area upon which the current employee housing is located is ±4.25 acres in size. The area upon which the relocated units are to be placed is ±5.8 acres in size. Although the internal site area in question is larger for the proposed redeveloped units, not all of that area will have buildings located on it, and the final open space calculations will demonstrate that no open space has been lost on the resort as a result of the amendment to the SSRMDP. There will be no impacts to any lands deemed to be environmentally sensitive.

The proposed redevelopment will be consistent with the height restrictions and setback requirements currently in effect for the resort. As required by ADD2002-00098, the maximum height to the top of a parapet wall, roof, or mid-point of a pitched roof of no less than 4:1, and no more than 7:1, shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level. Parking for the redeveloped units will be provided at a ratio of 1 parking space per dwelling unit plus 1 guest/service parking space for every 10 dwelling units. Native species will be used for landscaping to the greatest extent practicable, and final plant selection and placement will be made in concert with County staff. No additional traffic impacts are anticipated since no units are being added to the resort. Modifications to stormwater management systems will be done pursuant to applicable South Florida Water Management District requirements.

Redevelopment of the proposed units will involve a transfer of use from the existing units to the proposed units. While it is anticipated that employee housing may use other units now existing, as well as possibly the new units to be constructed, the fact is that for some period of time 140 units will be under construction. It is proposed to complete construction of the new units prior to demolishing the existing units. The applicant anticipates that demolition of the existing 140 units will be completed within 6 months from the date that the certificate of occupancy is received on the last of the redeveloped units to be constructed. In the event that something less than 140 units are ultimately permitted in the redevelopment area, demolition of not less than the total number of existing units would be completed on a one-to-one basis for all units constructed in the redevelopment area. In other words, should only 130 units ultimately be constructed at the north site, not less than 130 units would be taken out of service and

demolished at the south end of the resort within 6 months from the receipt of the certificate of occupancy for the north redevelopment.

DAVID A. MINTZ
11540 Wightman Lane
Captiva, Florida 33924

November 13, 2014

Dear Panel Members:

Ken Gooderham, via email, kindly offered me the opportunity to provide you with some background information in association with my nomination to the Panel since other participants in the nomination process had already done so.

My name is David A. Mintz. I live with my wife, Lisa Riordan, on Wightman Lane in the Village for 6-7 months a year. In May 2009, we purchased the old ground-level residence that the county historically leased for the sheriff. Rather than tearing it down, we remodeled it in order to maintain the "Old Captiva" look and feel. We also own a Bayside Villa at South Seas. During the summer, we divide our time between our apartment in Brooklyn, New York and our lake home in Northwest, New Jersey.

I have a B.A. from the University of Wisconsin, a Masters Degree from the London School of Economics and a Law Degree from Columbia University. I am a founding (and retiring) partner of a New York/New Jersey law firm that specializes in labor and employment law. Currently, I am the Vice President of the Captiva Beach Homeowners Association – the Association of 59 properties on Laika and Wightman Lanes. In New Jersey, I am the President of a Lake Association of 250 homes and, along with the Board of Governors, assume responsibility for all aspects of the lake community including water quality. In New Jersey, I have worked to raise more than $12 million in public and private funding to preserve in their undeveloped state at least 5 tracts of environmentally sensitive lands in the vicinity of the Appalachian Trail. A recent purchase/preservation consisted of 852 acres – an area slightly larger than Central Park in New York City.

Over the past year, I have attended Captiva Community Panel meetings and the series of workshops that focused upon the update to the Captiva Plan. In conjunction with those workshops, I provided Panel members with my thoughts which are reproduced below.

Again, I wish to thank you for your consideration. However, I would also like to repeat what I said to Jack Cunningham and Rene Miville when I was first approached about participating on the Panel. That is – if a qualified individual wishes to fill the vacancy and the Panel believes such individual would be a better selection at this time for whatever reason, I would be willing to withdraw my name from consideration.

Sincerely,

David A. Mintz

November 10, 2014

To whom it may concern at the Captiva Community Panel,

Please accept this letter as my request to be considered for nomination to the Captiva Community Panel.

As a Captiva property owner for the past 15 years and permanent resident for almost 10 years, I have a deep appreciation for preserving all that makes Captiva Island the special place that it is.

I think that my interests are aligned with those set out in the Panel's Mission Statement and I have a desire to assure those interests are determined locally and represented by our Islands owners and residents.

As a matter of background, my involvement in community-related activities includes; past board member and president of the Captiva Chapel By The Sea, past board member and treasurer of the Sunset Captiva Property Owners Assoc., founding member and treasurer of the Captiva Historical Society, member of the Captiva Civic Assoc., member of SanCap Kiwanis and FISH volunteer.

My professional career began with PriceWaterhouse in the corporate tax area. I worked for several multinational corporations in New York before moving to Minneapolis with Medtronic Inc. where I held various finance officer positions including Divisional CFO and Corp. Treasurer. I last held the CFO position for a medical device start up before moving to Captiva. Have also served on various; bank, non-profit, school and professional boards.

Respectfully submitted,

Mike Boris

Captiva Community Panel

2015 BUDGET

December 9, 2014

Revenues:	**Proposed**	**2014 YTD**
"Monday After The Masters"	$20,000.00	$20,410.00
Lee County reimbursement	$25,000.00	$14,213.89
Solicited donations	$15,000.00	$18,900.00
Cash forward (est.)	$23,342.12	$12,039.29
Total	$83,342.12	$65,563.18

Expenses:	**Proposed**	**YTD**
Forgey Planning Services	$12,000.00	$9,800.00
Planning -- outside contractors	$1,000.00	$915.00
Gooderham & Associates	$18,000.00	$17,100.00
Copies and mileage	$1,500.00	$2,594.89
Webmaster	$2,400.00	$1,800.00
Storage	$192.00	$190.80
Advertising for meetings & events	$500.00	$133.40
Fund-raising -- mailing/postage/survey	$1,500.00	$653.38
Insurance -- D&O	$970.00	$968.34
Insurance -- Hole in One	$1,600.00	$1,523.00
Accounting	$400.00	$0.00
Taxes & fees	$200.00	$136.25
Processing & service charges	$400.00	$247.33
MATM costs	$0.00	$5,261.98
Other (2% contingency)	$813.24	$26.64
Operations total expenses	**$41,475.24**	**$41,351.01**
Committee expenses		
Hurricane committee	$2,250.00	$0.00
Community survey	$1,000.00	$870.05
Land Development Code committee	$0.00	$0.00
Water quality committee	$0.00	$0.00
Committees total expenses	**$3,250.00**	**$870.05**
Total expenses	**$44,725.24**	**$42,221.06**
Year-end cash position	**$38,616.88**	**$23,342.12**

2015 Community Panel meeting dates

	CCP Proposed	**CEPD Approved**	
January	Jan. 13	Jan. 14	
February	Feb. 10	Feb. 11	
March	March 10	March 11	
April	April 14	April 15	
May	May 12	May 13	
June	June 9	June 10	
July	July 14	July 15	
August	Aug. 11	Aug. 12	
September	Sept. 8	Sept. 10 & 21	
October	Oct. 13	Oct. 14	
November	Nov. 10	Nov. 10	SAME DAY DUE TO 11/11 HOLIDAY
December	Dec. 8	Dec. 9	

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 4-6
- ASBPA Summit: Feb. 24-26 — no conflict
- Coastal Sediments: May 10-14 – Gooderham conflict
- FSBPA annual meeting: Sept. 23-25 — no conflict
- ASBPA Coastal Conference: Oct. 13-16 — Gooderham conflict

Monday After The Masters – April 13
Easter – April 5
Labor Day – Sept. 7

CPA2015-00009
2015
PACKETS

CAPTIVA COMMUNITY PANEL

Jan. 13, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Dec. 9 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising —
- Communications —
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Update on the South Seas Resort Master Development Plan amendment – Jose Gonzales & David Depew
10:30 a.m. Other business and public comment

- Captiva Island Yacht Club temp docks for Summer Sailing Program
- Confirm dates for next meeting (Feb. 10)

Adjourn for lunch

1:00 p.m. Review of proposed Captiva Plan update language – Max Forgey & Ken Gooderham
5:00 p.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Feb. 10 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter

TERM STATUS:

- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter
- Expires in December 2016 and termed out(?): Stilwell
- Expires in December 2016 with another two-year term possible: Jensen, Mintz, Boris

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected December 2014)

- President: Mike Kelly
- Vice president: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Profit & Loss
January through December 2014

	Jan - Dec 14
Ordinary Income/Expense	
Income	
Contributed support	
Agency (government) grants	14,213.89
Indiv/business contribution	40,610.00
Total Contributed support	54,823.89
Total Income	54,823.89
Expense	
Business expenses	
Organizational (corp) expenses	136.25
Processing charges	111.25
Service charge	144.08
Total Business expenses	391.58
Consulting	
Administration	18,750.00
Design services	915.00
Planning & coordination	10,968.75
Total Consulting	30,633.75
Misc expenses	
Advertising expenses	133.40
Insurance - non-employee	2,491.34
List rental	130.00
Mileage & tolls	561.72
Monday After The Masters	5,061.98
Other expenses	200.00
Storage rental	190.80
Web site/computer services	1,900.00
Total Misc expenses	10,669.24
Non-personnel expenses	
Community planning outreach	631.25
Community survey costs	238.80
Postage, shipping, delivery	523.38
Printing & copying	2,089.09
Telephone & telecommunications	26.64
Total Non-personnel expenses	3,509.16
Total Expense	45,203.73
Net Ordinary Income	9,620.16
Net Income	**9,620.16**

Captiva Community Panel
Balance Sheet
As of January 11, 2015

	Jan 11, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	17,410.16
Total Checking/Savings	17,410.16
Accounts Receivable	
Accounts receivable	4,300.00
Total Accounts Receivable	4,300.00
Total Current Assets	21,710.16
TOTAL ASSETS	**21,710.16**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,659.45
Net Income	1,050.71
Total Equity	21,710.16
TOTAL LIABILITIES & EQUITY	**21,710.16**

The Captiva Plan Update

January 2015

GOAL 13: 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).

- **PROPOSED**: The Panel approved a new Captiva Community Vision goal in 2012 as part of its work with the county on updating the Lee Plan vision statements. However, that approved language was never adopted by the county due to other delays. If the Panel still supports that new vision goal, it could be included in this draft for review and adoption. Some Panel members have suggested changes to this new vision, which could also be discussed.

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

- **PROPOSED**: Add a short title ("Preservation of community resources") to summarize the intent.

POLICY 13.1.1 No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01).

- **PROPOSED**: Add a short title ("Subdivision of existing RSC-2 parcels"). Otherwise, no change.

POLICY 13.1.2: The height of buildings and structures may not exceed the least restrictive of the two following options:

a. 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b. 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs. If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4)

feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

- **PROPOSED**: Add a short title ("Building heights"). Some Panel members have suggested language to allow a unique height standard for the Village only. Otherwise, no change.

POLICY 13.1.3: 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).

- **PROPOSED**: Short titles and revised language proposed. Will be relocated and renumbered to Objective 13.5 and Policy 13.5.1.

POLICY 13.1.4: Lee County will 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).

- **PROPOSED**: Add a short title ("Beach & shore preservation"). Otherwise, no change.

POLICY 13.1.5: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01).

- **PROPOSED**: Add a short title ("Quality of adjacent waters"). Otherwise, no change.

POLICY 13.1.6: 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).

- **PROPOSED**: Add a short title ("County information clearinghouse"). Otherwise, no change.

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).

- **PROPOSED**: Add a short title ("Public informational session"). Panel members have suggested either mandating such sessions be held at a panel meeting or requiring the panel be notified of any sessions prior to them being held. New language required the panel be notified a minimum of two weeks prior to any meeting, even if a presentation is not set for a regularly scheduled panel meeting.

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).

- **PROPOSED**: Add a short title ("Public participation"). Otherwise, no change.

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).

- **PROPOSED**: Add a short title ("Structures and historical character"). Otherwise, no change.

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.)

- **PROPOSED**: Add a short title ("Density increases prohibited"). Otherwise, no change.

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.)

- **PROPOSED**: Add a short title ("Criteria for variance approval"). Otherwise, no change.

POLICY 13.1.12: Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19.)

- **PROPOSED**: Add a short title ("Mangrove protection") and renumber to 13.5.5. Otherwise, no change.

POLICY 13.1.13: 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.)

- **PROPOSED**: Add a short title ("Trees along Captiva Drive") and renumber to 13.5.1. Revised language proposed.

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 capability 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.)

- **PROPOSED**: Add a short title ("Telecommunications tower"). Otherwise, no change.

OBJECTIVE 13.2: 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.

- **PROPOSED**: No change.

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one residential unit in addition to commercial uses. Such developments will only be permitted if approved as a Commercial Planed Development.

- **PROPOSED**: Add a short title ("Mixed use developments"). Otherwise, no change.

Proposed new policy language:

POLICY 13.1.15: Dark skies
POLICY 13.1.16: Estuarine and wetland resources
POLICY 13.1.17: Blind Pass
OBJECTIVE 13.3: Transportation
POLICY 13.3.1: Alternate transportation
OBJECTIVE 13.4: Tourism
POLICY 13.4.1: Short-term rental of residential units
POLICY 13.5.2: Invasive vegetation and nuisance pests
POLICY 13.5.3: Heritage trees
POLICY 13.5.4: New land developments

Draft amendments to Lee Plan

January 2015

GOAL 13: CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and soil as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.
- Development and appearance standards standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.

Draft

- Creative responses to the economic pressure which prompts lot-by-lot redevelopment, maximizing building footprints and envelopes to the detriment of community appearance.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources.* Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building heights***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

Draft

POLICY 13.1.3: [Intentionally left blank]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

POLICY 13.1.11: *Criteria for variance approval.* 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)

[Policies 13.1.12 and 13.1.13 intentionally left blank]

POLICY 13.1.14: *Telecommunications tower***.** 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. 15-19)

POLICY 13.1.15: *Dark skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. When those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

Draft

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will support through active advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

OBJECTIVE 13.2: 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).

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

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island and assure that all increases in automotive traffic demand will be offset through a combination of alternative transportation modes and trip reduction.

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development that does not increase automobile dependence or increased parking. The County will consider and evaluate such tools as private trolley service, tiered bridge tolls, alternative transportation and parking modes, shared parking and park and ride. The County will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible and will consider the potential for electric golf carts as a mode of intra-island conveyance.

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Draft

CAPTIVA COMMUNITY PANEL

Feb. 10, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of Jan. 13 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising —
- Communications —
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Update on the South Seas Resort Master Development Plan amendment – Jose Gonzalez
10 a.m. Bylaws – Jack Cunningham
10:20 a.m. Other business and public comment

- Confirm dates for next meeting (March 10)

Public workshop

10:30 a.m. Review of proposed Captiva Plan update language – Max Forgey & Ken Gooderham
12:00 p.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for March 10 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter

TERM STATUS:

- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter
- Expires in December 2016 and termed out(?): Stilwell
- Expires in December 2016 with another two-year term possible: Jensen, Mintz, Boris

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected December 2014)

- President: Mike Kelly
- Vice president: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of February 5, 2015

	Feb 5, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	15,018.66
Total Checking/Savings	15,018.66
Accounts Receivable	
Accounts receivable	300.00
Total Accounts Receivable	300.00
Total Current Assets	15,318.66
TOTAL ASSETS	**15,318.66**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,659.45
Net Income	-5,340.79
Total Equity	15,318.66
TOTAL LIABILITIES & EQUITY	**15,318.66**

Captiva Community Panel
Profit & Loss YTD Comparison
February 1 - 5, 2015

	Feb 1 - 5, 15	Jan 1 - Feb 5, 15
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	4,825.00
Total Contributed support	0.00	4,825.00
Total Income	0.00	4,825.00
Expense		
Business expenses		
Taxes - other	61.25	61.25
Total Business expenses	61.25	61.25
Consulting		
Administration	1,500.00	3,000.00
Planning & coordination	1,000.00	2,200.00
Total Consulting	2,500.00	5,200.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Mileage & tolls	78.10	117.70
Storage rental	108.12	108.12
Web site/computer services	100.00	200.00
Total Misc expenses	286.22	425.82
Non-personnel expenses		
Community planning outreach	345.03	345.03
Printing & copying	24.00	133.69
Total Non-personnel expenses	369.03	478.72
Total Expense	3,216.50	10,165.79
Net Ordinary Income	-3,216.50	-5,340.79
Net Income	**-3,216.50**	**-5,340.79**

From Dec. 9, 2014 meeting minutes:

Bylaws: *Cunningham*: We have a number of issues that need to be changed, plan to present at January meeting. Include this at that time? *McCarthy*: Don't want to tie him into controversial issues. Act on it today, we can vote on it at Feb. 10 meeting. *McClure*: Motion to increase at-large positions by amendment to the bylaws, from a total of 10 to 11 (McCarthy). Article Two, Section 1, "... consist of eleven (11) voting Members..." "an additional four (4) members." Unanimous approval.

From Community Panel Bylaws, July 2010 version:

ARTICLE TWO
GENERAL

Section 1 – Panel structure

The Panel structure shall be determined according to the aforementioned Lee County agreement. The Panel shall consist of ~~ten~~ eleven (11~~0~~) voting Members. The Panel shall consist of five (5) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc. (CCA) and an additional ~~three~~ four (~~3~~4) Members to be appointed from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation. [1]

[1] Agreement between Lee County and CPOA; PANEL actions in February 2002 and March 2006.

Draft amendments to Lee Plan

February 2015

GOAL 13: CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and ~~soil~~ dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.

- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Development and appearance standards ~~standards~~ that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.

- Creative responses to the economic pressure which ~~prompts~~ encourages lot-by-lot redevelopment that~~,~~ maximize~~s~~~~ing~~ building footprints and envelopes to the detriment of community appearance.

- ~~Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.~~

- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources.* Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-
2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building heights***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If certain portions of the island wish to establish building heights standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: [Intentionally left blank]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

☞County staff advises that this language is likely to appear in a different location when the EAR-based amendments to the Lee Plan are completed.

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Consistent siting of ~~S~~structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

☞County staff advises that there may be a potential vested rights issue based upon the Panel's conversation where an area that was platted to be 3 lots was developed as 2 lots but may wish to revert to 3. We will be checking with the County Attorney's office for further advice.

POLICY 13.1.11: *Criteria for variance approval.* 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)

[Policies 13.1.12 and 13.1.13 intentionally left blank]

POLICY 13.1.14: *Telecommunications tower***.** 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. 15-19)

POLICY 13.1.15: *Dark skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. ~~When~~ If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and

wetland resources and will ~~actively~~ promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will support through ~~active~~ advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality ~~in adjacent waters~~. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities.* Underground utilities will continue to be encouraged where economically feasible and if supported by the affected residents.

OBJECTIVE 13.2: 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).

POLICY 13.2.1: *Mixed use developments***.** Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development. (Added by Ordinance No. 07-09)

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CAPTIVA COMMUNITY PANEL

March 10, 2015, meeting

AGENDA

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9:00 a.m. Introductions and roll call; approval of Feb. 10 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Fund-raising —
- Communications —
- Financial — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Panel discussion of the South Seas Resort Master Development Plan amendment – Audience questions may be taken at the end at the chair's discretion
10:15 a.m. Bylaws – Jack Cunningham
10:30 a.m. Other business and public comment

- Confirm dates for next meeting (April 14)

Public workshop

10:35 a.m. Review of proposed Captiva Plan update language – Max Forgey & Ken Gooderham
11:30 p.m. Adjourn

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- Vice president: Sandy Stilwell
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Captiva Community Panel
Balance Sheet
As of March 6, 2015

	Mar 6, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	13,225.62
Total Checking/Savings	13,225.62
Total Current Assets	13,225.62
TOTAL ASSETS	**13,225.62**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	-7,133.83
Total Equity	13,225.62
TOTAL LIABILITIES & EQUITY	**13,225.62**

Captiva Community Panel
Profit & Loss YTD Comparison
March 1 - 6, 2015

	Mar 1 - 6, 15	Jan 1 - Mar 6, 15
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	4,825.00
Total Contributed support	0.00	4,825.00
Total Income	0.00	4,825.00
Expense		
Business expenses		
Taxes - other	75.00	136.25
Total Business expenses	75.00	136.25
Consulting		
Administration	1,500.00	4,500.00
Planning & coordination	0.00	2,200.00
Total Consulting	1,500.00	6,700.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Mileage & tolls	40.50	158.20
Storage rental	0.00	108.12
Web site/computer services	100.00	300.00
Total Misc expenses	140.50	566.32
Non-personnel expenses		
Community planning outreach	0.00	345.03
Printing & copying	77.54	211.23
Total Non-personnel expenses	77.54	556.26
Total Expense	1,793.04	11,958.83
Net Ordinary Income	-1,793.04	-7,133.83
Net Income	**-1,793.04**	**-7,133.83**

HIGHLIGHTS OF PROPOSED BYLAW AMENDMENTS

- Panel increased to 11 Members (CPOA 5, CCA 2, Panel 4)
- Panel Members to serve 3-year terms (with possible second consecutive 3-year term only if re-nominated, reappointed or re-elected)
- Panel terms staggered with 4, 4 or 3 seats appointed or elected annually
- Appointment, Nomination, Election and Vacancy procedures and time lines clarified
- Election of Officers at January meeting for 1 year terms
- Quorum consists of majority of Panel Members - 4 of whom must be physically present - except for Emergency Meetings
- Bylaws Mission Statement to include Captiva Plan Mission Statement
- Meeting notice provisions generally reduced from 2 weeks or 10 days to 7 days
- President interprets Robert's Rules; Panel interprets Bylaws
- Panel to be accessible and to invite constituency groups to Panel meetings to present their priorities and concerns for Captiva
- Other clarifications and corrections

CAPTIVA BEACH
CAPTIVA ISLAND
LEE COUNTY FLORIDA

Costal Set Back Construction Line

DESCRIPTION: Beginning at the Northeast Corner of Lot "36 of Lewis Subdivision of Bay View on Captiva Island according to a map or plat of same as recorded in the office of the Clerk of Circuit Court in and for Lee County, Florida; thence Westerly along the Northerly line of the said subdivision 1153 ft.; thence at an angle of 88°39' to the right 50 ft.; thence at an angle of 91°21' to the left 265.8 ft. to the Westerly line of Gulf Shore Drive; thence at an angle of 91°21' to the right and along the Westerly line of said Gulf Shore Drive 463.38 ft.; thence at an angle of 88°39' to the right 53.38 ft.; thence at an angle of 3°58' to the right 1334.8 ft.; thence at an angle of 94°2' to the right 338.7 ft. to the point of beginning

We the undersigned, do hereby certify that we have made a survey of the land described in the foregoing dedication from Bowe Dockey Lippen, et al to E. W. Cooke, as recorded in Book Ninety one of deeds at Page Two hundred twenty-five, Public Records of Lee County, Florida, and that the land thereon described is the same land as that described in said deed, and also that that forty foot strip of land lying East of Munson Street

DAVISON RAMSON & BURTON, INC.
By J. A. Davison President
Secretary

NOTE: Block corners have curves of 10 ft radius.

SUNSET VACATED
VACATED
PARK
WOLFF VACATED WAY VACATED
VACATED
DRIVE
100 St. Lee County Road
COCOANUT DRIVE LAIKA LANE
CORAL WAY WIGHTMAN LANE
GULF OF MEXICO
CAPTIVA ROAD
BAY VIEW SUBDIVISION
100 St.

Rauschenberg, Kelvin, Hardy, Florello, Rasmussen, Bell, Cayes, Pickard, Acker, Rauschenberg
Rauschenberg, Barker, Schlepp, Martin, Dunning, Harrison, Mandelbaum, Brady, Hunsbeck, Kurtz, Pickard, Brannigan, Warner, Weatcoat, Howards, Lyn, Wightman, Pickard, Hickok
Davis, Dibal, Jackson, Cox, Merritt, Christoff, Rosher, Fonda, Bowen, Fay, Trojard, Villas, Dunney, Koebel, Bergin, Wightman

DAVISON RAMSON & BURTON Inc.
CIVIL ENGINEERS
FORT MYERS FLORIDA
Feb 11 1926 Scale 1:100

CERTIFICATE OF SURVEY

We the undersigned hereby certify that the plat as shown is a correct representation of the land platted, and that permanent reference monuments have been placed as shown

DAVISON, RAMSON & BURTON Inc.
J. A. Davison President
Secretary

This plat accepted this 25th day of May 1926 in open meeting of the Board of County Commissioners of Lee County, Florida
Attest: John E. Ellis Chairman

CERTIFICATE OF OWNERSHIP

This is to certify that the undersigned are the owners of the land hereon described and have caused said land to be subdivided into lots, blocks, and streets as shown and said streets are hereby dedicated to the public forever.

Signed sealed and delivered in the presence of us
E. W. Cooke
Helen C. Cooke

STATE OF FLORIDA
COUNTY OF LEE

I do hereby certify that on this the 13th day of May A.D. 1926 before me, the undersigned authority, personally appeared E. W. Cooke and Helen C. Cooke, his wife both to me well known as the persons making the foregoing dedication, and they severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and the said Helen C. Cooke, the wife of the said E. W. Cooke upon an examination taken and separately and apart from her said husband did acknowledge that she executed the foregoing dedication freely, voluntarily and without any constraint, apprehension fear or compulsion of or from her said husband.
Witness my hand and official Seal the date last aforesaid.

Community Panel update

March 2015

Monday After The Masters

What we really need is community outreach and volunteers to secure donations and sponsorships for the event to include tent purchases, tee box sponsorships and foursomes.

In addition, we also need volunteers to man the event which includes check in (2-4), witnesses (9) then floaters to give breaks (4). The witnesses and floaters need to be able to withstand the sun, see the golf ball from distance and able to move about without challenges.

The fundraising efforts will need to be immediate and fairly proactive at this point, which means any volunteer in charge will need to start soliciting immediately.

Also, we need time to print signage which gives us about 4 weeks from the CCP meeting.

Shaun J. Coleman|Director of Sales & Marketing
South Seas Island Resort|Captiva Island, FL

2014 figures:

Revenue:	$20,410.00 sponsorships/raffles/registration fees
Expenses:	$1,523 insurance
	$5,000 prizes (paid by insurance)
	$261.98 other expenses

Village abandoned homes

On Binder, we have boarded the house and mowed the yard. We also cited the Bank for failing to maintain and a fine is running. We can check it again and see if there is anything more we can do at this time. We will get something started on the Wightman property. (very curious that a Bank would let a house like these sit) – **Bob Stewart**

Original note: Just wanted to give you a head's up that the Community Panel is getting complaints again about two Village properties -- 14970 Binder Lane (which has been an ongoing issue) and 11504 Wightman Lane. Both owned by the same bank, both approaching/exceeding "public nuisance" status. The Binder one has been cited, but no signs of official action in almost a year; the Wightman site is more recent and has nothing official (at least on the website).

Captiva Drive restriping

The striping refresh is scheduled for after season (sometime after Easter) to minimize traffic impact.
Randy Cerchie

Village shoulder/drainage

Sanibel/Periwinkle Way

The photo shows a slotted drain installation, underneath that grate is a pipe encased in concrete which outfalls somewhere, there's design associated with this which may be an option for the BPAC process. Also have to consider the newer, more narrow micro tires on bicycles and the grate width. I'll pass this along to David Wagley for his review. -- **Randy Cerchie**

NOTE: I'm scheduled to bring this before the Bicycle Pedestrian Advisory Committee (BPAC) on March 18, for consideration to be added to the list of bike/ped projects for funding. If the committee approves, we'll find out where it lands in the funding cycle and schedule, and will have a better idea of timing and issues. – **Ken Gooderham**

Captiva Drive shoulders

An MSTU would be a good way to know there is community support for the project. We were actually prepared to move forward with a pathway project probably 15 years ago and it was killed because some people in the community started objecting. If the County would be expected to take a project forward

again we would need to know the community is fully behind it. -- **David M. Loveland, AICP, Director, Lee DOT**

I defer on the resurfacing question. More details on the concept would be helpful considering the restrictions that Ken outlined. The Bicycle Pedestrian Advisory Committee (BPAC) might be interested in the project once consensus is reached. BPAC has a point scoring system. Unfortunately, a quick comparison of Captiva Drive to the BPAC point scoring criteria indicates that Captiva Drive would not score as well as most of the projects on the BPAC priority list. Lower scoring projects have been on the list for many years. Another option is funding through a Municipal Service Taxing Benefit Unit (MSTBU). -- **Andy Getch, P.E., Lee DOT Planning Manager**

Original question: Interest in improved bike/ped facilities for all of Captiva Drive has gotten some traction, but obviously right of way is the issue there... mainly in the S-curves, where any lane or shoulder would have to be tapered down unless more space could be secured. We may need to think about options to offer the community in case they want to move forward on their own (or through the panel) to generate support for more bike/ped space. First question: When is the next scheduled redo for Captiva Drive where something like this could be a goal to achieve?

NOTE: The MSTBU approach is apparently a common Lee DOT response now. The project would need to be defined, a petition for property owners to sign would be prepared (including an estimate of project cost and likely millage to be assessed for what time period), and a majority of property owners in the affected area (however that is defined) would need to sign the petition within a given time period, agreeing to tax themselves according to the estimate. (Actual taxation is based on actual costs, so estimates usually run high.) – **Ken Gooderham**

Pfeifer Realty sign

Pfeifer email to Sabal Signs:

Please take a look at the large sign you did for use with the grommets that we have on Captiva.

We just received notice that it is not compliant with Lee County Land Development Code changes. It may be because of the sign height (we have it on a 4 x 4 post), but I think it may be a combination of us using our 4 x 4 Post and the Height. Can you let me know what frame options we have if any that will work with the sign you made? I've copied Ken Gooderham on my email so that he can see the images of our current Captiva Sign and his email is below. Thanks so much! Mary Ellen Pfeifer / 239-472-0004

HERE IS THE NOTE FROM KEN:
I'm contacting you on behalf of the Captiva Community Panel, concerning a problem with some of your signs on properties for sale on Captiva. It was brought to the panel's attention recently that those signs violate the sign requirements for the island... I think by being too high (see county code language below). Typically, when these concerns arise I try contacting the person in question first to see if this can be resolved, before looking into code enforcement... particularly since this language was approved in the past few years and may not be on everyone's radar yet.

From the Lee County Land development Code:
Sec. 33-1645. Signs not requiring a permit.
(g) Temporary real estate signs, which for the purposes of this section include "for sale," "open house," "open for inspection," "by appointment only," "model home," and similar signs, must be located in a front yard and a minimum of two feet from the property line, parallel to the frontage and conforming to the following restrictions:

(1) They must be located only on the property advertised.

(2) In all districts not of residential character signs may not exceed four square feet in area, and may not exceed two square feet in areas zoned as RSC-2, RS-1, TFC-2 and RM-2. The bottom edge of the signs may not be greater than 12 inches above average grade of the sign's location. The signs must be limited to one sign per parcel; if the parcel includes water access, a second temporary real estate sign not exceeding two square feet in area is allowed either on a permanent dock structure or a minimum of ten feet landward of the property boundary adjacent to the water access or away from the landward edge of the mangrove fringe.

(3) Temporary real estate signs must be sturdily constructed, neat in appearance, ground signs only, with prongs not exceeding one-half inch in diameter and designed to be inserted and, removed without tools.

(4) Temporary real estate signs must be removed no more than five days after the property is no longer for sale.

Draft amendments to Lee Plan

February 2015

GOAL 13: CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and ~~soil~~ dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.

- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Development and appearance standards ~~standards~~ that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.

- Creative responses to the economic pressure which ~~prompts~~ encourages lot-by-lot redevelopment that~~,~~ maximize~~s~~~~ing~~ building footprints and envelopes to the detriment of community appearance.

- ~~Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.~~

- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources.* Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-
2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building heights***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If certain portions of the island wish to establish building heights standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: [Intentionally left blank]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

☞County staff advises that this language is likely to appear in a different location when the EAR-based amendments to the Lee Plan are completed.

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Consistent siting of ~~S~~structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

☞County staff advises that there may be a potential vested rights issue based upon the Panel's conversation where an area that was platted to be 3 lots was developed as 2 lots but may wish to revert to 3. We will be checking with the County Attorney's office for further advice.

POLICY 13.1.11: *Criteria for variance approval.* 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)

[Policies 13.1.12 and 13.1.13 intentionally left blank]

POLICY 13.1.14: *Telecommunications tower***.** 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. 15-19)

POLICY 13.1.15: *Dark skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. ~~When~~ If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and

wetland resources and will ~~actively~~ promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will support through ~~active~~ advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality ~~in adjacent waters~~. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities.* Underground utilities will continue to be encouraged where economically feasible and if supported by the affected residents.

OBJECTIVE 13.2: 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).

POLICY 13.2.1: *Mixed use developments***.** Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development. (Added by Ordinance No. 07-09)

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island. ~~and assure that all increases in automotive traffic demand will be offset through a combination of alternative transportation modes and trip reduction.~~

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. ~~The County will consider and evaluate such tools as private trolley service, tiered bridge tolls, alternative transportation and parking modes, shared parking and park and ride.~~ The County will ~~undertake and encourage~~ support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible ~~and will consider the potential for electric golf carts as a mode of intra-island conveyance~~.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. ~~Tourism will be conducted in a low-impact manner which results in a very low level of conflict between permanent residents and visitors, such that dwelling units occupied by tourists generate no more impact on infrastructure or services, and cause no more noise, light pollution, or other problems than permanent residents.~~

POLICY 13.4.1: *Short-term rental of residential units.* Residential units on Captiva Island may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive*. Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2: *Invasive vegetation and nuisance pests*. The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest ~~and~~ Plant Council of Florida or its successor bodies.~~y's i~~Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage trees*. Heritage trees, as defined in the Land Development Code ~~Sec. 10-415~~, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New land developments*. New construction on Captiva Island ~~will~~ should be designed to maintain or be compatible with ~~the integrity of~~ the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel. ~~These natural features must be integrated into the site design~~.

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)

CAPTIVA COMMUNITY PANEL

April 14, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of March 10 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Deputy Chief Jeff Pawul
9:15 a.m. LCSO update — Sgt. Mike Sawicki/ Deputy First Class Joe Caiazza
9:20 a.m. Hurricane Preparedness & Response Committee —
9:25 a.m. Committee reports (as necessary):

- Finance — Jack Cunningham (?)
- Communications —
- Financial update — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:30 a.m. Setting future priorities – David Mintz/Jay Brown
10:00 a.m. Bylaws review and questions – Jack Cunningham
10:10 a.m. Panel review of South Seas project issues that may impact greater Captiva – Mike Kelly & Jose Gonzalez
10:30 a.m. Other business and public comment

- Confirm dates for next meeting (May 12*)
- BPAC update and Lee DOT follow-up – Ken Gooderham

Public workshop

10:45 a.m. Review of proposed Captiva Plan update language – Max Forgey & Ken Gooderham
Noon Adjourn

** NOTE: Ken Gooderham will be unable to attend the May 12 meeting*

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for May 12 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter

TERM STATUS:

- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter
- Expires in December 2016 and termed out(?): Stilwell
- Expires in December 2016 with another two-year term possible: Jensen, Mintz, Boris

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected December 2014)

- President: Mike Kelly
- Vice president: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Balance Sheet
As of April 12, 2015

	Apr 12, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	14,206.42
Total Checking/Savings	14,206.42
Total Current Assets	14,206.42
TOTAL ASSETS	**14,206.42**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	-6,153.03
Total Equity	14,206.42
TOTAL LIABILITIES & EQUITY	**14,206.42**

Captiva Community Panel
Profit & Loss YTD Comparison
April 1 - 12, 2015

	Apr 1 - 12, 15	Jan 1 - Apr 12, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	3,328.49
Indiv/business contribution	0.00	5,175.00
Total Contributed support	0.00	8,503.49
Total Income	0.00	8,503.49
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	6,000.00
Planning & coordination	400.00	3,000.00
Total Consulting	1,900.00	9,000.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Mileage & tolls	40.50	198.70
Storage rental	0.00	108.12
Web site/computer services	100.00	400.00
Total Misc expenses	140.50	706.82
Non-personnel expenses		
Community planning outreach	224.70	569.73
Printing & copying	32.49	243.72
Total Non-personnel expenses	257.19	813.45
Total Expense	2,297.69	14,656.52
Net Ordinary Income	-2,297.69	-6,153.03
Net Income	**-2,297.69**	**-6,153.03**

DRAFT ONLY

SOUTH SEAS RESORT PROJECT -- PLANNING ISSUES

South Seas Resort ("SSR") seeks approval to construct 96 new two-bedroom hotel units in the north end of the resort and 44 new two-bedroom hotel units in the south end of the resort while demolishing the existing 140 employee housing units at the south end. SSR has asked the Department of Community Development to approve its project by Administrative Amendment.

1. ADMINISTRATIVE AMENDMENT VS. PUBLIC HEARING AND DECISION BY BOARD OF COUNTY COMMISSIONERS

The Captiva Community Panel ("CCP") can choose to advise the County that the SSR project has sufficient impacts upon the South Seas community and Captiva Island to warrant review by the Board of County Commissioner after an opportunity for public hearing -- rather than by Administrative Amendment by the Zoning Division.

The 2002 Administrative Interpretation governs development projects at South Seas. While it permits the Zoning Director to approve "minor changes" to a Planned Unit Development ("PUD") by administrative action, the approval authority appears to be discretionary and the Zoning Director may choose not to exercise her discretion and place the matter before the Board of County Commissioners.

In this case, there seems to be a dispute as to whether the SSR project meets the criteria necessary to permit the Zoning Director to approve the project by Administrative Amendment. The SSR project may **not** be approved by Administrative Amendment if it increases density or intensity, reduces total open space, buffering, landscaping and preservation areas, or adversely impacts surrounding land uses. At this juncture, the numeric calculations are either preliminary or in dispute. However, there is little question that the demolition of 140 underutilized employee housing units and the construction of 140 new two-bedroom hotel units implicates many of these criteria -- especially in the north where most of these units will be built.

Moreover, the 2002 Administrative Interpretation provides, **as an enforceable condition**, that "[d]evelopment of the SSRD will evolve over a number of years in line with several very basic guidelines; **very low density development utilizing a number of small scale clusters**; carefully planned and tightly controlled development; preservation of bayou shoreline and mangrove areas; **emphasis on pedestrian traffic, not automobiles."**

The Administrative Interpretation also provides, **as a condition of the SSRD**, that current and future development within South Seas will "**emphasize pedestrian movement, not automobile traffic.**" Arguably, the proposed SSR project may contradict both the letter and spirit of the 2002 Administrative Interpretation thereby requiring review by the Board of County Commissioners.

Finally, SSR, in its March 4, 2015 letter to Principal Planner Nettie Richardson, stated that it "has been working with the Captiva Community Planning Panel (sic) and the

residents of Captiva over the past few months to produced (sic) a revised site plan for the requested ADD." To clarify, however, the final drawings and plan for the south end of the project which was submitted to the County on March 4, 2015 was never provided to the Captiva Community Panel ("CCP") prior to the CCP's March 10th meeting or to the public for comment at that meeting. For that reason alone, the CCP could choose to recommend that the public be given an opportunity to be heard before the County.

2. IMPACT ON TRAFFIC ON RESORT AND CAPTIVA

The 2002 Administrative Interpretation requires that SSR "**emphasize pedestrian movement, not automobile traffic**" as a condition of future development. It also provides that a Traffic Impact Statement (TIS) "**shall be required for any development that includes new residential dwelling units or includes more than 500 square feet of retail/commercial square footage.**"

In its March 4, 2015 Revised Narrative of Request presented to the County, SSR states that "**no additional traffic impacts are anticipated since no units are being added to the resort.**" SSR also attaches a copy of its traffic study from 2008 along with a supplemental memorandum "prepared to illustrate internal traffic as a result of the proposed site redevelopment plan."

The CCP can choose to advise the County that the actual traffic impact of the proposed SSR development project may differ from SSR's assessment -- and that a comprehensive traffic study and impact statement for both South Seas and for Captiva Island should be required as part of the proposed development project.

First, the 912-unit density for SSR was based upon a 1973 calculation of 3 units per acre in the 304-acre PUD. Over 40 years ago, there was little recognition that the capacity of the units may have as great an impact on the resort and Captiva as the actual number of units -- and certainly with respect to traffic. Also, traffic on Sanibel and Captiva was not the problem in 1973 as it is today.

Today, the current 140 "employee housing" units serve as the residence for approximately 78 island employees. The SSR project will place the approximately 40 SSR employees in existing rental units and will construct 140 new two-bedroom hotel units with a capacity for up to 840 guests.

Based upon SSR's own numbers derived from its 2008 traffic study, 500 additional daily trips through Captiva should be anticipated as a result of its development project. In 2008, 100 new hotel units were expected to produce 478 additional daily trips. The proposed development project of 140 units could correspondingly produce 669 additional daily trips at capacity. Even at 74% of capacity, the proposed project could produce 495 additional daily trips.

A traffic study could assist the CCP in planning for, and possibly mitigating, the traffic impacts that result from the SSR development project. In part, the following conditions might be considered by the County as part of the SSR development project:

1. South Seas Plantation Road could be improved so that the increased number of automobiles, golf carts, bicyclers and pedestrians can use the road safely and efficiently.

2. SSR could fund some or all of the cost of mitigating the unsafe conditions on the eastside of the s-curve from South Seas Resort to Andy Rosse Lane -- an area of road currently used by South Seas guests and which will have increased usage as a result of the development of the projects's south end.

3. SSR could develop a comprehensive plan to offset increased traffic on Captiva caused by the development project which could include free trolley service for all residents of the South Seas resort, an electric trolley to and from the Village or 'Tween Waters, a ferry shuttle from the large SSR marina to McCarthy's or Jensen's marina, conversion to electric golf carts, guest education and pamphlets to discourage automobile usage on and from the resort at peak times, and the development of greater on-site breakfast, lunch and dinner options for guests.

3. IMPACT ON OPEN SPACE

The 2002 Administrative Interpretation provides that "the developers made the following representations to Lee County Staff, the Zoning Board, the Board of County Commissioners, and the Public, "**which representations constitute enforceable conditions of the SSRD**." Included in those enforceable conditions was:

> A 20 acre Plantation Preserve parcel, a natural area to be accessible by wooden walkways that will include instructional stopping points describing the origin and type of vegetation in a bayou area will be set aside.

At three CCP meetings, the Panel asked the SSR representative about the Plantation Preserve, and each time the SSR representative could not provide an answer to the question -- including the location of the Preserve and its current status. South Seas has now stated that the Preserve is solely related to Mariner-owned property in the PUD. The CCP can request documentation of this representation and can ask the County to determine who is responsible for implementing this longstanding enforceable condition.

In addition, the 2002 Administrative Interpretation requires that a minimum of 50 percent of the 304 acres that make up the South Seas Resort District (152 acres) be allocated to open space. Presumably, SSR's new development project does not violate that requirement. However, no data has been provided to the CCP on total open space.

4. BALANCING ROOMS NORTH/SOUTH

The 2002 Administrative Interpretation required future development at SSR to "**provide and maintain a balance of dwelling units, amenities, and service facilities for the benefit of the entire community (SSP owners and guests, Captiva, and Lee County).**"

SSR proposes to construct 96 two-bedroom hotel units which SSR states consists of 2.09 acres of buildings, walkways and pavement within a north end site area of 4.18 acres. The new construction project in the north end removes 50% of the current open space on that site and is 25 percent larger than the 2008 development plan for that same site.

During the CCP meetings and in correspondence to the County, South Seas unit owners at the north end of the resort expressed related concerns -- that the number of units proposed for the north end would overwhelm the amenities and service facilities currently available at the north end -- including Sunset Beach. the pool facilities, the parking availability and the limited restaurant options. While the current project stays within the 912-unit limit for the whole of South Seas, the unit owners argue that it dramatically changes the density, landscaping and open space in the northern core of the resort to the detriment of the existing units at the north end and to the resort as a whole.

With respect to the south end, SSR proposes to replace 140 employee housing units with 44 two-bedroom hotel units in a south end site area of 4.23 acres. The new 44 hotel units would consist of 1.14 acres of buildings, walkways and pavement. Unfortunately, SSR did not present a final plan for the south end to the CCP or the public, and has provided little opportunity for unit owners at the Tennis Villas, Bayside Villas, Beach Villas or the Captiva community to meaningfully comment upon the proposed project at the south end. It is evident, however, that the new hotel units at the south end will implicate the Alison Hagerup public beach, the Captiva Village restaurants and facilities, and will further tax the dangerous stretch of road between the South Seas Resort and Andy Rosse Lane.

Given public sentiment expressed thus far, north end residents clearly prefer that the size of the north end project be further reduced. For example, if the north end project was reduced to 64 units by removing the proposed A and B buildings, it would make the footprint and building acreage more consistent with the 2008 SSR proposed project and would remove some of the pressure on existing resort amenities. On the other hand, it would be difficult to recommend a corresponding increase in the size of the project at the south end -- especially since the unit owners at the south end of the resort have not had the same opportunity to comment as the owners in the north.

For these reasons, it may be prudent to recommend that this project be open to public hearing and placed before the Board of County Commissioners.

5. SEWAGE CAPACITY AND CERTIFICATION

During the CCP meetings, Panel and audience members repeatedly questioned the ability of the South Seas wastewater treatment plant to properly handle 140 new two-bedroom hotel units in place of the underutilized employee housing. This question was relevant because representatives of SSR conceded that there have been operational issues with the wastewater treatment plant that need to be addressed. It was not clear exactly what those operational issues were, or how they were to be addressed. However, SSR stated that the wastewater treatment plant had sufficient capacity to handle the new development project and that certification of such capacity would be provided to the County.

Now, in a letter dated March 16, 2015, the Florida Department of Environment Protection advised South Seas that a DEP investigation found that the plant **may** be out of compliance with the Florida Administrative Code. Specifically, a review of the discharge monitoring reports revealed that the TMADF (Three Month Average Daily Flow) exceeded 50 percent of the permitted capacity of the wastewater treatment plant for the months of January 2014 through December 2014. (A copy of the DEP letter is attached). The DEP is requesting that SSR respond to its letter within 15 days.

The CCP may wish to request a copy of the response from SSR and also ask that SSR keep the CCP advised of all developments regarding the wastewater treatment plant and the new development project. The CCP might also inquire into the relationship between TMADF reports and treatment plant capacity, and the shared responsibilities between the County and the State on this matter. Given the importance of sewage treatment on this barrier island, the CCP may also wish to ask the County to obtain certification from an independent engineer that the waste water treatment plan has sufficient capacity to handle 140 additional two-bedroom units at peak periods as a condition for South Seas' current Amendment request to be deemed complete.

6. IMPACT OF SSR CONSTRUCTION ON THE RESORT AND CAPTIVA

SSR has advised the County that it plans to finish construction the 96 new units at the north end of the resort prior to demolishing the 140 units of employee housing and commencing construction of the 44 new units at the south end. This construction-demolition-construction schedule means that the SSR development project could last up to two years -- with construction vehicles and other contractors using Captiva and South Seas roads for an extended period of time.

The CCP may wish to ask SSR for an assessment of the impact that construction vehicles may have upon Captiva and resort roads, and upon the general quality of life of the Captiva and resort community. With that information, the CCP and the County may wish to work with SSR to discuss and possibly establish a schedule when construction vehicles may enter and exit Captiva in order to mitigate the impact upon the island.

7. IMPACT ON LEASE AGREEMENTS WITH THE RESORT

SSR stated that the average annual occupancy rate at the resort is 60 percent and that the average occupancy rate during peak season is 74 percent. This data provoked the obvious questions from the CCP audience. Does the development project constitute "over-development" at South Seas? And what financial effect will the 140 new hotel units have upon the Tennis and Bayside Villa units, and other existing South Seas rental units -- units which have historically relied upon rental income to meet mortgage payments, condominium fees and needed renovations? An obvious preference by guests for the new units coupled with the recent decision by South Seas to no longer automatically renew its rental agreements in the existing units only highlighted the concern.

South Seas unit owners represent a significant portion of the CCP constituency. The CCP and the County might wish to consider the impact of the SSR development project on the continued economic viability of the existing South Seas units and whether reduced income in these units could affect the financial stability of these units and the Captiva community as a whole.

Island utilities:

FROM: Ken Gooderham – April 12, 2015

■ Dennie Hamilton and Tricia Dorn with LCEC is scheduled to attend the June 9 Community Panel meeting to discuss electrical service to the island, outages, planned improvements, etc.

■ Rob Dickson with Government Service Group (who now owns the South Seas WWT plant) is working on scheduling himself for one of the upcoming panel meetings. His contact info is:

Robert Dickson, P.E.
rdickson@govmserv.com
Capital Program Manager
Government Services Group, Inc.
280 Wekiva Springs Road, Suite 2000
Longwood, FL 32779
(407) 629-6900 office / (407) 629-6963 fax
www.govserv.com

Village roadway/shoulders

Presented the situation at the March 18 meeting of the Bicycle Pedestrian Advisory Committee (BPAC), which was overall very supportive with the admonition that all such projects have to be ranked as to funding and that Captiva would probably not fare well in the ranking process (it can include schools and parks as valuable criteria, for example). One alternative suggestion from a BPAC committee member was a beach bike/ped path from the beach access to the Mucky Duck/Andy Rosse Lane funded by the community, which actually could be a useful idea to consider.

Lee DOT staff keeps coming back to asking the island (or parts of it) to consider forming a Municipal Services Taxing/Benefit Units (MST/BU) to fund a project to design and replace that drainage/walkway with something more suitable. To do so, you need to define the size of the unit (affected properties), submit a list of those owners, pursue getting an estimate (usually on the high side) of the project (from the county or elsewhere) to form the basis of a request to those property owners to get 51% of them to sign a petition agreeing to tax themselves and form the unit. Once that is in place, the work is contracted out and completed and the properties are assessed based on actual costs.

An alternative could be to do this as a private effort… ask a smaller group with reasons to want to improve bike/ped access in that area ONLY to agree to fund a project, hire someone (civil engineering firm) to design and estimate a project to fix this stretch of road, go back to the group to fund it, pursue permits and LeeDOT approval and do the work independent of the county.

	PRO
MST/BU	Everyone pays even if they don't support it.
	County is project manager

	Lee DOT should have history of road issues that should make it quicker to design
MST/BU	CON
	Have to get approval of a larger group
	Probably more expensive than a private project
	Unit is fixed in size based on how it is formed, and if you want to use this mechanism to do things elsewhere on the island would need to form a new unit.
Private	PRO
	Smaller group and easier process
	Probably lower cost and faster turnaround
	Once this is finished, no lingering entities remain (no unit)
Private	CON
	Funding falls on a smaller number
	Lee DOT may be able to facilitate permitting if it controls project

Either approach:

- Are there alternatives that would not use the constrained roadway?
- Will be messy and disruptive either way
- Does this really solve the problem for bikers and walkers?
- Are you interested in "Sharrows" marking as a short-term answer? (See below.)

==========

Randy Cerchie…MARCH 30 -- Giving this matter some thought over the weekend, I think the best course of action for you and the committee at this point may be initiating an MSBU. I think the cost is $500, and you'll end up with a rough dollar estimate based on the scope of work you provide.

Since there is not an identified project at this time, we aren't in a position to assign a manager, and since it's a retrofit sidewalk request, our process would be to have BPAC prioritize it. Knowing that if a cost were identified the committee could possibly fund the design and construction, the MSBU may be the best approach.

In the meantime, I've spoken to our traffic folks and they would entertain marking Captiva Drive in the Village area with "Sharrows" – which are on road designations to share the road where marked shoulders are not present (additional info attached.)

Please give me a call if you'd like to discuss, 707-9239, I'm available most of today. – Randy Cerchie

==========

Andy Getch… MARCH 27 -- Looking for input and direction on a response, specifically what the options are, and who might be the lead contact.

Attached FYI is the powerpoint Ken presented at the BPAC meeting. His presentation was about the desire to make Captiva Drive from Andy Rosse Lane north to the end of county maintenance. The primary stated community concern was with the drainage inlets and a lot of people walking along the restricted shoulders between South Seas Plantation and Andy Rosse Lane. Their idea is it may be a small project on its own or part of a larger project. Ken indicated that some property owners may be interested in working with the county on improvements. He recognized that Captiva Drive does not have

schools, etc. like other projects and would likely be a lower priority (based on BPAC point scoring). They probably would explore options for funding from the community. BPAC members were not thrilled with the slot drain idea on page 7 of the powerpoint, otherwise the committee was generally supportive of the request and invited him back for a future update.

Brainstorming ideas for options:
It is about ¼ mile From Andy Rosse Lane to the South Seas Plantation entrance, another 1,000 to the end of maintenance
Drainage

- Evaluate modification of the inlet top or inlet type at existing locations
- Relocate inlets outside of the shoulder in locations where possible (this may have already been done?) and where property owners provide easements

Street design

- Evaluate installing sidewalk segments and on-street parking where easements are provided by adjacent property owners.

Do we have a traffic count on Captiva Drive north of Andy Rosse Lane? The count report shows 4,700 in 2010 (near Blind Pass?) I am wondering if are comfortable with evaluating eliminating lane lines, evaluating an option to consider some form of operating speed reduction with an alternate pavement surface (permeable pavers/asphalt), using this as a test case for a shared street concept. Some municipalities try a temporary installation with portable horizontal and/or vertical treatments rather than initially committing to a permanent solution.

Andy Getch, P.E.
Planning Manager
Lee County Department of Transportation

==========

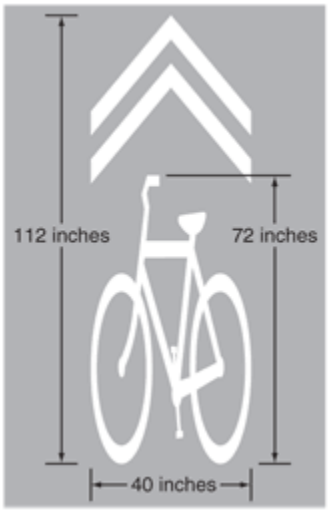
Excerpt from 2009 MUTCD (Sharrows):

Section 9C.07 Shared Lane Marking

Option:
01 The Shared Lane Marking shown in Figure 9C-9 may be used to:

Figure 9C-9 Shared Lane Marking

Figure 9C-9. Shared Lane Marking



A. Assist bicyclists with lateral positioning in a shared lane with on-street parallel parking in order to reduce the chance of a bicyclist's impacting the open door of a parked vehicle,
B. Assist bicyclists with lateral positioning in lanes that are too narrow for a motor vehicle and a bicycle to travel side by side within the same traffic lane,
C. Alert road users of the lateral location bicyclists are likely to occupy within the traveled way,
D. Encourage safe passing of bicyclists by motorists, and
E. Reduce the incidence of wrong-way bicycling.

Guidance:
02 *The Shared Lane Marking should not be placed on roadways that have a speed limit above 35 mph.*

Standard:
03 **Shared Lane Markings shall not be used on shoulders or in designated bicycle lanes.**

Guidance:
04 *If used in a shared lane with on-street parallel parking, Shared Lane Markings should be placed so that the centers of the markings are at least 11 feet from the face of the curb, or from the edge of the pavement where there is no curb.*

05 *If used on a street without on-street parking that has an outside travel lane that is less than 14 feet wide, the centers of the Shared Lane Markings should be at least 4 feet from the face of the curb, or from the edge of the pavement where there is no curb.*

06 *If used, the Shared Lane Marking should be placed immediately after an intersection and spaced at intervals not greater than 250 feet thereafter.*

Bryan Miller
Senior Project Manager - DOT
millerbm@leegov.com

CAPTIVA COMMUNITY PANEL

May 12, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of April 14 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson/Deputy Chief Jeff Pawul
9:15 a.m. LCSO update — Sgt. Mike Sawicki/ Deputy First Class Joe Caiazza
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Committee reports (as necessary):

- Finance — Jack Cunningham (?)
- Communications —
- ~~Financial update — Ken Gooderham (1 minute)~~
- Planning — Max Forgey (2 minutes)

9:30 a.m. Setting future priorities – David Mintz/Jay Brown
10:00 a.m. Bylaws review and vote – Jack Cunningham
10:20 a.m. Other business and public comment

- Village bike/ped status – David Mintz
- Call-in process for summer panel meetings – Bob Walter
- Mangrove protection and mitigation on Captiva -- ???
- South Seas wastewater treatment issues – ???? (awaiting response)
- Confirm insurance coverage for panel members – ???? (awaiting response)
- Confirm date for next meeting (June 19)

10:30 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for June 9 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter

TERM STATUS:

- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter
- Expires in December 2016 and termed out(?): Stilwell
- Expires in December 2016 with another two-year term possible: Jensen, Mintz, Boris

Article 6, Section 2 – Terms of office

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- Vice president: Sandy Stilwell
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Total Grant & contract expense	0.00	4,000.00
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Non-personnel expenses		
Community planning outreach	25.12	594.85
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Total Non-personnel expenses	130.06	943.51
Total Expense	2,018.92	16,675.44
Net Ordinary Income	-2,018.92	-8,171.95
Net Income	**-2,018.92**	**-8,171.95**

POSSIBLE PANEL PRIORITIES

Short term projects:

Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse to South Seas

Coordinated Island Trolley Service

Funding Panel through property owner direct contributions and other mechanisms

Captiva Plan and Code Education

Review of Captiva/Lee County Tax distribution

Garbage/Recycling Container policy

Medium term projects:

Traffic solutions to reduce automobile use on Island (experts) -- including electric trolley service from South Seas to 'Tween Waters

Zoning review/Master Plan to maintain commercial/residential balance in Village

Village building heights/size review

Septic regulations/enforcement

Prevention of over-booking and overcrowding of rental properties

Reduction of noise from Gas Leaf Blowers

Transition from Gas to Electric Golf Carts

Map beach access points/document beach usage for future CEPD funding

Long term projects:

Sewers

Underground utilties

Purchase undeveloped land and density rights

Pedestrian walkway and bicycle path through Captiva

HIGHLIGHTS OF PROPOSED BYLAW AMENDMENTS

- Panel increased to 11 Members (CPOA 5, CCA 2, Panel 4)
- Panel Members to serve 3-year terms (with possible second consecutive 3-year term only if re-nominated, reappointed or re-elected)
- Panel terms staggered with 4, 4 or 3 seats appointed or elected annually
- Appointment, Nomination, Election and Vacancy procedures and time lines clarified
- Election of Officers at January meeting for 1 year terms
- Quorum consists of majority of Panel Members - 4 of whom must be physically present - except for Emergency Meetings
- Bylaws Mission Statement to include Captiva Plan Mission Statement
- Meeting notice provisions generally reduced from 2 weeks or 10 days to 7 days
- President interprets Robert's Rules; Panel interprets Bylaws
- Panel to be accessible and to invite constituency groups to Panel meetings to present their priorities and concerns for Captiva
- Other clarifications and corrections

CAPTIVA COMMUNITY PANEL
BYLAWS

As amended on ~~July 13, 2010~~

ARTICLE ONE
MISSION

Section 1 - Mission

Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

The Captiva Community Panel (hereafter the "Panel") exists to serve Captiva by maintaining and enhancing the historic pattern of development on this barrier island. Such historical growth has consisted of unobtrusive, low-density residential use, coupled with limited commercial development and vehicular traffic. Sensitive to such common concerns, Captiva community planning is to be maintained in consideration of an environment consisting of clean offshore waters, diverse and healthy marine life and robust native vegetation.

Section 2 - Goals and Objectives

The Panel shall set forth the goals necessary to achieve any and all planning objectives with an overriding respect for the beautiful, pristine natural surroundings. The Panel shall provide Lee County with the requisite planning policies to meet these goals and objectives and to assure their acceptance into the Lee County Comprehensive Land Use Plan (Lee Plan) and Land Development Code. The Panel is enabled by agreement with Lee County pursuant to the procedures and criteria set forth in Lee County Administrative Code AC-13-3.[1] This agreement with Lee County serves to further develop and maintain incentive and/or regulatory programs, intended to ensure ~~insure~~ the long-term protection and enhancement of our island environment. Primary objectives must include presenting initiatives and the requisite land use planning necessary to protect and preserve Captiva Island's mangrove and other wetland habitats, pure water quality, natural upland habitats, dark skies, accessible community facilities, appropriate infrastructure, historic land use patterns and other significant features of Captiva Island. [2]

[1] Adapted from Estero Community Planning Panel bylaws
[2] Adapted from the Lee Plan, Goal 13 and Objective 13.1

Section 3 - Implementation

In order to serve the Captiva community and accomplish this planning mission, the Panel will use the following action guidelines:

1. Community participation in all planning performed by the Panel shall be of paramount importance. Thus, through eliciting Captiva community participation, gathering ideas/input and providing a forum for the varying interests of residents, property owners, business entities and other interested parties, the Panel shall best be able to serve the planning requirements of Captiva. In recognizing the needs of the Panel's constituents, while committing to programs which protect the sensitive nature of the Island's natural environment, the Panel's planning objectives will be achieved through reasonable Captiva consensus. The Panel shall provide such information to Lee County in the form of recommendations on community planning for environmental and land-use initiatives and such other related information including dissenting perspectives for the further edification of Lee County.
2. Contracting as needed for the services of staff and/or other professionals and always working in concert with regulatory agencies which have oversight on Captiva- related issues.
3. Proceeding with any research, data analysis, and result compilations in an objective, organized and deliberate manner which recognizes and elicits input from separate zones of common interest, i.e. the Gold Coast, the 'Tween Water's area, the Village and South Seas.
4. Funding and consensus will require obtaining cooperation, support, financial and other assistance from both public and private organizations as well as property owners.
5. Informing Captiva property owners and organizations of dates, hearings, and overall progress of specific planning and zoning matters, to encourage active participation in the process of these specific planning and zoning matters.
6. Following the procedures and criteria of the Lee County Administrative Code AC-13-3 and other pertinent county regulatory documents.[3]
7. Providing an accessible public forum whereby Captiva property owners can:
    a) Present projects requiring zoning variances,
    b) Receive feedback from and answer questions of the Panel Members,
    c) Receive feedback from and answer questions of neighbors and other Captiva property owners, residents and organizations.
8. Advising Lee County of the planning perspectives of the Panel and other interested Captiva participants, including but not limited to those attending the public meetings wherein any variance request is presented. It should be noted that the Panel has no decision-making authority concerning such variance requests. [4]
9. Presenting a balanced perspective on community planning and Panel views in all requests and recommendations offered to Lee County, including dissenting opinions.

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[3] Adapted from Estero Community Planning Panel bylaws
[4] Language formulated by the Captiva Community Panel for variance discussions.

ARTICLE TWO
GENERAL

Section 1 – Panel structure
The Panel structure shall be determined according to the aforementioned Lee County agreement. The Panel shall consist of ~~ten (10)~~ eleven (11) voting Members. The Panel shall consist of five (5) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc.(CCA) and an additional ~~three (3)~~ four (4) Members to be ~~appointed~~ elected from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation. [5]

Section 2 – Conflicts of Interest
No Panel Member may participate in any vote in which said Member may have an economic or otherwise self-serving interest. Should an organization or other business or civic entity represented on the Panel by a Member have an economic or self-interest in a vote, said interest shall be imputed to the said representative Member. Such Members shall be required to recuse themselves from these votes and, to the extent necessary, file the conflict of interest forms required by county regulations. Should a Member fail to self-recuse, or otherwise believe that there are no grounds for doing so, and another Panel Member object, the remaining Panel Members shall deliberate and vote to determine whether the conflicted Member shall be recused prior to any further action on the subject matter.

Section 3 – Indemnification of Panel Members ~~by Sponsor~~
~~With the agreement of the sponsor, the~~ The Panel, in conjunction with its Sponsor, shall provide insurance and indemnify, protect, and defend any Panel Member from such liability, expense or loss resulting from judgments or claims against the Panel Member arising out of activities carried out on behalf of the Panel. Such Panel obligations are predicated upon the Panel Member having operated in good faith within such scope of obligations and authority of the Panel. No indemnification shall be provided against claims, liability or loss arising out of willful misconduct, gross negligence or dishonesty on the part of the Panel Member.

ARTICLE THREE
MEETINGS

Section 1 – Participation
The Panel's community planning efforts are subject to the Florida laws on Open Government (the "Sunshine Laws"). The public shall be given fair opportunity for participation in all community planning efforts. The Panel shall encourage and allow the participation of residents, property owners, business owners ~~the school district~~ and other interested parties.

[5] Agreement between Lee County and CPOA; PANEL actions in February 2002 and March 2006.

Section 2 –Meeting requirements and definitions

A. Reasonable notice of all Panel meetings pertaining to the planning efforts must be provided to the public. [6] This means that planning meetings of the Panel shall be held and publicly noticed under the "Sunshine Laws " and shall provide that:
   1) Panel meetings which deal with community planning shall be open to the public including the news media.
   2) The Panel must create a record or minutes of community planning meetings. Panel records pertaining to the community planning effort will be deemed public records and open for personal inspection. [7] Minutes/records shall be maintained for public inspection as required by the applicable provisions of Florida Statutes, ~~including~~ Lee County Administrative Code 13-3 and other pertinent county regulatory documents.[8]
   3) Written minutes of all Panel planning meetings will be prepared in a timely manner ~~by the Secretary~~.
   4) Written minutes of all Panel planning meetings shall be reviewed and approved by the Panel Members.
   5) Planning committees may keep and provide a record or written minutes.
   6) Standing committees and Special committees, which do not deal with community planning, are not required to follow~~ing~~ the Sunshine Laws. A report of each committee shall be presented at each Regular meeting but ~~minutes,~~ written or recorded minutes~~,~~ are not mandatory.

B. The Panel may hold three types of meetings: Regular, Special and Emergency.
   1) Regular Meetings are to be held on the second Tuesday of every month, except as modified by the Panel on a minimum seven (7) ~~ten (10)~~ day public notice. The Panel shall hold its annual meeting at the Regular December meeting of each year ~~when elections of Officers and Panel Members shall occur~~. The Panel shall also hold a budget meeting during its Regular November meeting, with said budget to be approved by the Regular December meeting.

   2) Special meetings are any ~~scheduled~~ meetings which do not meet the requirements of an Emergency meeting, but are not occurring according to the rules for Regular meetings. Special meetings may be called by the President or at the request of a ~~majority~~ quorum of Panel Members.

   3) Emergency meetings may be called by the President or by a minimum of four (4) Panel Members. An Emergency meeting shall be considered only when an immediate and consequential impact of life or property safety or any other issue a prudent person would consider an emergency, faces the island. For example, response to a named storm would constitute an Emergency meeting.

[6] Adapted from Lee County Administrative Code 13-3.
[7] Adapted from Lee County Administrative Code 13-3.
[8] Section modified from Estero Community Planning Panel bylaws and Lee County administrative codes, as well as based on PANEL motion approved at its May 9, 2006, meeting.

Section 3 – Notification Guidelines

A. Regular meetings shall be noticed by the publishing of an annual schedule stating the dates and times for the meetings from January through the following December.

1) This list shall be published as soon as possible after the December Panel meeting.
2) Such notification of meetings of the full Panel shall include the posting in ~~several~~ public places, which may include: Captiva Memorial Library, post office, bank, stores, civic associations, and community recreation areas. They can also be noticed online using publicly accessible Web sites and panel-monitored email distribution systems.
3) In addition, these public meetings of the full Panel must be noticed in a local paper of daily or weekly publication. In lieu of a display advertisement, the notice may take the form of an article in a similar publication or an annual legal notice. [9]
4) Posted and published notices must provide the date, time and location of the public meeting.

B. Notice of all **S**pecial and Emergency meetings shall be given to Panel Members, shall be posted on the panel Web site and email distribution system, ~~bulletin~~ at the Post Office, and at the Captiva Memorial Library or such other public locations as can reasonably be expected to provide general notice to a large number of interested parties. In compliance with the "Sunshine Law" such notice must be given and in no event may be waived.[10] ~~The media must be notified with the date, time, place of the meeting and the purpose for which it is called.~~[11]

1) Special meetings require written notice of the meeting, along with its agenda items, shall be provided no less than ~~ten (10) days~~ one (1) week prior to the meeting, unless such **S**pecial meeting was scheduled during a Regular meeting of the Panel and is reflected in the minutes of that meeting.[12]

2) Emergency meetings shall be held at such time as notice thereof is given in compliance with the provisions of Section 3.A.2 and Section 3.A.4. For Emergency meetings, written and/or oral notice shall be given by the Panel administrator, if available, or by a designee appointed by any Panel member calling the meeting. Notice is still required to each Panel member, if available, requiring at least four Panel Members to agree to hold the meeting with four Panel Members present either in person or telephonically for the full meeting.

[9] Adapted from Lee County Administrative Code 13-3.
[10] Adapted from Lee County Administrative Code 1-3.
[11] Adapted from Lee County Administrative Code 1-3.
[12] Adapted from Lee County Administrative Code 1-3.

Section 4 – Decision making and rules of order
Each member will have one vote. Robert's Rules of Order shall govern the conduct of Panel meetings.[13] This shall apply to all matters of form and decorum for the meetings. Interpretation of ~~the rules~~ Robert's Rules of Order, in the event of dispute, shall be made by the Panel President. The Panel, by majority vote, shall have the authority to decide any questions concerning the interpretation of these Bylaws.

Section 5 – President's Obligation
It shall be the obligation of the Panel President to run the meetings and enforce the actions of the Panel in accordance with the terms of these Bylaws. The Panel President shall also be responsible for managing the tenor and timeliness of meetings, strategy of the agenda, direct staff, consultants, and the Panel in conformity with the mission.

Section 6 – Quorum
~~Forty (40) percent~~ A majority of the sitting Panel Members must be ~~physically~~ present at a Regular or Special meeting – four (4) of whom must be physically present -- in order to constitute a quorum and enable action to be taken by the Panel. ~~Members may participate in meetings and vote telephonically, but telephonic presence shall not help constitute a quorum.~~ Emergency meetings are the exception to this clause as ~~the~~ a quorum ~~still consists of forty (40) percent, but does not require~~ only requires four (4) Panel Members ~~all~~ to be ~~physically~~ present either in person or telephonically. ~~Therefore, telephonic presence will help constitute a quorum in the event of an Emergency meeting.~~ As in all Panel meetings, if a quorum is not constituted, no official actions may be taken by the Panel.

Section 7 – Voting
Except for procedural and recurring agenda items, which may otherwise be waived by a unanimous vote of the Panel, voting shall be conducted by a show of hands or orally as necessary.

ARTICLE FOUR
MEETING AGENDAS

Section 1 - Agenda Items
For Regular and Special meetings, all issues brought before the Panel shall be set forth in writing and submitted for inclusion in the Agenda to the President no less than ~~two (2) calendar weeks~~ one (1) week before the meeting at which said issues are intended to be considered. [14]

Section 2 – Publishing the Agenda
The Panel Administrator shall prepare a formal Agenda for the next Regular or Special meeting. The agenda shall be submitted to all Panel Members no less than ~~ten (10) calendar days~~ one (1) week before said meeting date with all of the original agenda requests, whether or not they made it to the formal agenda. The Administrator shall also

[13] Section modified from Estero Community Planning Panel bylaws and Lee County administrative codes, as well as based on PANEL motion approved at its May 9, 2006, meeting.
[14] Based on a PANEL motion approved at its Nov. 9, 2004, meeting.

see that the Agenda is published on the Panel ~~website~~ Web site no less than one (1) week prior to said meeting for public review and notice.

Section 3 – Variances
All persons submitting requests for Variances shall make their submissions to the Panel present in writing and in a form and substance conforming specifically to the Lee County requirements for Variances.

Section 4 – Procedural, Recurring and Special Agenda Items.
Procedural and Recurring Agenda items shall be considered as items that are on the Agenda at every meeting. These items shall include, but not be limited to, the approval of the minutes, adjournment of the meeting, committee reports, and the like. Special Agenda items shall be items that have been put on the agenda and are not anticipated to be continually recurring and/or procedural matters for the Panel. Special agenda items may be carried over and still not be considered Procedural and Recurring agenda items.

Items not on the agenda in accordance with these requirements may still be discussed at the meetings, but may not ~~require action to~~ be voted upon by the Panel at that meeting. In the event of a time ~~dependant~~ dependent item or one of urgency, the Panel may vote to suspend this rule for such exceptions.

ARTICLE FIVE
~~POWERS AND DUTIES OF~~ OFFICERS OF THE PANEL

Section 1 - Election of Officers
At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve ~~terms of up to two years~~ a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

~~***Section 2 - Qualification of the Officers***~~
~~Preference in choosing a President will be given to the Panel Members who have been on the Panel and have previously attended a minimum of twelve (12) Regular meetings prior to his or her nomination as President. As to other Officers, including Vice President, Secretary and Treasurer, preference will be given to the Panel Members who have previously attended a minimum of six (6) Regular meetings prior to his or her nomination and shall serve a term ending at the second December meeting of their regular Panel term or for the period ending with their regular term, whichever is the lesser period.~~

~~***Section 3 – Nominations and Voting***~~
~~The Nominations Committee, see Article 7.3.b, will provide nominations for vacant Panel seats.~~

Section ~~4~~2 – Responsibilities of Officers

A. **The President** shall:

1) preside at all meetings of the Panel,
2) conduct meetings in accordance with the Bylaws and Robert's Rules of Order,
3) act on behalf of the Panel in carrying out the purposes and decisions of the Panel; including but limited to: authorizing and executing in the name of, and on behalf of, the Captiva Community Panel (Panel) all certificates, contracts, and other documents or legal instruments authorized or issued by the Panel
4) perform such duties as may be assigned by the Panel
5) be an ex-officio member of all committees of the Panel, with the exception of the Nominating Committee, without power to vote.

B. The Vice President shall:

1) perform all duties and exercise all powers of the President when the President is absent or otherwise unable to act or serve.
2) perform such other duties as may be prescribed and delegated by the Panel.

C. The Secretary (or from time to time, a designee) shall:

1) keep full and accurate minutes for all meetings of the Panel, transmit all notices required of the Panel by the ~~By-Laws~~ Bylaws to Members and the community,
2) keep custody of all official records of the Panel,
3) perform all duties incident to the office and such other duties as may be required of the Panel by the ~~By-Laws~~ Bylaws,
4) attest to the signature of the President on any Panel document as required.

D. The Treasurer (or from time to time, a designee) shall:

1) keep charge and custody of all Panel funds and financial records,
2) keep and maintain adequate and correct accounts of the Panel business transactions consistent with applicable fiduciary principles and requirements,
3) present the financial statements of the Panel at each Regular meeting, and at such other times as the Panel may determine,
4) perform all duties incident to the Office including such other duties as may be required by the ~~By-Laws~~ Bylaws, or that may be assigned by the Panel,
5) serve as a member of the Finance Committee,
6) administer the fiduciary responsibilities of the office.

Section ~~5~~3 – Absence or Incapacity of Officers

In the event of absence, inability, legal incompetence or incapacitation, or refusal to act of any Officer, the Panel shall elect a successor to perform the duties of the respective office at the next meeting of the Panel to fulfill the term of the predecessor officer.

Section ~~6~~4 – Resignation and Removal of Officers

Officers may resign at any time by submitting a written resignation to the Panel. Said resignation shall become effective at the conclusion of the next Regular meeting, or at the time specified in the written resignation. Any officer may be removed by a majority vote of the Panel whenever, in its sole judgment, the best interests of the Panel will best be served by such removal.

ARTICLE SIX
~~POWERS AND DUTIES~~ MEMBERS OF THE PANEL ~~MEMBERS~~

Section 1 – General duties

A. Panel Members will, during their term of office:

1) attend as many meetings as possible,
2) promptly notify the Panel President and/or staff when they shall be unable to attend a meeting,
3) be available via e-mail or fax to receive updates and background materials prior to meetings,
4) abide by the requirements set forth in these bylaws, other governing documents for the Panel and decisions made by the Panel.
5) make themselves available to the public in order to solicit community input and to encourage community attendance at Panel meetings.
6) invite Captiva constituency groups to address the Panel with their priorities and concerns.

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B. All Panel Members agree to review meeting materials prior to meetings, to be reasonably available to the community to hear their questions and concerns about island issues coming before the Panel and be willing to bring those questions and concerns to the Panel for public discussion. A member's consistent failure to review materials prior to meetings, and further be unavailable to the public is inconsistent with the mission statement of the Panel, making it unacceptable behavior for a member, which could lead to removal of the member.

Section 2 – Terms of office

Panel Members shall serve terms running for a period of ~~twenty-four (24)~~ three (3) consecutive years ~~calendar months,~~ commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws ~~serve~~ for ~~up to two consecutive twenty-four (24) month~~ a second three (3) year term, ~~terms,~~ for a maximum of ~~forty-eight (48)~~ six (6) consecutive years. ~~months.~~ Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of ~~twelve (12) months~~ one (1) year has expired since the completion of the last term served by such Panel member. ~~In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.~~

Section 3 – Staggered Terms of office

Staggered terms of office will commence in ~~2007~~ 2015 following the adoption of these amendments to the Bylaws ~~bylaws~~ as set forth in Appendix A. ~~All Panel seats shall be assigned a number, such that each Panel member shall know which seat the member occupies, as well as whether the seat is an at large seat, appointed by the CCA or by the CPOA. Terms will subsequently follow a staggering of seats at the annual meeting such that odd numbered seats will change on odd numbered years and even numbered seats will change on even numbered years.~~

Section 4 ~~—~~ Appointment, Nomination and Election ~~election~~ of Panel Members

A. Panel Member~~s~~ positions shall be ~~nominated in a~~ timely ~~manner to~~ fill~~ed~~ ~~positions on the basis of the process~~ in the manner by which they were originally appointed or elected. Those ~~seats~~ positions designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the ~~Captiva Property Owner's Association (~~CPOA~~)~~. Those ~~seats~~ positions designated for appointment by the Captiva Civic Association (CCA) shall be filled by the ~~Captiva Civic Association (~~CCA~~)~~. Those positions designated as at-large Panel positions shall be filled by the Panel pursuant to the nomination and election process set forth below. In the event of a vacancy in an existing CPOA or CCA position which has not been filled within thirty (30) days ~~in a timely manner (i. e. sixty days or less)~~ by the respective organization~~s~~, the Panel ~~board~~ may fill the vacancy by direct election upon two weeks written notice to the respective organization, as if the ~~seats were~~ position was an at-large Panel position ~~seats~~ ~~(see Article 6.4.B below)~~.The ~~appointed~~ Member elected by the Panel to fill ~~filling such~~ a vacancy which was previously designated for the ~~Captiva Property Owner's Association (~~CPOA~~)~~ or the ~~Captiva Civic Association (~~CCA~~)~~ will serve ~~a regular term or~~ the balance of ~~the~~ that existing term ~~of the seat being filled~~, but upon conclusion of such term, the respective organization shall again be offered ~~their~~ its designated position ~~seat~~ to fill.

B. ~~Nominees to fill those seats so designated for appointment by the Panel at large shall be nominated by the Nominating Committee, Article 7.3.a. Additional nominations for these seats will be accepted at the General October Panel meeting, Article 7.3.a~~
At the Regular October meeting, the CPOA, the CCA and the Panel's Nominating Committee (see Article 7, Sec. 3.B. below) shall present to the Panel its appointments and nominations for the respective Panel positions. All appointments and nominations shall be submitted to the Panel in writing with an attached resume or letter of background for each appointment or nominee. All appointments and nominations shall be made known to the public. In the event the CPOA or CCA does not submit its appointment at or by the Regular October meeting, the Panel may fill the vacancy by direct election as if the position was an at-large Panel position for that single three (3) year term, after which it reverts back to the respective organization for its appointment. With respect to the Panel's at-large positions, the Panel shall not be bound by the recommendations of the Nominating Committee. The Panel may accept the nominations as presented, may suggest names of its own choosing, or may accept additional names from the community. Any additional nominations for the at-large positions shall be submitted to the Panel in

writing with an attached resume or letter of background by the Regular November meeting – at which time all at-large nominees will be made public.

C. At the Regular December meeting, the Panel shall vote on the nominations for the at-large Panel positions as follows: Panel members shall vote by written ballot by casting one vote for each vacancy from the list of nominees presented at the Regular November meeting. The nominees with the most votes will be elected to serve. In the case of a tie vote for one or more of the positions, there shall be a run-off election between the nominees with the same number of votes.

Section 5 – Attendance
It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings either in person or by telephone in a calendar year is subject to removal from the Panel at the discretion of the Panel. Any position vacated under this Section shall be ~~, such seat to be~~ filled within thirty (30) days ~~replaced~~ by the CPOA, the CCA or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA or the CCA.

Section 6 -- Removal and resignation
A. Any Panel Member may be removed for cause by a two-thirds vote of the full Panel. Such vote must be scheduled and noticed at least forty-five (45) days in advance of the meeting at which it is to be held. ~~, an~~ An ~~absence~~ absent or vacant seat shall be considered an abstention.

B. Any Panel Member may resign by giving written notice to the President, Vice President or Administrator. Such resignation shall take effect at the date of the receipt of such notice or at any later date specified therein, and the acceptance of such resignation shall not be necessary to make effective.[15]

C. A vacancy created by removal or resignation of a Panel Member shall be filled within thirty (30) days by the CPOA, the CCA or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA or the CCA.

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ARTICLE SEVEN
COMMITTEES

Section 1 – Committees
The Panel may establish committees consisting of Members of the Panel and/or other community members for the purpose of research, information gathering, information sharing, and the exploration of island planning concerns.

Section 2 - Categories of Committees
There shall be three (3) categories of committees of the Panel. Such committees and their members shall serve a fact-finding role as advisors to the community and the Panel, and

[15] Adapted from Estero Community Planning Panel bylaws.

shall be bound by the committee's specific charge as set forth by the Panel, as well as all pertinent rules governing the Panel, except where otherwise noted.

A. **Standing Committees**
Standing committees, except where otherwise specified, shall be appointed by the Panel. Each committee shall consist of a chairperson and such other members as specified on formation. Standing committees are of a procedural and non-community planning nature, as such public notice and recording rules shall not apply.

B. **Special Committees**
Special Committees shall be appointed for specific functions of indefinite duration, including for fund-raising activities, and whose membership shall always include but not be limited to Members of the Panel. The majority of committee members may be Panel Members and all members shall be appointed by the President subject to ratification by Panel. Special committees are of a procedural and non-community planning nature, as such public notice and recording rules shall not apply.

C. **Planning committees**
Planning committees shall be appointed from time to time by the Panel for specific community planning purposes as shall be required to properly and efficiently conduct the business and affairs of the Panel. At least one Panel member will serve on each such committee as a liaison (though not necessarily to serve as chair) and any findings will be reported back to the community and the Panel at a public meeting for review, debate and possible action. Planning committee meetings must be publicly noticed and recorded pursuant to Florida law. The common concerns explored by the committees must be presented to the full Panel during a properly noticed public meeting as outlined in Lee County Administrative Code 13-3.[16]

Section 3 – Definition and Responsibilities of Standing Committees
The following Standing committees shall always be active:

A. The Finance Committee
The Finance Committee, chaired by the duly elected Panel Treasurer, shall be responsible for establishing the fiscal policy of the Panel, including budget and spending. It shall make regular reports to the Panel of current financial standing, and expected future financial needs and requirements. The Finance Committee shall also develop and recommend to the Panel such fiscal policies as deemed appropriate. It shall arrange for keeping of the books, records and accounts of the Panel.

[16] Adapted from the agreement between Lee County and CPOA.

B. The Nominating Committee for At-large Panel Members

The Nominating Committee shall be comprised of at least three (3) members appointed by the President. The Nominating Committee shall be appointed ~~on a yearly basis~~ no later than ~~May~~ March of the calendar year in which that year's nominations shall be offered and shall be ratified by the Panel at the ~~May~~ March meeting. No more than one (1) of the members of the Nominating Committee shall be a sitting member of the Panel. ~~At a Regular meeting, no later than the Regular October meeting, the Nominating committee shall present to the Panel its formal nominations for Panel Members.~~ The Nominating committee shall at all times operate pursuant to, and in accordance with the terms, obligations, qualifications and requirements of these Bylaws. ~~The Panel shall not be bound by the recommendations of the Nominating committee and may accept the recommendations as presented, or suggest other names of its own choosing and on its own accord. The Panel will not vote on the nominations until December but may, by the Regular November meeting, submit additional nominations as follows:~~

~~1) Nominations will be accepted in writing at a public meeting no later than November, prior to the annual public meeting.~~

~~2) Panel Members shall be allowed to vote in December for a single nominee included in the formal list for each available position. In the event a nominee fails to receive a majority of all votes, then the Members shall immediately recast their ballots in a run off election. The only nominees eligible to receive votes shall be the two nominees receiving the largest pluralities in the original election.~~

~~3) The nominee with the most votes in the run off election will be appointed to serve.~~

C. The Development Committee

The Development Committee shall review, approve, and recommend to the Panel all major fund-raising initiatives for the Panel. The Development Committee shall establish all policies for the methods and manners of solicitation, receipt, stewardship and recognition of all gifts to the Panel. At least the Treasurer, or one member of the Finance committee, shall sit on the Development committee.

Section Four -- Meetings of the Committees

Each committee shall determine its own schedule of meetings throughout the year. The day, hour and place of such meetings shall be determined by the Chairperson of each committee and reported where applicable through the Secretary pursuant to rules on Notices.

Section Five – Committee Members

A. The Chairperson and/or Co-Chairpersons of the Nominating Committee and of all other Standing Committees shall be designated annually by the President, subject to the Panel's approval, no later than the Regular March meeting.

B. The President may conditionally remove and/or replace the Chairperson of any committee at any time, are subject to ratification by the Panel.
C. Committee Members shall be appointed by the Chairperson of the committee subject to the approval of the Panel.
D. Members of the Panel may be Committee Chairpersons and committee members.

Section Six – Committee Procedure
There shall be no quorum required for the transaction of business of committees. The vote of a majority of the members of a committee present at a meeting of the committee shall represent the decision of the committee. Each committee shall keep a record of its meetings and other proceedings, except as defined otherwise in Article 3.2.A.5. The chairperson of each such committee shall be responsible for recording the committee meetings. Any action required or permitted to be taken at any committee meeting may be taken by the committee in lieu of a physical meeting of the committee, provided the action so taken shall be set forth in writing, and shall be signed by a majority of those members of the committee entitled to vote on the subject. The actions and decisions of the committees are purely advisory as applied to and by the Panel and shall require a vote of ratification by the Panel to have any force and effect. The Panel may at any time modify or set aside any action or decision of a committee by a majority vote of the Panel.

ARTICLE EIGHT
COMMUNITY PLANNING AND SURVEYS

From time to time major community planning issues of common concern will be presented to and/or initiated by the Panel which affects a significant number of the properties on Captiva. Examples of such issues include: Captiva specific changes to the Lee County Comprehensive Land Use Plan, sanitary sewer systems, changes to septic inspection quality standards, burying of electric power lines/utilities, and widening of Captiva Drive to include safety shoulders. On such planning issues the Panel shall be obligated to elicit the opinions of all property owners through an island-wide survey. The Panel shall appoint an issue specific Planning committee to conduct the survey according to the prescribed method detailed herein.

Section 1 – Overview
The committee shall:
1. Plan and create a timeline for committee actions.
2. Gather issue related information which may include, but not be limited to, the following:
    a. State laws and requirements.
    b. County and Municipal ordinances and requirements.
    c. Administrative and regulatory rules and requirements of other regulatory agencies – i.e. DEP, DOT, etc.
    d. Physical strictures – county survey, rights of way, etc.–
    e. County timeline for action or decision benchmarks
    f. Engagement of any experts as reasonably necessary to gather the above information.

3. Review and refine information into accessible formats for dissemination.
    a. Informational handouts must include an overview of the issue, with handouts providing a balanced focus of the “Pros” and “Cons” of the issue.
    b. Work to ~~insure~~ ensure that the information presented to the Captiva community is worded in as neutral a manner as possible in order to maintain the integrity of process.
    c. Disseminate information to the community by posting it on Web sites, publicized in media and at Panel meetings.

4. Public meetings on the issue shall be scheduled in conjunction with Regular meetings or as Special meetings when additional time is required to effectively inform the public.

5. As necessary in response to questions and concerns from the community, further research and information may be requested by the Panel.

6. Update posted public information materials based on community feedback.

7. Surveys addressing issues concerning physical property shall be distributed to the address on record for each property STRAP number. One response will be counted per property STRAP number, specifically excepting timeshares/interval owners, in which case the interval ownership management company will be sent one survey per “condo” unit. The surveys shall be addressed to the association management to respond with no more than one response per “condo” unit.

8. Committee members, or from time to time a designated impartial party, shall:
    a. Develop survey questions based upon the updated public information.
    b. Distribute the survey (and appropriate additional information) to all property owners on Captiva at the address of record on the Lee County Property Appraiser's records.
    c. Employ a process to ensure ~~such~~ that surveys are returned in a manner which provides anonymity. (e.g., employing number control surveys, checks and balances, etc.)
    d. Prepare and submit to the Panel a detailed report of the survey results. The committee may sub-divide the island into separate regions based upon commonality of interest, zoning or geography, tabulate the results of the survey accordingly and submit a written report of the results back to the Panel.
    e. Surveys and any additional information shall be distributed by the most effective means available to ensure dissemination and encourage response. These may include electronic distribution, use of publicly accessible Web sites and other generally accessible technology, as well as information distributed by mail and fax. If the entire survey package is not mailed or delivered by common carrier to the address of record, at the very least a postcard with information on accessing the survey and background information shall be mailed or otherwise delivered by common carrier to all island property owners as described above.

The Panel shall approve a final report on the issue to be submitted to Lee County or the appropriate governing authorities based upon the results of the survey. The Panel shall

submit the detailed survey report and all relevant survey data along with their final recommendations. To the extent possible, the desires of the property owners by region will be weighted in the report the Panel makes to Lee County. Whenever appropriate, the survey may obtain and identify results by regions within Captiva, such as Gold Coast, the Village, etc. Resulting recommendations may be specific to a discreet area where the matter under consideration does not require an islandwide action.

ARTICLE NINE
BYLAW AMENDMENTS

Section 1 -- Approval of amendments

~~For the first two years after these Bylaws are adopted, a simple majority vote can amend these bylaws. Subsequently, the~~ The ~~b~~Bylaws shall be amended only by the vote of a two-thirds majority of the full Panel at any Regular Panel meeting at which a quorum is constituted. Such amendments~~, following the two-year initial period,~~ must be noticed and provided to Panel members and interested members of the public at least two consecutive regular monthly meetings (or sixty (60) days, whichever is less) prior to the meeting at which they are to be voted upon. In no circumstance may the notice period be waived or overruled by the Panel.

Section 2 – Presentation of Proposed Amendments

Proposed changes to the Bylaws must be placed on the meeting Agenda in accordance with Article 4 of these Bylaws. They shall only be discussed at the appropriately scheduled meeting. Votes for changes must be scheduled for a subsequent meeting and noticed according to the Notification Guidelines, Article 3.3. In no circumstance may the notice period be waived or overruled by the Panel.

Section 3 – Consistency

Bylaws must be consistent with any legal and governing documents for the Panel, with Florida Statutes, Lee County administrative codes and ordinances and in accordance with all applicable Florida Statutes and federal law.

ARTICLE TEN
FINANCES

Section 1 - Fiscal Year

The fiscal year of the Panel shall be January 1 to December 31

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Section 2 – Sponsoring organization

The Panel is sponsored by the Captiva Property Owner's Association (CPOA) pursuant to agreements with Lee County. All financial dealings of the Panel are subject to the conditions set forth in those ~~that~~ agreements.

Section 3 – Public funding

All grants of public funds must be used solely for the purposes expressly stated in the grant documents and pertinent regulations of the granting entity~~creation of the community plan or other common planning concerns. Acceptable uses of these public~~

~~funds will include, but not be limited to payment of professional consulting services, advertising of public meetings/workshops and copying of draft and final documents. Public funds may not be used for the rental of office space, purchase of supplies such as computers and software, or phone service. Before receiving any public funds, the Panel must document how the funds will be utilized to the Lee County Dept. of Community Development, Planning Division~~. [17]

To the extent that any grant of public funds is contingent upon collecting private matching funds and such public funds are restricted to a certain purpose, then, and only then, will the private matching funds also be so restricted to the acceptable use restrictions herein described.

Section 4 – County Access

Lee County will have unrestricted access to all Panel records pertaining to the community planning effort as mandated by any agreements with the county and pertinent regulatory codes for funding and operations. ~~The county may conduct audits of the financial records of the Panel. Before disbursing a grant of planning funds, the county shall independently ensure that the proposed expenditure is in accordance with the regulatory requirements set forth in Administrative Code 13-3 and may enlist the Clerk of the Courts to perform an audit of the Community Panel.~~ [18]

Section 5 – Treasurer and Budget

The Treasurer shall be an officer and Member of the Panel and will chair the Finance committee. The treasurer will assist in and be responsible for the preparation of the budget, provide routine financial reports and make financial information available to Panel Members and interested public. See Article 3.2.B.1 and Article 5.5.d supra.

The Panel will issue an annual budget to be utilized during the following calendar year. As noted previously in Article 3.2.B.1 supra, the final budget must be approved by a majority of the Panel no later than the Regular December meeting. The budget shall cover all financial outlays and disbursements, and funds received by the Panel.

ARTICLE ELEVEN
OPERATIONS

Section 1 - Checks, Instruments, and Documents

The Panel shall from time to time designate persons that are authorized to make checks and other instruments for the payment or withdrawal of budgeted Panel funds, and to otherwise execute on behalf of the Panel any other document or instrument. Instruments drawn on the funds of the Panel for amounts which will not individually or cumulatively exceed $1,000 in any given month may be authorized by the President, Treasurer or such designated party as has been previously approved by the Panel. Instruments of greater than $1,000 (individually or cumulatively within a month) for expenditures outside of the annually approved panel budget must be signed by any two Officers or bank signatories.

[17] Adapted from an agreement between Lee County and CPOA.
[18] Adapted from an agreement between Lee County and CPOA.

The President shall always be an authorized signatory pursuant to Article 5.4.a.5 supra, unless he/she waives that option.

Section 2 - Books and Records
The Panel shall prepare and maintain complete books and records of account and shall also keep minutes of its meetings. All books and records pertaining to public funding for community planning of the Panel are public information and may be inspected by anyone for any proper purpose at any reasonable time with written notice stating such purpose. See Article 3.2; Article 5.4.d, and Article 7.3.a.

Section 3 – Staff
The Panel may appoint an administrator and/or retain such staff as the Panel in its sole discretion deems necessary. Whether as volunteers or consultants to be paid an agreed fee under set terms on an as-needed basis, such staff positions shall be non-voting positions. Paid staff ~~decisions~~ positions must be approved by the Panel's sponsoring organization unless the funds have been pre-approved in the Panel budget or other sources of funding for that position are in place.

ARTICLE TWELVE
DISSOLUTION

Section 1 – Dissolution
The Panel may dissolve its operations under the following conditions:

A. By a two-thirds vote of the full sitting Panel, the Panel Members may move to disband the existing Panel following a sixty (60) day written notice to the Captiva Property Owner's Association (CPOA). In such event, the Panel's sponsoring organization, the CPOA, may in its sole discretion continue such Panel operations. This will be done under the legal and governing documents already in force, as well as any new legal and governing documents as may be needed to be enacted in conjunction with Lee County.

B. As the sponsoring organization, the CPOA may elect to cease Panel operations with a sixty (60) day written notice to the Panel President, under the terms of the legal and governing documents already in force. Should the CPOA discontinue its sponsorship, another sponsor may then contract with Lee County to continue Panel operations under its own legal and governing documents in conjunction with Lee County. However, should the CPOA cease sponsorship and no other sponsor so contract with Lee County for continuation, then the Panel will cease to exist at the end of the sixty (60) day period.

C. The Lee Board of County Commissioners may terminate the existing planning agreement authorizing the Panel's operations in conformance with the terms of that agreement and as pre-determined in Lee County administrative codes and ordinances.

APPENDIX A

THREE YEAR TERMS

Panel Members: CPOA - 5 Members; CCA - 3 Members; Panel - 4 Members

Three Year Terms				
Jan. 2014 - Dec. 2016	CPOA	CCA	CPOA	PANEL
Jan. 2015 - Dec. 2017	CPOA	CPOA	PANEL	PANEL
Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPOA	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL
Jan. 2022 - Dec. 2024 The pattern of the above terms continues to repeat itself into the future.	CPOA	CCA	PANEL	

Commencing with these amendments to the Bylaws, all current terms are extended for one year in order to have three-year terms except one of the CPOA positions and one of the CCA positions which will term out as scheduled on December 31, 2015.

CAPTIVA COMMUNITY PANEL

June 9, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of May 12 minutes
9:00 a.m. CEPD update — Kathy Rooker
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. LCSO update — Sgt. Mike Sawicki
9:15 a.m. Lee County utilities update — Doug Meurer and Pamela Keyes
9:35 a.m. LCEC update — Dennie Hamilton
~~9:55 a.m. Captiva Drive rezoning — Tim Murty~~
10:00 a.m. Mangrove protection and mitigation on Captiva — ???
10:10 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
10:15 a.m. Committee reports (as necessary):

- Finance — Jack Cunningham (5 minutes)
- Communications —
- Financial update — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

10:25 a.m. Other business and public comment

- Confirm date for next meeting (July 14)

10:30 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for July 14 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter

TERM STATUS:

- Expires in December 2015 and termed out(?): Brown, Cunningham, Kelly, McClure, Rohn
- Expires in December 2015 with another two-year term possible: Walter
- Expires in December 2016 and termed out(?): Stilwell
- Expires in December 2016 with another two-year term possible: Jensen, Mintz, Boris

Article 6, Section 2 – Terms of office

Panel Members shall serve terms running for a period of twenty-four (24) consecutive calendar months, commencing at the Regular January meeting. Panel Members may serve for up to two consecutive twenty-four (24) month terms, for a maximum of forty-eight (48) consecutive months. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of twelve (12) months has expired since the completion of the last term served by such Panel member. In the event no community member is available to serve in the capacity of Panel member and after adequate public notice has been provided as to the vacancy, either extant or upcoming, the Panel may elect to accept another term of office from the departing Panel Member who has already completed two (2) consecutive terms. In such event, the twelve (12) month waiting period shall be waived.

CURRENT OFFICERS: (elected December 2014)

- President: Mike Kelly
- Vice president: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 - Election of Officers

At its annual meeting in December, the Panel shall elect, in the manner herein prescribed, Officers of the Panel who shall serve terms of up to two years or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

Captiva Community Panel
Profit & Loss YTD Comparison
June 1 - 5, 2015

	Jun 1 - 5, 15	Jan 1 - Jun 5, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	3,328.49
Indiv/business contribution	0.00	5,275.00
Total Contributed support	0.00	8,603.49
Total Income	0.00	8,603.49
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	500.00	8,000.00
Planning & coordination	1,000.00	4,400.00
Total Consulting	1,500.00	12,400.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Mileage & tolls	0.00	239.20
Storage rental	108.12	216.24
Web site/computer services	100.00	848.36
Total Misc expenses	208.12	1,303.80
Non-personnel expenses		
Community planning outreach	0.00	594.85
Printing & copying	0.00	348.66
Total Non-personnel expenses	0.00	943.51
Total Expense	1,708.12	18,783.56
Net Ordinary Income	-1,708.12	-10,180.07
Net Income	**-1,708.12**	**-10,180.07**

Captiva Community Panel
Balance Sheet
As of June 5, 2015

	Jun 5, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	10,179.38
Total Checking/Savings	10,179.38
Total Current Assets	10,179.38
TOTAL ASSETS	**10,179.38**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	-10,180.07
Total Equity	10,179.38
TOTAL LIABILITIES & EQUITY	**10,179.38**

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)

Coordinated Island Trolley Service (Sandy Stilwell with Debi Almeida and Jeff Shuff)

Funding Panel through direct contributions and other mechanisms (Jack Cunningham)

Captiva Plan and Code Education (Dave Rohn with Paul Garvey and CCA staff)

Review of Captiva/Lee County Tax distribution (Mike Boris with Mike Mullins)

Garbage/Recycling Container policy (Jerry McClure with Debi Almeida)

Medium term projects:

Traffic solutions to reduce automobile use on Captiva -- including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)

Zoning Master Plan to maintain commercial/residential balance in Village (Mike Kelly)

Village building heights/size (David Mintz with Nathalie Pyle)

Septic regulations/enforcement (On Hold)

Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)

Reduction of noise from Gas Leaf Blowers (David Mintz)

Transition from Gas to Electric Golf Carts on Captiva (Bob Walter)

Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

Sewers (Jay Brown, Dave Jensen and David Mintz)

Underground utilties (On Hold pending review of prior study by Panel)

Purchase undeveloped land and density rights (Mike Kelly)

Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

CAPTIVA COMMUNITY PANEL

July 14, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of June 9 minutes
9:00 a.m. CEPD update — Kathy Rooker
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. LCSO update — Sgt. Mike Sawicki
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Sewer Committee update???
9:25 a.m. Mangrove protection and mitigation on Captiva — ???
9:35 a.m. Committee reports (as necessary):

- Finance — Jack Cunningham (5 minutes)
- Communications —
- Financial update — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

9:45 a.m. Other business and public comment

- Panel insurance update – Ken Gooderham
- Galloway Captiva Tri Sept. 12-13
- Confirm date for next meeting (Aug. 11)

10:00 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Aug. 11 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

Captiva Community Panel
Balance Sheet
As of July 12, 2015

	Jul 12, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	8,111.36
Total Checking/Savings	8,111.36
Total Current Assets	8,111.36
TOTAL ASSETS	**8,111.36**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	-12,248.09
Total Equity	8,111.36
TOTAL LIABILITIES & EQUITY	**8,111.36**

Captiva Community Panel
Profit & Loss YTD Comparison
July 1 - 12, 2015

	Jul 1 - 12, 15	Jan 1 - Jul 12, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	3,328.49
Indiv/business contribution	0.00	5,275.00
Total Contributed support	0.00	8,603.49
Total Income	0.00	8,603.49
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	9,500.00
Planning & coordination	0.00	4,400.00
Total Consulting	1,500.00	13,900.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Mileage & tolls	40.50	279.70
Storage rental	108.12	324.36
Web site/computer services	419.40	1,267.76
Total Misc expenses	568.02	1,871.82
Non-personnel expenses		
Community planning outreach	0.00	594.85
Printing & copying	0.00	348.66
Total Non-personnel expenses	0.00	943.51
Total Expense	2,068.02	20,851.58
Net Ordinary Income	-2,068.02	-12,248.09
Net Income	**-2,068.02**	**-12,248.09**

Insurance Services
Global Resources — Client Focused

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION, INC. AND CAPTIVA COMMUNITY PANEL

INSURANCE PROPOSAL

JULY 8, 2015

PRESENTED BY:

KARIE L. EVANS, CIC, CPIA
INSURANCE OFFICER
ACCOUNT EXECUTIVE

P.O. BOX 60139
FORT MYERS, FL 33906
239-433-4535 PHONE

License # 0C64544

DIRECTORS & OFFICERS LIABILITY

Provides coverage for the wrongful acts of directors and officers, employees, volunteers, and committee members of an Association within the scope of their duties. Also, covered is Employment Related Practices Coverage for alleged or actual "Wrongful Employment Practices" as defined in the policy form.

Insurer:	Liberty Insurance Underwriters, Inc.
AM Best Rating:	A (Excellent)
Policy Term:	07/18/2015 to 07/18/2016
Policy Premium:	$1,450.00

Limits	Description
$1,000,000	Non Profit Directors & Officers Liability – Aggregate
$500	Retention Each Loss

OPTIONAL QUOTES:

Policy Type	Coverage Description		Premium
D&O – Option 1	$1,000,000 Limit	$1,000 Retention	$1,413.00
D&O – Option 2	$1,000,000 Limit	$2,000 Retention	$1,361.00

PREMIUM SUMMARY/PAYMENT TERMS

Coverage	Company	AM Best Rating	Expiring Premium	Renewal Premium
Directors & Officers	Liberty Insurance Underwriters, Inc.	A (Excellent)	$968.43	See Page Two for Options
		Estimated Annual Total	$968.43	

Premium(s) contained in this document are valid for 30 days unless otherwise noted.

Disclaimer
This Proposal/Schedule of Coverage appearing herein is only illustrative and is not intended as a policy of insurance, binder or statement of coverage, or as an amendment, modification or waiver of the terms and conditions of any policy of insurance. In every instance, the policy is the only accepted statement of coverage. Specimen copies of insurance policies are available upon request prior to binding of coverage.

The first named insured listed will be responsible for handling all communications, including but not limited to, payment of premium, request for policy changes and loss information, and receipt of cancellation notices.

There is no coverage for any current or past joint venture, partnership, or corporation that is not shown as a named insured.

Higher liability limits of coverage than those contained in this document may be available. We recommend that you consider increasing your liability limits to minimize the risk of being underinsured in the event of a large claim filed against you.

Audit
Coverage recommendations and premiums are reflective of the information (payrolls, locations, operations, product data, financial data, loss experience, etc.) provided by you to us and submitted to insurer(s) for quotation(s). If there are changes or other areas that require evaluation, discussion, and revision prior to binding coverage, please bring these to our attention immediately. In addition, liability, auto and workers compensation policies are based upon estimates of annual sales or payrolls. An audit of these policies may result in return or additional premiums.

Payment Terms

Direct Bill Accounts
- The agency will not notify the client in the event of pending or final cancellation notice.

Agency Bill Accounts
- Invoices are due on the effective or transaction date, whichever is later.
- Payment should be made by invoice as no statements will be issued.
- Payments must be made no later than the 28th day after due date to avoid cancellation.

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

John Manning
District One

Cecil L Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Writer's Direct Number (239) 533-8786

June 23, 2015

Sara Spector, Esq.
Becker & Poliakoff, PA
12140 Carissa Commerce Court #20
Fort Myers, Florida 33966

RE: Request for Administrative Interpretation
Case No. ADD2015-00015

Dear Attorney Spector:

You have submitted an application for an administrative interpretation on behalf of The South Seas Club Condominium Association, Inc., the Land's End Village Condominium Association, Inc., and the Marina Villas Condominium Association, Inc., all of which are homeowners' associations within the South Seas Resort District ("*SSRD*").

Your request seeks an interpretation of the procedural ability of the Zoning Director, pursuant to Lee County Land Development Code ("*LDC*") §34-1038(a), to administratively approve a requested amendment filed by BRE/South Seas Resort Owner, LLC ("*BRE/South Seas*"), in Case No. ADD2014-00203. You are seeking to have the Zoning Director conclude the request filed by BRE/South Seas may not be processed administratively. Instead, you have asserted the requested amendment must be submitted to the public hearing process as a result of the requirement found in LDC §34-1038(b).

BRE/South Seas' request seeks to administratively amend an earlier administrative amendment (filed in 2008 in Case No. ADD2008-00082), and requests the current amendment be handled pursuant to the process found in LDC §34-1038(a). You are asserting the current request of BRE/South Seas

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address http://www.leegov.com

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

has been incorrectly filed and will be improperly reviewed under the provisions found in LDC §34-1038(a). Again, you are asserting the requested amendment should have been submitted to the public hearing process otherwise required in LDC in §34-1038(b). As presented, your request seeks an interpretation of the procedural process by which the Zoning Director must act in this matter. Consideration of the underlying or substantive facts of BRE/South Seas' request is not at issue at this point in the process.

Insofar as the SSRD is a Planned Unit Development ("*PUD*"), the applicable provisions for amendment of this type of development are found in LDC Chapter 34, Article VI, Division 10, Subdivision IV, Planned Unit Development District. More specifically, the process for effecting an amendment to a final development plan for a PUD is contained in LDC §34-1038. Procedurally, pursuant to the cited section of the LDC, there are two ways an amendment may be made to an approved final PUD development plan. Amendments may be submitted by a property owner(s) and approved administratively by the Director, or an amendment may be approved through the public hearing process, as set out in LDC §34-1038(a) and (b), respectively.

LDC §34-1038(a) clearly authorizes the Director to administratively approve requested changes to a PUD development plan that meet criteria set out in the cited section of the LDC. The cited section is clear on its face such that no interpretation is necessary to determine how the process is intended to function. LDC §34-1038(b) is equally as clear. This second subsection of LDC §34-1038 requires any other requested change or amendment to the final development plan for a PUD to be reviewed and approved by the Board of County Commissioner utilizing the public hearing process.

In the event of question as to the meaning or intent of a section or subsection of the LDC, the manner of relief to resolve such a problem is found in LDC §2-1. Unfortunately, your request does not set forth a question with respect to the meaning or intent of LDC §34-1038, or either of its subsections. LDC §34-1038 carefully and clearly details two methods of process for the amendment of a PUD development plan. Again, an amendment may occur either administratively, or through public hearing process, as set forth in LDC §34-1038(a) and (b), respectively.

While your requested administrative interpretation initially references the processes found in LDC §34-1038(a) and (b), your submittal quickly turns

ADD2015-00015 Lee County ePlan

into an analysis of substantive facts arguing for the Director to send the request of BRE/South Seas to public hearing. Your request does not set forth any basis for concluding that either subsection of LDC §34-1038 is unclear with respect to meaning or intent. There is no lack of clarity with regard to the meaning or intent of the processes detailed in LDC §34-1038. As a result, there is no basis for invoking the use of LDC §2-1.

Insofar as there is no basis for finding it necessary to interpret the process or procedure available to the Director as a result of the provisions found in LDC §34-1038, your request for an administrative interpretation must be DENIED.

Should you have any further questions, please do not hesitate to contact our office.

Duly signed this 25th day of June, 2015.

BY: Pam Houck

Pam Houck
Department of Community Development
Zoning Division

cc. John J. Fredyma, Senior Assistant County Attorney
Zoning File

CAPTIVA COMMUNITY PANEL

Aug. 11, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort

9:00 a.m. Introductions and roll call; approval of July 14 minutes
9:00 a.m. CEPD update — Kathy Rooker
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. LCSO update — Sgt. Mike Sawicki
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Summary of proposed Captiva Plan amendments – Max Forgey
9:50 a.m. Mangrove protection and questions for Florida DEP rep in September — Ken Gooderham
10:00 a.m. South Seas WWTP – questions for Rob Dickson and setting special meeting
10:10 a.m. Updates on priority committees – chairs
10:15 a.m. Committee reports (as necessary):

- Fund-raising — Jack Cunningham (2 minutes)
- Financial update — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

10:20 a.m. Other business and public comment

- **Reminder**: Galloway Captiva Tri Sept. 12-13… Captiva Drive closed 6:45-8:45 a.m. Sunday, Sept. 13
- Confirm date for next meetings (Sept. 8 and Oct. 13*)

10:25 a.m. Adjourn

* NOTE: Ken Gooderham will be unable to attend this meeting due to a conference conflict.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Sept. 8 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

Captiva Community Panel
Balance Sheet
As of August 7, 2015

	Aug 7, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	19,913.12
Total Checking/Savings	19,913.12
Total Current Assets	19,913.12
TOTAL ASSETS	**19,913.12**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	-446.33
Total Equity	19,913.12
TOTAL LIABILITIES & EQUITY	**19,913.12**

Captiva Community Panel
Profit & Loss YTD Comparison
August 1 - 7, 2015

	Aug 1 - 7, 15	Jan 1 - Aug 7, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	7,490.25
Indiv/business contribution	12,190.00	17,465.00
Total Contributed support	12,190.00	24,955.25
Total Income	12,190.00	24,955.25
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	11,000.00
Design services	0.00	90.00
Planning & coordination	0.00	4,600.00
Total Consulting	1,500.00	15,690.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Insurance - non-employee	0.00	1,450.00
Mileage & tolls	40.50	320.20
Storage rental	0.00	324.36
Web site/computer services	0.00	1,267.76
Total Misc expenses	40.50	3,362.32
Non-personnel expenses		
Community planning outreach	0.00	594.85
Postage, shipping, delivery	0.00	784.22
Printing & copying	45.28	833.94
Total Non-personnel expenses	45.28	2,213.01
Total Expense	1,585.78	25,401.58
Net Ordinary Income	10,604.22	-446.33
Net Income	**10,604.22**	**-446.33**

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)

Coordinated Island Trolley Service (Sandy Stilwell with Debi Almeida and Jeff Shuff)

Funding Panel through direct contributions and other mechanisms (Jack Cunningham)

Captiva Plan and Code Education (Dave Rohn with Paul Garvey and CCA staff)

Review of Captiva/Lee County Tax distribution (Mike Boris with Mike Mullins)

Garbage/Recycling Container policy (Jerry McClure with Debi Almeida)

Medium term projects:

Traffic solutions to reduce automobile use on Captiva -- including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)

Zoning Master Plan to maintain commercial/residential balance in Village (Mike Kelly)

Village building heights/size (David Mintz with Nathalie Pyle)

Septic regulations/enforcement (On Hold)

Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)

Reduction of noise from Gas Leaf Blowers (David Mintz)

Transition from Gas to Electric Golf Carts on Captiva (Bob Walter)

Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

Sewers (Jay Brown, Dave Jensen and David Mintz)

Underground utilties (On Hold pending review of prior study by Panel)

Purchase undeveloped land and density rights (Mike Kelly)

Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

CAPTIVA COMMUNITY PANEL

Sept. 8, 2015, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of July 14 and Aug. 11 minutes
9:00 a.m. CEPD update — Kathy Rooker
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. LCSO update — Sgt. Mike Sawicki
9:15 a.m. Hurricane Preparedness & Response Committee — Chief Rich Dickerson
9:20 a.m. Water-crossing power line update – Dennie Hamilton, LCEC
9:30 a.m. Mangrove regulations -- Megan Mils & Terry Cerullo, Florida DEP
9:50 a.m. Wetlands fill permit request for 13470 Palmflower Lane – Al Quattrone, P.E. (QAI), Sergio Guzman, E.I. (QAI), and John Folino (owner)
10:20 a.m. Updates on priority committees – by chairs, as needed
10:25 a.m. Committee reports (as necessary):

- Fund-raising — Jack Cunningham (2 minutes)
- Financial update — Ken Gooderham (1 minute)
- Planning — Max Forgey (2 minutes)

10:30 a.m. Other business and public comment

- **Reminder**: Galloway Captiva Tri Sept. 12-13… Captiva Drive closed 6:45-8:45 a.m. Sunday, Sept. 13
- Confirm date for next meetings (Oct. 13* and Nov. 10)

10:35 a.m. Adjourn

* NOTE: Ken Gooderham will be unable to attend this meeting due to a conference conflict.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Oct. 13 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- CPOA: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- CCA: Jack Cunningham, David Rohn
- PANEL: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

Captiva Community Panel
Balance Sheet
As of September 6, 2015

	Sep 6, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	18,808.84
Total Checking/Savings	18,808.84
Accounts Receivable	
Accounts receivable	5,097.64
Total Accounts Receivable	5,097.64
Total Current Assets	23,906.48
TOTAL ASSETS	**23,906.48**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	3,547.03
Total Equity	23,906.48
TOTAL LIABILITIES & EQUITY	**23,906.48**

Captiva Community Panel
Profit & Loss YTD Comparison
September 1 - 6, 2015

	Sep 1 - 6, 15	Jan 1 - Sep 6, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,587.89
Indiv/business contribution	0.00	20,115.00
Total Contributed support	0.00	32,702.89
Total Income	0.00	32,702.89
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	12,500.00
Design services	0.00	90.00
Planning & coordination	0.00	6,600.00
Total Consulting	1,500.00	19,190.00
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Insurance - non-employee	0.00	1,450.00
Mileage & tolls	40.50	360.70
Storage rental	0.00	324.36
Web site/computer services	0.00	1,267.76
Total Misc expenses	40.50	3,402.82
Non-personnel expenses		
Community planning outreach	131.02	725.87
Postage, shipping, delivery	49.00	833.22
Printing & copying	33.76	867.70
Total Non-personnel expenses	213.78	2,426.79
Total Expense	1,754.28	29,155.86
Net Ordinary Income	-1,754.28	3,547.03
Net Income	**-1,754.28**	**3,547.03**

CAPTIVA COMMUNITY PANEL

Oct. 13, 2015, meeting*

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Sept. 8 minutes
9:00 a.m. CEPD update — Kathy Rooker
9:05 a.m. Captiva Fire District update – Chief Rich Dickerson
9:10 a.m. LCSO update — Sgt. Mike Sawicki
9:15 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:20 a.m. Review of county staff comments on Captiva Plan update – Max Forgey
9:50 a.m. Change of Nov. 10 meeting time**
10:00 a.m. Updates on priority committees – by chairs, as needed
10:10 a.m. Committee reports (as necessary):

- Fund-raising — ~~Jack Cunningham~~
- Financial update — ~~Ken Gooderham~~
- Planning issues update — Max Forgey
- Nominating Committee update – Jerry McClure

10:20 a.m. Other business and public comment

- Confirm date for next meetings (Nov. 10 and Dec. 8)

10:25 a.m. Adjourn

* NOTE: Ken Gooderham will be unable to attend this meeting due to a conference conflict.

** The FGUA staffers who can discuss the South Seas WWTP cannot make it to the island until 2 p.m. on Nov. 10. Do you want to move the entire panel meeting to the afternoon (starting at 1:30 p.m. perhaps?) or reconvene the morning meeting in the afternoon just for this item?

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Nov. 10 in the Cone Room at South Seas Island Resort, Captiva

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Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary -- requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

Captiva Community Panel
Balance Sheet
As of October 4, 2015

	Oct 4, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	24,962.65
Total Checking/Savings	24,962.65
Total Current Assets	24,962.65
TOTAL ASSETS	**24,962.65**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	4,603.20
Total Equity	24,962.65
TOTAL LIABILITIES & EQUITY	**24,962.65**

Captiva Community Panel
Profit & Loss YTD Comparison
October 1 - 4, 2015

	Oct 1 - 4, 15	Jan 1 - Oct 4, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,587.89
Indiv/business contribution	0.00	24,815.00
Total Contributed support	0.00	37,402.89
Total Income	0.00	37,402.89
Expense		
Business expenses		
Taxes - other	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	14,000.00
Design services	0.00	90.00
Planning & coordination	0.00	8,591.50
Total Consulting	1,500.00	22,681.50
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Insurance - non-employee	0.00	1,450.00
Mileage & tolls	40.50	401.20
Storage rental	0.00	324.36
Web site/computer services	0.00	1,267.76
Total Misc expenses	40.50	3,443.32
Non-personnel expenses		
Community planning outreach	0.00	725.87
Postage, shipping, delivery	102.77	935.99
Printing & copying	9.06	876.76
Total Non-personnel expenses	111.83	2,538.62
Total Expense	1,652.33	32,799.69
Net Ordinary Income	-1,652.33	4,603.20
Net Income	**-1,652.33**	**4,603.20**

Notes:

Oct. 10, 2015

Fund-raising:

August mailing generated $19,040

Cruise has $1,000 committed/paid so far, mailing will go out this week for Nov. 2 event

Flyer attached

Nov. 10 meeting:

FGUA reps can be here by 2 p.m., county staff will also attend

Do you want to split the meeting (regular morning, special afternoon) or do it all in the afternoon?

SanCap Solar reps also want to present to the panel at Nov. 10 meeting, flyer attached.

Captiva Community Panel

invites you to join our

Welcome Back to Captiva - Sunset Cruise

Please join us for cocktails and hors d'oeuvres
aboard the Lady Chadwick.
The Captiva Community Panel's sunset cruise provides you
opportunity to meet your neighbors, renew friendships
& converse about our beloved Captiva Island.

Monday November 2, 2015
4:30 (boarding time) - 6:30pm

Park & Departs from McCarthy's Marina
11401 Andy Rosse Lane, Captiva

Sunset Cruise compliments of Captiva Cruises
Food & Beverages compliments of 'Tween Waters Inn & McCarthy's Marina

Seating Limited - Availability Based on Receipt of Donation
Your Donation of $100. (or more) per person will reserve your place aboard at this special event.

Credit Card reservations: 239-489-2616
or
Mail your check - payable to Captiva Community Panel
P. O. Box 72, Captiva, FL 33924

SanCap SOLAR CONNECT

with

"DING" DARLING WILDLIFE SOCIETY
SANIBEL FLORIDA
Friends of the Refuge

The "Ding" Darling Wildlife Society is pleased to announce **SanCap Solar Connect,** an exciting new initiative designed to help residents, organizations, and businesses located on Sanibel and Captiva Islands go solar, together.

By combining our collective purchasing power, **SanCap Solar Connect** ensures that participants in this program will be eligible for a special reduced rate on solar electricity systems, in addition to an applicable federal tax credit that expires at the end of 2016. **SanCap Solar Connect** is currently identifying a professional, highly qualified, and collaborative installation partner.

Beginning in October 2015, there will be community information events to answer questions and provide more information on the benefits of going solar. In the meantime, please contact our project coordinator at jlathrop@sancapsolar.org to receive future communications from **SanCap Solar Connect**.

–See other side–

SanCap SOLAR CONNECT with "Ding" Darling Wildlife Society Sanibel Florida Friends of the Refuge

Visit the SanCap Solar Connect booth on October 18 during "Ding" Darling Days to learn more about how you can get involved.

Did you know?

Solar energy is a completely FREE source of energy and is found in abundance. Although the sun is 90 million miles from the earth, it only takes less than 10 minutes for its light to hit the earth.

– Conserve Energy Future

Every hour, the sun beams onto earth more than enough energy to satisfy global energy needs for an entire year.

– National Geographic

Average Americans who went solar back in 2011, when solar was much more expensive, will probably save about $20,080 off their net electricity costs over 20 years – that's $20,080 after paying off the cost of the solar power system.

– Conserve Energy Future

"I'd put my money on the sun and solar energy. What a source of power! I hope we don't have to wait until oil and coal run out before we tackle that. I wish I had more years left."

—Thomas Edison, 1910

Captiva Plan update response

Sept. 29, 2015

To: ***Captiva Community Panel***
From: ***Ken Gooderham***
Re: ***County staff comments on Captiva Plan Update***

In an effort to provide some perspective on the extensive (and often contradictory) comments from county staff on the Captiva Plan Update, some thought (general and specific):

- This is the result of reviews by a number of staffer, which is why the tenor of the comments is inconsistent. Many of them are likely from the county legal staff, who are known for their "conservative" interpretation of state statutes.
- This is staff opinion, which carries some weight with the Local Planning Agency (who review it first) and the county commissioners (the final arbiters). However, this is your plan, not staff's, so you should put in it what you want for your island first, and take staff criticisms for the observations they are.
- The final decision is a political one, not a legal or planning decision – so if we can demonstrate islandwide support for a stance, we have a chance of winning approval from a political body such as the county commission (in many but not all instances).

As to specific comments:

Vision statement: Your decision on how you want to approach these suggestions. If you want to include the entire text as submitted, then we should do so.

Policy 13.1.1: If staff had read Policy 13.1.10 they would have grasped that the rezoning they suggest would not be allowed. Had they read Policy 13.1.11, they would have grasped that variances and deviations are not allowed. So it is unclear what is confusing about this policy.

Policy 13.1.2: We can easily develop a map to define the four neighborhoods referenced here. As to the other language, perhaps it would have been clearer to staff if it had said: "… neighborhoods wish to establish uniform building height standards…" and "… any such modification as codified in the LDC are supported…" Seems obvious to us, but clearly not to staff.

Policy 13.1.3: Renumbering was not done to make changes clear during this review (and after adoption).

Policy 13.1.5: The first sentence is existing language, and we'd suggest it stay in. As to the second sentence, obviously a difference of perspective: Of course sewer systems are sized to limit development to some standard – how else is it designed unless a service capacity is determined? We're just saying that capacity should not exceed the development permitted by this plan, which is hardly a radical notion (except, apparently, in Lee County). It's the premise behind most planning, after all.

Policy 13.1.7: Someone did not read this clearly. We are not suggesting that meetings are required to be held before a particular group (as much as we'd like to say that). We're just saying the panel (and public) needs to be notified in a fashion similar to a panel meeting (in both notice and content) so that people can comment on proposals effectively. If that's not what other panels want, that should not be held against Captiva.

Policy 13.1.10: Clearly, this comment was added by someone who has not actually visited the Village or is aware of the platted lot issues (and yet they work for Lee County, mecca for platted lots). We will need to educate them accordingly.

Policy 13.1.11: We can include deviations in this section if you wish (might not be a bad idea), but it should remain in the Captiva Plan for legal reasons.

Policy 13.1.15: Worth considering the suggested revision, once it's cleaned up to make sense, or look at Upper Captiva's language to see if it's appropriate. It is:

> *POLICY 25.1.4: The location of North Captiva provides a view of the night sky that is virtually unparalleled in Lee County. By the end of 2013, the North Captiva community will develop land development regulations for the County to review and consider that are applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible. (Added by Ordinance No. 09-09)*

Policy 13.1.16: Implementation will be through the LDC… thought that would be obvious.

Policy 13.1.17: Proposed revisions seem OK, was not aware there was a CEPD formal response so the panel needs to discuss with CEPD board if necessary.

Policy 13.1.18: Could be revised to "… if demonstrably supported by a majority of the affected …" Specifying a taxing unit seems inappropriate for plan language.

Objective 13.3: Proposed revision seems worth discussion.

Policy 13.3.1: Proposed revision seems worth discussion.

Objective 13.4: Proposed revision guts the value of the objective and should be rejected.

Policy 13.4.1: Reject the request for deletion… just because the County Attorney's Office is too weak-willed to enforce its own language doesn't mean the panel should not pursue this.

Policy 13.5.1: Some odd questions from staff, but proposed revision may be worth discussion.

Policy 13.5.2: Was not aware of this prohibition, we should investigate why it was put in place or what options there may be.

Policy 13.5.3: Might still be worth pursuing regardless of staff comments… panel's decision.

Policy 13.5.4: Proposed revision worth discussion.

Policy 13.5.5: The proposed language is a further erosion of any protective measures… and why is staff concerned about protecting structures here? I could not find the citation in the Mangrove Act prohibiting county regulation, so it is unclear what staff is asserting here. (The state took back all regulatory powers within six months of the Act being passed, but local governments can request delegation of that authority back to them if they can prove they meet certain standards.) The idea of a setback may be worth pursuing in LDC language, but not in lieu of any other regulations but in addition to them. Clearly, more work is needed here on a number of levels.

CAPTIVA COMMUNITY PANEL

Nov. 10, 2015, meeting*

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Oct. 13 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. SanCap Solar Connect – John McCabe
9:45 a.m. Captiva Plan update workshop – Ken Gooderham & Max Forgey
10:45 a.m. Committee reports (as necessary):

- Fund-raising — Jack Cunningham
- Financial update — Ken Gooderham
- Planning issues update — Max Forgey
- Nominating Committee update – Jerry McClure
- Update on Priority Committees (as needed)

10:50 a.m. Other business and public comment

- Confirm date for next meetings (Dec. 8)
- 2016 budget and meeting schedule – comments or considerations?

11:00 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Dec. 8 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

DRAFT

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary – requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

DRAFT

Captiva Community Panel
Balance Sheet
As of November 6, 2015

	Nov 6, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	30,025.72
Total Checking/Savings	30,025.72
Total Current Assets	30,025.72
TOTAL ASSETS	**30,025.72**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	9,666.27
Total Equity	30,025.72
TOTAL LIABILITIES & EQUITY	**30,025.72**

Captiva Community Panel
Profit & Loss YTD Comparison
November 1 - 6, 2015

	Nov 1 - 6, 15	Jan 1 - Nov 6, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,587.89
Indiv/business contribution	7,050.00	34,565.00
Total Contributed support	7,050.00	47,152.89
Total Income	7,050.00	47,152.89
Expense		
Business expenses		
Processing charges	28.75	125.35
Taxes - other	0.00	136.25
Total Business expenses	28.75	261.60
Consulting		
Administration	1,500.00	15,500.00
Design services	0.00	90.00
Planning & coordination	1,000.00	10,591.50
Total Consulting	2,500.00	26,181.50
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Insurance - non-employee	0.00	1,450.00
Mileage & tolls	0.00	401.20
Storage rental	0.00	324.36
Web site/computer services	0.00	1,267.76
Total Misc expenses	0.00	3,443.32
Non-personnel expenses		
Community planning outreach	0.00	725.87
Postage, shipping, delivery	611.77	1,547.76
Printing & copying	449.81	1,326.57
Total Non-personnel expenses	1,061.58	3,600.20
Total Expense	3,590.33	37,486.62
Net Ordinary Income	3,459.67	9,666.27
Net Income	**3,459.67**	**9,666.27**

Captiva Community Panel

2016 BUDGET

November 10, 2015

Revenues:	**2016 Proposed**	**2015 YTD**	**Pct. Change**
Fund-raising events	$30,000.00	$10,250.00	34.17%
Solicited donations	$15,000.00	$20,315.00	135.43%
Lee County reimbursement	$22,198.00	$12,587.89	56.71%
Total	**$67,198.00**	**$43,152.89**	64.22%

Expenses:	**Proposed**	**YTD**	**Pct. Change**
Forgey Planning Services	$12,000.00	$10,591.50	88.26%
Planning -- outside contractors	$1,000.00	$0.00	0.00%
Gooderham & Associates	$18,000.00	$15,500.00	86.11%
Copies and mileage	$1,500.00	$1,727.77	115.18%
Webmaster	$1,400.00	$1,257.76	89.84%
Storage	$325.00	$324.36	99.80%
Advertising for meetings & events	$500.00	$0.00	0.00%
Fund-raising -- mailing/postage/survey	$1,500.00	$1,547.76	103.18%
Insurance -- D&O	$1,500.00	$1,450.00	96.67%
Accounting	$400.00	$0.00	0.00%
Taxes & fees	$200.00	$136.25	68.13%
Processing & service charges	$400.00	$125.35	31.34%
Other (2% contingency)	$774.50	$90.00	11.62%
Operations total expenses	**$39,499.50**	**$32,750.75**	82.91%

Committee expenses	**Proposed**	**YTD**	**Pct. Change**
Hurricane committee	$1,830.00	$0.00	0.00%
Community survey	$900.00	$725.87	80.65%
Land Development Code committee	$0.00	$0.00	#DIV/0!
Water quality committee	$0.00	$0.00	#DIV/0!
Committees total expenses	**$2,730.00**	**$725.87**	26.59%

Total expenses	**$42,229.50**	**$33,476.62**	79.27%
Net income	**$24,968.50**	**$9,676.27**	

2016 Community Panel meeting dates

	CCP Proposed	**CEPD Approved**
January	Jan. 12	Jan. 13
February	Feb. 9	Feb. 10
March	March 8	March 9
April	April 12	April 13
May	May 10	May 11
June	June 14	June 15
July	July 12	July 13
August	Aug. 9	Aug. 10
September	Sept. 13	Sept. 8 & 22
October	Oct. 11	Oct. 12
November	Nov. 8	Nov. 9
December	Dec. 13	Dec. 14

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 4-6 — no conflict
- ASBPA Summit: Feb. 3-5 — no conflict
- FSBPA annual meeting: ????
- ASBPA Coastal Conference: Oct. 25-28 — no conflict

Easter – March 27
Labor Day – Sept. 5
Galloway Captiva Tri – Sept. 10-11

Proposed Captiva Plan Summary and Comments

~~**GOAL 13: 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).~~

GOAL 13: Captiva Community Vision. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.

- Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.

- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

COUNTY STAFF SUGGESTS SHORTENING AND PROVIDING AS BACKUP. CCP CAN SHORTEN VISION STATEMENT SOMEWHAT AND CAN ALSO PLACE SOMEWHAT SHORTENED BULLET POINTS IN APPENDIX TO PLAN. BUT COMPREHENSIVE VISION SHOULD REMAIN.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

OK.

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

COUNTY STAFF COMMENTS QUESTIONABLE. DO NOT CHANGE.

POLICY 13.1.2: Building Heights on Captiva Island. Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

TO MEET SOME OF COUNTY STAFF CONCERNS, CCP COULD ADOPT KEN'S CLARIFICATIONS; CCP COULD ALSO DEFINE THE FOUR NEIGHBORHOODS.

~~**POLICY 13.1.3:** 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)~~

POLICY 13.1.4: Beach and Shore Preservation. Lee County will 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)

OK.

POLICY 13.1.5: Quality of Adjacent Waters. Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

TO MEET COUNTY STAFF CONCERNS, "REGULATION OF SEPTIC SYSTEMS" COULD BE CHANGED TO "REGULATION OF SEPTIC SYSTEM MAINTENANCE" AND A COMMA COULD BE PLACED AFTER THAT PHRASE.

POLICY 13.1.6: County Information Clearinghouse. 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)

OK.

POLICY 13.1.7: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

COUNTY STAFF COMMENTS ARE QUESTIONABLE. DO NOT CHANGE.

POLICY 13.1.8: Public Participation. 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).

OK.

POLICY 13.1.9: <u>Consistent Siting of Structures and Historical Character.</u> 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)

OK.

POLICY 13.1.10: <u>Density Increases Prohibited.</u> 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). <u>No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.</u>

COUNTY STAFF COMMENTS ARE QUESTIONABLE. HOWEVER, CCP COULD DEFINE VILLAGE FOR PURPOSES OF THIS PROVISION.

POLICY 13.1.11: <u>Criteria for Variance Approval</u>. 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)

COUNTY STAFF RAISES QUESTION ABOUT DEVIATIONS. CCP COULD CHECK SCOPE OF DEVIATIONS AND POSSIBLY INCLUDE WITH VARIANCES.

POLICY 13.1.14: <u>Telecommunications Tower</u>. 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. 15-19).

OK.

POLICY 13.1.15: Dark Skies. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

COUNTY STAFF SUGGESTS THE FOLLOWING ITALISIZED LANGUAGE WHICH IS SIMILAR AND COULD BE CONSIDERED.

***POLICY 13.1.15: Dark Skies**. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.*

POLICY 13.1.16: Estuarine and Wetland Resources. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

COUNTY STAFF ASKS HOW THIS POLICY APPLIES TO SINGLE FAMILY LOTS.

POLICY 13.1.17: Blind Pass. Lee County will support through active advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

COUNTY STAFF SUGGESTS THE FOLLOWING ITALISIZED LANGUAGE WHICH IS SIMILAR AND COULD BE CONSIDERED

.

***POLICY 13.1.17: Blind Pass.** Lee County will support through active advocacy at the federal, state, regional and local level, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.*

POLICY 13.1.18: Underground Utilities. Underground utilities will continue to be considered if supported by the affected property owners.

COUNTY STAFF SUGGESTS CCP LANGUAGE IS VAGUE. IF CCP WISHES TO KEEP THE MATTER ON THE RADAR SCREEN, THE FOLLOWING REPLACEMENT LANGUAGE COULD BE CONSIDERED:

POLICY 13.1.18: Underground Utilities. *Underground utilities will continue to be considered for Captiva if they would serve the greater Captiva community and are supported by the majority of Captiva residents.*

OBJECTIVE 13.2: 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)

OK.

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development **or Mixed Use Planned Development**. (Added by Ordinance No. 07-09)

OK WITH COUNTY STAFF ADDITION OF "MIXED USE PLANNED DEVELOPMENT."

OBJECTIVE 13.3: Transportation. The Captiva Community shall continue its efforts to limit automotive traffic on the island.

COUNTY STAFF SUGGESTS THE FOLLOWING ITALISIZED LANGUAGE WHICH IS SIMILAR AND CAN BE CONSIDERED.

OBJECTIVE 13.3: Transportation. *The Captiva Community will continue its efforts to reduce automotive dependence on the Captiva Island.*

POLICY 13.3.1: Alternative Transportation. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

COUNTY STAFF SUGGESTS THE FOLLOWING ITALISIZED LANGUAGE WHICH IS SIMILAR AND CAN BE CONSIDERED.

POLICY 13.3.1: Alternative Transportation. *Lee County will encourage new development to incorporate pedestrian- and bicycle facilities. Reduced parking requirements may be approved when development facilitates the use of sidewalks, bicycle paths, and trolley service. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.*

THE CCP MIGHT CONSIDER THE COUNTY STAFF SUGGESTION WITH THE FOLLOWING ADDITION:

POLICY 13.3.1: Alternative Transportation. *Lee County will encourage new* ***and existing*** *development to incorporate pedestrian- and bicycle facilities* ***to reduce automobile dependence and the need for increased parking facilities****. Reduced parking requirements may be approved when development facilitates the use of sidewalks, bicycle paths, and trolley service. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.*

OBJECTIVE 13.4: Tourism: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

COUNTY STAFF'S COMMENTS ARE QUESTIONABLE. CCP LANGUAGE SHOULD NOT BE CHANGED.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** Residential units on Captiva Island may not be rented for a period of less than seven (7) consecutive days.

COUNTY STAFF'S COMMENTS ARE QUESTIONABLE. THIS MATTER IS VERY IMPORTANT TO CAPTIVA. CCP LANGUAGE SHOULD NOT BE CHANGED.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

OK.

POLICY 13.5.1: **Trees along Captiva Drive.** Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

COUNTY STAFF'S COMMENTS LIMIT THE POLICY TO ONLY "REQUIRED PLANTINGS" AND MAY DEFEAT THE CCP'S INTENT. CCP LANGUAGE SHOULD NOT BE CHANGED.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests ~~as identified by the Exotic Pest and Plant Council of Florida or its successor bodies~~. Incentives, disincentives and regulations may be developed to accomplish this policy.

COUNTY STAFF'S COMMENT WITH THE CROSS-OUT ABOVE COULD BE ACCEPTED.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

COUNTY STAFF SUGGESTS THE PROVISION BELONGS IN CODE NOT PLAN. HOWEVER, NO HARM IN KEEPING IN PLAN.

POLICY 13.5.4: **New Land Developments.** New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

COUNTY STAFF SUGGESTS THE FOLLOWING ITALISIZED LANGUAGE WHICH IS SIMILAR AND CAN BE CONSIDERED.

POLICY 13.5.4: New Land Developments. *New construction must be designed to retain the native and indigenous natural vegetation.*

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19) (Formerly 13.1.13)

COUNTY STAFF WISHES TO REPLACE CCP LANGUAGE WITH SETBACK LANGUAGE. CCP COULD CONSIDER ADDING THE UNDERLINED STAFF LANGUAGE TO ITS OWN AS FOLLOWS:

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva Island will be protected to the greatest extent possible. A setback will also be required from the mangrove fringe along Captiva Island to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13)

CAPTIVA COMMUNITY PANEL

Dec. 8, 2015, meeting*

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Nov. 10 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Ann Bradley?
9:25 a.m. Captiva Plan update workshop – David Mintz & Max Forgey
10:00 a.m. Nominating Committee update and vote on panel appointment – Jerry McClure
NOTE: *CCA and CPOA seats are already appointed (Peter Koury and Rene Miville*).
The panel nominee as offered by the Nominating Committee is Mike Mullins.
Officers will be elected at the January meeting.
10:05 a.m. Approve 2016 budget and meeting schedule
10:15 a.m. Committee reports (as necessary):

- Fund-raising — Jack Cunningham
- Financial update — Ken Gooderham
- Planning issues update — Max Forgey
- Nominating Committee update – Jerry McClure
- Update on Priority Committees (as needed – see enclosed list)

10:45 a.m. Other business and public comment

- Confirm date for next meeting (Jan. 12)

10:50 a.m. Adjourn morning session

2 p.m. South Seas wastewater treatment plant discussion – Lee County staff, FGUA staff, others

3 p.m. Adjourn afternoon session

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Jan. 12 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

DRAFT

Captiva Community Panel obligations

1) Publish an annual schedule of 2016 meetings after the December meeting.
2) Re-elect panel members whose terms expire at the end of 2015 (see below).
3) Develop and approve a 2016 budget no later than the December meeting.
4) Bylaws revisions as necessary – requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Jerry McClure, Sandy Stilwell
- **CCA**: Jack Cunningham, David Rohn
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, (future vacancy)

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz

Article 6, Section 2 -- Terms of Office

Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

CURRENT OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPO	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

DRAFT

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)

Coordinated Island Trolley Service (Sandy Stilwell with Debi Almeida and Jeff Shuff)

Funding Panel through direct contributions and other mechanisms (Jack Cunningham)

Captiva Plan and Code Education (Dave Rohn with Paul Garvey and CCA staff)

Review of Captiva/Lee County Tax distribution (Mike Boris with Mike Mullins)

Garbage/Recycling Container policy (Jerry McClure with Debi Almeida)

Medium term projects:

Traffic solutions to reduce automobile use on Captiva -- including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)

Zoning Master Plan to maintain commercial/residential balance in Village (Mike Kelly)

Village building heights/size (David Mintz with Nathalie Pyle)

Septic regulations/enforcement (On Hold)

Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)

Reduction of noise from Gas Leaf Blowers (David Mintz)

Transition from Gas to Electric Golf Carts on Captiva (Bob Walter)

Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

Sewers (Jay Brown, Dave Jensen and David Mintz)

Underground utilties (On Hold pending review of prior study by Panel)

Purchase undeveloped land and density rights (Mike Kelly)

Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

Captiva Community Panel

2016 BUDGET

November 10, 2015

Revenues:	**2016 Proposed**	**2015 YTD**	**Pct. Change**
Fund-raising events	$15,000.00	$10,550.00	70.33%
Solicited donations	$25,000.00	$20,315.00	81.26%
Lee County reimbursement	$20,000.00	$12,587.89	62.94%
Total	**$60,000.00**	**$43,452.89**	72.42%

Expenses:	**Proposed**	**YTD**	**Pct. Change**
Forgey Planning Services	$12,000.00	$10,591.50	88.26%
Planning -- outside contractors	$1,000.00	$0.00	0.00%
Gooderham & Associates	$18,000.00	$17,000.00	94.44%
Copies and mileage	$1,500.00	$1,788.87	119.26%
Webmaster	$1,400.00	$1,367.76	97.70%
Storage	$435.00	$432.48	99.42%
Advertising for meetings & events	$500.00	$0.00	0.00%
Fund-raising -- mailing/postage/survey	$1,500.00	$1,547.76	103.18%
Insurance -- D&O	$1,500.00	$1,450.00	96.67%
Accounting	$400.00	$0.00	0.00%
Taxes & fees	$200.00	$136.25	68.13%
Processing & service charges	$400.00	$125.35	31.34%
Other (2% contingency)	$776.70	$90.00	11.59%
Operations total expenses	**$39,611.70**	**$34,529.97**	87.17%

Committee expenses	**Proposed**	**YTD**	**Pct. Change**
Hurricane committee	$1,830.00	$0.00	0.00%
Community survey	$900.00	$783.60	87.07%
Land Development Code committee	$0.00	$0.00	#DIV/0!
Water quality committee	$0.00	$0.00	#DIV/0!
Committees total expenses	**$2,730.00**	**$783.60**	28.70%

Total expenses	**$42,341.70**	**$35,313.57**	83.40%
Net income	**$17,658.30**	**$8,139.32**	

2016 Community Panel meeting dates

	CCP Proposed	**CEPD Approved**
January	Jan. 12	Jan. 13
February	Feb. 9	Feb. 10
March	March 8	March 9
April	April 12	April 13
May	May 10	May 11
June	June 14	June 15
July	July 12	July 13
August	Aug. 9	Aug. 10
September	Sept. 13	Sept. 8 & 22
October	Oct. 11	Oct. 12
November	Nov. 8	Nov. 9
December	Dec. 13	Dec. 14

POTENTIAL CONFLICTS:

- FSBPA technical conference: Feb. 4-6 — no conflict
- ASBPA Summit: Feb. 3-5 — no conflict
- FSBPA annual meeting: ????
- ASBPA Coastal Conference: Oct. 25-28 — no conflict

Easter – March 27
Labor Day – Sept. 5
Galloway Captiva Tri – Sept. 10-11

Captiva Community Panel
Balance Sheet
As of December 4, 2015

	Dec 4, 15
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	28,498.77
Total Checking/Savings	28,498.77
Total Current Assets	28,498.77
TOTAL ASSETS	**28,498.77**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	20,359.45
Net Income	8,139.32
Total Equity	28,498.77
TOTAL LIABILITIES & EQUITY	**28,498.77**

Captiva Community Panel
Profit & Loss YTD Comparison
December 1 - 4, 2015

	Dec 1 - 4, 15	Jan 1 - Dec 4, 15
Ordinary Income/Expense		
Income		
Contributed support		
Agency (government) grants	0.00	12,587.89
Indiv/business contribution	0.00	34,865.00
Total Contributed support	0.00	47,452.89
Total Income	0.00	47,452.89
Expense		
Business expenses		
Processing charges	0.00	125.35
Taxes - other	0.00	136.25
Total Business expenses	0.00	261.60
Consulting		
Administration	1,500.00	17,000.00
Design services	0.00	90.00
Planning & coordination	0.00	10,591.50
Total Consulting	1,500.00	27,681.50
Grant & contract expense		
Allocations to affiliates	0.00	4,000.00
Total Grant & contract expense	0.00	4,000.00
Misc expenses		
Insurance - non-employee	0.00	1,450.00
Mileage & tolls	40.50	441.70
Storage rental	108.12	432.48
Web site/computer services	100.00	1,367.76
Total Misc expenses	248.62	3,691.94
Non-personnel expenses		
Community planning outreach	57.73	783.60
Postage, shipping, delivery	0.00	1,547.76
Printing & copying	20.60	1,347.17
Total Non-personnel expenses	78.33	3,678.53
Total Expense	1,826.95	39,313.57
Net Ordinary Income	-1,826.95	8,139.32
Net Income	**-1,826.95**	**8,139.32**

CPA2015-00009
2016
PACKETS

CAPTIVA COMMUNITY PANEL

Jan. 12, 2015, meeting*

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Dec. 8 minutes
9:05 a.m. Election of 2016 panel officers
9:10 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Sea level rise and other issues – Ralf Brookes
9:55 a.m. Captiva Plan update – David Mintz & Max Forgey
10:10 a.m. Committee reports:

- Update on Priority Committees (as needed – see enclosed list)
- Bylaws – Jack Cunningham
- Fund-raising — Jack Cunningham
- Financial update — Ken Gooderham
- Planning issues update — Max Forgey

10:35 a.m. Other business and public comment

- Confirm date for next meeting (Feb. 9)

10:40 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for Feb. 9 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2017 meetings after the December meeting.
2) Re-elect panel members (or elect new panel members) for those whose terms expire at the end of 2016 (see below).
3) Develop and approve a 2017 budget no later than the December meeting.
4) Bylaws revisions as necessary – requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Sandy Stilwell, Rene Miville
- **CCA**: Jack Cunningham, Peter Koury
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz
- Expires in December 2018 and termed out: None
- Expires in December 2018 with another three-year term possible: Peter Koury, Rene Miville, Mike Mullins
- Expires in December 2019 and termed out: Bob Walter

Article 6, Section 2 -- Terms of Office

> Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

2015 OFFICERS:

- President: Mike Kelly
- Vice President: Sandy Stilwell
- Secretary: Jerry McClure
- Treasurer: Jack Cunningham

Article 5, Section 1 -- Election of Officers

> At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPOA	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

- Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse Lane to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)
- Coordinated island trolley service (Sandy Stilwell with Debi Almeida and Jeff Shuff)
- Funding panel through direct contributions and other mechanisms (Jack Cunningham)
- Captiva Plan and Code education (Dave Rohn with Paul Garvey and CCA staff)
- Review of Captiva/Lee County tax distribution (Mike Boris with Mike Mullins)
- Garbage/recycling container policy (Jerry McClure with Debi Almeida)

Medium term projects:

- Traffic solutions to reduce automobile use on Captiva -- including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)
- Zoning master plan to maintain commercial/residential balance in Village (Mike Kelly)
- Village building heights/size (David Mintz with Nathalie Pyle)
- Septic regulations/enforcement (on hold)
- Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)
- Reduction of noise from gas leaf blowers (David Mintz)
- Transition from gas to electric golf carts on Captiva (Bob Walter)
- Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

- Sewers (Jay Brown, Dave Jensen and David Mintz)
- Underground utilities (on hold pending review of prior study)
- Purchase undeveloped land and density rights (Mike Kelly)
- Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

Captiva Community Panel
Balance Sheet
As of January 8, 2016

	Jan 8, 16
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	27,493.94
Total Checking/Savings	27,493.94
Total Current Assets	27,493.94
TOTAL ASSETS	**27,493.94**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	29,098.77
Net Income	-1,604.83
Total Equity	27,493.94
TOTAL LIABILITIES & EQUITY	**27,493.94**

Captiva Community Panel

2016 BUDGET

November 10, 2015

Revenues:	**2015 Proposed**	**2015 YTD**	**Pct. Change**	**2016 Proposed**
Fund-raising events	$20,000.00	$10,550.00	52.75%	$15,000.00
Solicited donations	$15,000.00	$21,315.00	142.10%	$25,000.00
Lee County reimbursement	$25,000.00	$12,587.89	50.35%	$20,000.00
Total	**$60,000.00**	**$44,452.89**	74.09%	**$60,000.00**
Expenses:	**Proposed**	**YTD**	**Pct. Change**	**Proposed**
Forgey Planning Services	$12,000.00	$10,991.50	91.60%	$12,000.00
Planning -- outside contractors	$1,000.00	$0.00	0.00%	$1,000.00
Gooderham & Associates	$18,000.00	$17,000.00	94.44%	$18,000.00
Copies and mileage	$1,500.00	$1,788.87	119.26%	$1,500.00
Webmaster	$2,400.00	$1,367.76	56.99%	$1,400.00
Storage	$192.00	$432.48	225.25%	$435.00
Advertising for meetings & events	$500.00	$0.00	0.00%	$500.00
Fund-raising -- mailing/postage/survey	$1,500.00	$1,637.76	109.18%	$1,500.00
Insurance -- D&O	$970.00	$1,450.00	149.48%	$1,500.00
Accounting	$400.00	$0.00	0.00%	$400.00
Taxes & fees	$200.00	$136.25	68.13%	$200.00
Processing & service charges	$400.00	$125.35	31.34%	$400.00
Other (2% contingency)	$781.24	$0.00	0.00%	$776.70
Operations total expenses	**$39,843.24**	**$34,929.97**	87.67%	**$39,611.70**
Committee expenses	**Proposed**	**YTD**	**Pct. Change**	**Proposed**
Hurricane committee	$2,250.00	$0.00	0.00%	$1,830.00
Community outreach/survey	$1,000.00	$783.60	78.36%	$900.00
Land Development Code committee	$0.00	$0.00	#DIV/0!	$0.00
Water quality committee	$0.00	$0.00	#DIV/0!	$0.00
Committees total expenses	**$3,250.00**	**$783.60**	24.11%	**$2,730.00**
Total expenses	**$43,093.24**	**$35,713.57**	82.88%	**$42,341.70**
Net income	**$16,906.76**	**$8,739.32**		**$17,658.30**

CAPTIVA WASTEWATER

January 12, 2016 CCP

Jay Brown

CURRENT PRACTICE

- Four central treatment facilities – South Seas, Tween Waters, Captiva Shores, Sunset Captiva
- 500+ individual septic tanks – majority are unregulated and uninspected

KEY CONSIDERATIONS

- What is the environmental impact of current wastewater treatment practice? How much would central sewer system reduce environmental impact? How can this benefit be quantified?
- What non-environmental benefits might result from central sewer such as lower on-going property owner expense, improved reliability/convenience?
- What would be the best means of establishing a central sewer system for Captiva? What would be the cost?
- How would the cost be paid and who would pay it?
- Would a central sewer system have the unintended consequence of promoting increased density long term on Captiva?

ENVIRONMENTAL IMPACT

Most believe that central sewer is environmentally superior to septic. At present we have no data that allows us to "size" the environmental benefit that would result from central sewer. Possible next steps: (1) meeting with SCCF to review past water quality study and identify possible additional sources of information, (2) meeting with Sanibel to learn how Sanibel determined environmental benefit.

NON-ENVRIONMENTAL BENEFITS

Cost of new septic system can exceed $10,000. Annual maintenance/inspection contract required by DEP costs approximately $600. On site repairs are frequently needed. Equipment malfunctions can be quite "unpleasant" while waiting for repairs. These are the issues with operating licensed, regulated equipment. The issues with "heritage" equipment are unknown at this time. Nothing is known about the frequency with which property owners find it necessary to replace a "heritage" system with a modern and regulated system. Next steps need to be developed.

CENTRAL SEWER OPTIONS

We had a presentation from FGUA about the possibility of expanding the South Seas plant. The very rough cost estimate is $23,500 per property owner. This does not include the property owners' costs to hook up with the system, which was roughly estimated to be about $2000 per 100 feet. The only other viable option appears to

be utilization of Sanibel's facility. Initial contact with Kevin Ruane indicates considerable interest in exploring this possibility with CCP. A new stand-alone plant for Captiva is not likely feasible due to lack of space for such a facility. Next step is meeting with Kevin Ruane to establish process of evaluating Sanibel for handling Captiva's needs.

COST

The cost estimate for expanding South Seas is $23,500 per household. Lee County advised that public assistance would not likely be available for this project. In that event an MSTBU would need to be established to finance the project. The MSTBU would require 51% support of the property owners who would pay for the project. If the project could be financed over 30 years at 4%, each property owner would have about $1400 added to their annual property tax bill for the 30 year period. In addition, property owners would pay their share of the utility's operating cost. What the charge might be is unknown. To get a rough estimate it would be a simple matter to learn what Sanibel residents are now paying.

Lee County's contention that this project would have to be self funded by Captiva should be questioned. Lee County collects taxes from Captiva far in excess of the benefits received by Captiva. Further, Lee County needs to protect the existing Captiva tax base.. Finally, the environmental impacts of septic on Captiva likely are not limited to the waters directly adjacent to Captiva. This issue should not be pursued now at this exploratory phase as we do not want to do anything that might discourage Lee County from assisting our project.

DENSITY

With the possible exception of the Rauschenberg property, Captiva is entirely built out. Zoning laws are in place to restrict increasing density. Yet, there is a fear that the presence of a central sewer system could lead to increased density on the island. It is highly unlikely that Captivans would ever support central sewer unless there were "rock solid" guarantees that central sewer could not increase density. The risk of central sewer leading to increased density needs to be better understood. Possible means of mitigating this risk need to be developed. Next steps need to be determined.

OTHER ALTERNATIVES

Whatever the environmental impacts of Captiva's existing wastewater practice are there alternatives to establishing central sewer? CCP has attempted unsuccessfully to regulate annual inspection of heritage systems. If this cannot be accomplished, it seems unlikely that any efforts to mandate septic system upgrades would be successful. Should the committee expend effort to learn about the cost and effectiveness of latest technology septic systems? At the very least we would have information that might encourage some property owners to upgrade heritage systems.

RELATED PROJECTS

If a central sewer project were to ever go forward, it would undoubtedly involve major excavation along Captiva Drive to install the main sewer line. This would impact two other possible projects – our desire to improve bicycle/pedestrian access along Captiva Drive and the possibility of burying power lines along Captiva Drive. These possibilities should not be linked to the sewer research at this early stage but they may become considerations later on.

FUNDING

There is considerable basic fact-finding that can be done by the committee. At some point we will be able to establish a general position with committee work only. Following that, however, there will be very significant expense to develop a specific plan of action in the event that CCP wanted to move forward. How the cost of preparing this plan would be funded is unknown.

DISCUSSION ITEMS

- Confirmation of Sewer Committee members
- Feedback on overall approach as outlined above
- Confirmation that meetings with Kevin Ruane and SCCF are proper next steps
- Other ideas for next steps

Proposed Captiva Plan with Suggested County Edits (January 12, 2015)

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

~~The~~ Captiva residents ~~community~~ value~~s~~ the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping ~~that is both diverse and aesthetically pleasing~~.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's ~~permanent and seasonal~~ residents.
- A community that provides a level of commercial services that reflects the balance between tourism, ~~non-resident property ownership~~, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, all organizations representing Captiva residents, property owners and businesses ~~Captivans~~ must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limits noise, light, water and air pollution.
- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that ~~limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices~~ maintain appropriate densities, building heights and development regulations designed to preserve the Captiva vision.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as ~~Captivans~~ residents and organizations on Captiva (present and future) work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva ~~Island~~. (Added by Ordinance No. 03-01)

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. ~~No subdivisions of~~ Subdividing parcels that were zoned RSC-2 (Captiva Estate) ~~on~~ as of January 1, 2002~~, regardless of their zoning at any time thereafter, may be permitted~~ are prohibited unless all ~~of the~~ resulting lots comply with ~~all of~~ the minimum lot size and dimensional requirements set forth in the Land Development Code for ~~in~~ the RSC-2 zoned lots ~~district~~ in Captiva. (Added by Ordinance No. 03-01)

POLICY 13.1.2: Building Heights on Captiva Island. ~~Due to the nature of a barrier island, the~~ The height of buildings and structures on Captiva is related to ~~dependent on~~ conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these natural and regulatory forces~~conditions~~, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: Beach and Shore Preservation. Lee County will continue to support the efforts 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)

POLICY 13.1.4: Quality of Adjacent Waters. Lee County will encourage and support efforts by ~~the~~ Captiva ~~community~~ to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva ~~Island~~. Such measures may include regulation of the maintenance of septic systems or other onsite sewage ~~wastewater~~ treatment and disposal systems, and the introduction of sewers only if sized to limit development to that permitted by ~~this~~ the Captiva ~~plan~~ Plan and Land Development Code. (Added by Ordinance No. 03-01)

POLICY 13.1.5: County Information Clearinghouse. The Captiva ~~Island~~ Community Panel will establish a document clearing house on Captiva or publicize appropriate internet access, 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)

POLICY 13.1.6: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice~~, along with a packet of materials for consideration,~~ prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct its public informational session on Captiva ~~request a meeting~~ at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel ~~and packet requirements~~ shall apply.

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)

POLICY 13.1.7: Public Participation. 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 any ~~the~~ adopted policies. (Added by Ordinance No. 03-01).

POLICY 13.1.8: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by ~~Captivans~~ Captiva residents and organizations to develop and submit ordinances that will encourage the siting and design ~~building~~ of structures consistent with the historical character of the island (Added by Ordinance No. 03-01)

POLICY 13.1.9: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would ~~increase density~~ decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by ~~above~~ current zoning will not be permitted. (Added by Ordinance No. 05-19).

POLICY 13.1.10: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva. ~~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, building or structure,~~
~~• 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, building or structure,~~
~~• Where the applicant did not cause the need for the variance, and~~
~~• Where the variance to be granted is the minimum variance that will make possible the reasonable use of the property, building or structure, and~~
~~• Where the variance is not contrary to the spirit of the ordinance.~~
~~(Added by Ordinance No. 05-19)~~

POLICY 13.1.11: Telecommunications Tower. 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. 15-19).

POLICY 13.1.12: Dark Skies. The location of Captiva ~~Island~~ provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. ~~Lee County will codify land~~ Land development regulations applicable to exterior residential and commercial lighting must ~~as a means to~~ limit light pollution, light trespass and protect wildlife from any ~~its potential~~ detrimental effects. ~~on wildlife to the greatest extent possible.~~

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations~~,~~ and policies~~, and discretionary actions~~ affecting Captiva ~~Island~~ will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.14: Blind Pass. Lee County will support through ~~active~~ advocacy at the federal, state, regional and local level, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, ~~county staff~~ and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit ~~serve the greater~~ Captiva residents~~community~~.

OBJECTIVE 13.2: 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09)

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed Use Planned Development. (Added by Ordinance No. 07-09)

~~**OBJECTIVE 13.3: Transportation.** The Captiva Community will continue its efforts to reduce automotive dependence on the Captiva Island.~~

OBJECTIVE 13.3: ~~POLICY 13.3.1:~~ Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

OBJECTIVE 13.4: Tourism: Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations ~~and~~ should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. ~~The~~ Captiva ~~community~~ will work with Lee County Visitor and Convention Bureau to implement ~~effectuate~~ this policy.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, ~~R~~residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy: Lee County will encourage and support efforts by ~~Captivans~~ Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and~~,~~ policies~~, and discretionary actions~~ affecting Captiva ~~Island~~ will permit no further degradation of estuarine and wetland resources and no ~~unnecessary~~ loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: **Trees along Captiva Drive.** Indigenous or native trees and other non-invasive species ~~should~~ must be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on ~~all properties on~~ Captiva ~~Island~~.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. ~~The~~ Captiva ~~community~~ and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva ~~Island~~ will be protected to the greatest extent possible. ~~A setback to be determined and defined in the~~ The Land Development Code will include setbacks ~~also be required~~ from the mangrove fringe along Captiva ~~Island~~ to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13)

CAPTIVA COMMUNITY PANEL

Feb. 9, 2016, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Jan. 12 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. LCEC update – ???
9:30 a.m. Captiva Plan update – David Mintz
9:40 a.m. Bylaws – Jack Cunningham
9:50 a.m. Sewer Committee update/discussion – Jay Brown
10:20 a.m. Committee reports:

- Update on Priority Committees (as needed – see enclosed list)
  - Captiva Drive improvements – David Mintz
  - Review of Captiva/Lee County tax distribution – Mike Mullins
  - Others?
- Fund-raising — Jack Cunningham
- Financial update — Ken Gooderham
- Planning issues update — Max Forgey

10:35 a.m. Other business and public comment

- Confirm date for next meeting (March 8)

10:45 a.m. Adjourn

A meeting of the County Taxation Committee will be held immediately following the panel meeting. Two or more panel members will be in attendance, and the public is invited to participate as well.

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for March 8 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2017 meetings after the December meeting.
2) Re-elect panel members (or elect new panel members) for those whose terms expire at the end of 2016 (see below).
3) Develop and approve a 2017 budget no later than the December meeting.
4) Bylaws revisions as necessary – requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Sandy Stilwell, Rene Miville
- **CCA**: Jack Cunningham, Peter Koury
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz
- Expires in December 2018 and termed out: None
- Expires in December 2018 with another three-year term possible: Peter Koury, Rene Miville, Mike Mullins
- Expires in December 2019 and termed out: Bob Walter

Article 6, Section 2 -- Terms of Office

> Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

2015 OFFICERS:

- President: Jay Brown
- Vice President: Mike Mullins
- Secretary: Peter Koury
- Treasurer: Mike Boris

Article 5, Section 1 -- Election of Officers

> At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPOA	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

- Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse Lane to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)
- Coordinated island trolley service (Sandy Stilwell with Debi Almeida and Jeff Shuff)
- Funding panel through direct contributions and other mechanisms (Jack Cunningham)
- Captiva Plan and Code education (Dave Rohn with Paul Garvey and CCA staff)
- Review of Captiva/Lee County tax distribution (Mike Boris with Mike Mullins)
- Garbage/recycling container policy (Jerry McClure with Debi Almeida)

Medium term projects:

- Traffic solutions to reduce automobile use on Captiva – including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)
- Zoning master plan to maintain commercial/residential balance in Village (Mike Kelly)
- Village building heights/size (David Mintz with Nathalie Pyle)
- Septic regulations/enforcement (on hold)
- Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)
- Reduction of noise from gas leaf blowers (David Mintz)
- Transition from gas to electric golf carts on Captiva (Bob Walter)
- Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

- Sewers (Jay Brown, Dave Jensen, David Mintz. Mike Mullins and Bob Walter)
- Underground utilities (on hold pending review of prior study)
- Purchase undeveloped land and density rights (Mike Kelly)
- Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

CAPTIVA WASTEWATER

February 9, 2016 CCP

CURRENT PRACTICE

Four central treatment facilities – South Seas, Tween Waters, Captiva Shores, Sunset Captiva

500+ individual septic tanks – majority are unregulated and uninspected

KEY CONSIDERATIONS

What is the environmental impact of current wastewater treatment practice? How much would central sewer system reduce environmental impact? How can this benefit be quantified?

What non-environmental benefits might result from central sewer such as lower on-going property owner expense, improved reliability/convenience?

What would be the best means of establishing a central sewer system for Captiva? What would be the cost?

How would the cost be paid and who would pay it?

Would a central sewer system have the unintended consequence of promoting increased density long term on Captiva?

ENVIRONMENTAL IMPACT

Most believe that central sewer is environmentally superior to septic. At present we have no data that allows us to "size" the environmental benefit that would result from central sewer. City of Sanibel believes that Captiva practice is a water quality issue for Sanibel. JWB has been invited to attend a 2/25 meeting to discuss "breaches" at the South Seas plant to be conducted by City of Sanibel.

Possible next steps: (1) attend 2/25 Sanibel meeting, (2) meeting with SCCF to review past water quality study, (3) meeting with Mick Denham to understand Sanibel views on septic and water quality, (4) obtain data available from Sanibel on septic and water quality.

NON-ENVRIONMENTAL BENEFITS

Cost of new septic system can exceed $10,000. Annual maintenance/inspection contract required by DEP costs approximately $600. On site repairs are frequently needed. Equipment malfunctions can be quite "unpleasant" while waiting for repairs. These are the issues with operating licensed, regulated equipment. The issues with "heritage" equipment are unknown at this time. Nothing is known about

the frequency with which property owners find it necessary to replace a "heritage" system with a modern and regulated system. Next steps need to be developed.

CENTRAL SEWER OPTIONS

We had a presentation from FGUA about the possibility of expanding the South Seas plant. The very rough cost estimate is $23,500 per property owner. This does not include the property owners' costs to hook up with the system, which was roughly estimated to be about $2000 per 100 feet. The only other viable option appears to be utilization of Sanibel's facility. A new stand-alone plant for Captiva is not likely feasible due to lack of space for such a facility.

Meeting was held with Kevin Ruane on 1/29. Ruane believes that (1) Captiva current practice is a water quality issue for Sanibel, (2) Captiva utilization of Sanibel facility would be supported by Sanibel and (3) next step should be a Lee County feasibility study of integrating Captiva into Sanibel's facility (study cost to be paid by Lee County).

Possible next step: Advocate for Lee County feasibility study.

COST

The cost estimate for expanding South Seas is $23,500 per household. Lee County advised that public assistance would not likely be available for this project. In that event an MSTBU would need to be established to finance the project. The MSTBU would require 51% support of the property owners who would pay for the project. If the project could be financed over 30 years at 4%, each property owner would have about $1400 added to their annual property tax bill for the 30 year period. In addition, property owners would pay their share of the utility's operating cost. What the charge might be is unknown. To get a rough estimate it would be a simple matter to learn what Sanibel residents are now paying.

Lee County's contention that this project would have to be self funded by Captiva should be questioned. Lee County collects taxes from Captiva far in excess of the benefits received by Captiva. Further, Lee County needs to protect the existing Captiva tax base.. Finally, the environmental impacts of septic on Captiva likely are not limited to the waters directly adjacent to Captiva. This issue of Lee County overall project cost funding should not be pursued now at this exploratory phase as we do not want to do anything that might discourage Lee County from assisting our project.

DENSITY

With the possible exception of the Rauschenberg property, Captiva is entirely built out. Zoning laws are in place to restrict increasing density. Yet, there is a fear that the presence of a central sewer system could lead to increased density on the island.

It is highly unlikely that Captivans would ever support central sewer unless there were "rock solid" guarantees that central sewer could not increase density. The risk of central sewer leading to increased density needs to be better understood.

Possible next step: Thorough legal analysis of extent to which current zoning protects Captiva from future rezoning not supported by existing property owners.,

OTHER ALTERNATIVES

Whatever the environmental impacts of Captiva's existing wastewater practice are there alternatives to establishing central sewer? CCP has attempted unsuccessfully to regulate annual inspection of heritage systems. If this cannot be accomplished, it seems unlikely that any efforts to mandate septic system upgrades would be successful. Should the committee expend effort to learn about the cost and effectiveness of latest technology septic systems? At the very least we would have information that might encourage some property owners to upgrade heritage systems.

RELATED PROJECTS

If a central sewer project were to ever go forward, it would undoubtedly involve major excavation along Captiva Drive to install the main sewer line. This would impact two other possible projects – our desire to improve bicycle/pedestrian access along Captiva Drive and the possibility of burying power lines along Captiva Drive. These possibilities should not be linked to the sewer research at this early stage but they may become considerations later on.

FUNDING

There is considerable basic fact-finding that can be done by the committee. At some point, however, there will be very significant expense to develop a specific plan of action in the event that CCP wanted to move forward. How the cost of preparing this plan would be funded needs to be determined. If we move forward with a Lee County study, we may be able to argue that Lee County should absorb the cost.

DISCUSSION ITEMS

Feedback on overall approach as outlined above

Discussion/agreement on next steps

Captiva Community Panel
Profit & Loss YTD Comparison
February 1 - 7, 2016

	Feb 1 - 7, 16	Jan 1 - Feb 7, 16
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	1,150.00
Total Contributed support	0.00	1,150.00
Total Income	0.00	1,150.00
Expense		
Business expenses		
Organizational (corp) expenses	61.25	61.25
Total Business expenses	61.25	61.25
Consulting		
Administration	1,500.00	3,000.00
Planning & coordination	400.00	1,034.50
Total Consulting	1,900.00	4,034.50
Misc expenses		
Advertising expenses	128.71	128.71
Mileage & tolls	38.40	85.80
Web site/computer services	100.00	100.00
Total Misc expenses	267.11	314.51
Non-personnel expenses		
Community planning outreach		
Reimbursable planning expenses	26.13	56.66
Total Community planning outreach	26.13	56.66
Printing & copying	25.00	51.90
Total Non-personnel expenses	51.13	108.56
Total Expense	2,279.49	4,518.82
Net Ordinary Income	-2,279.49	-3,368.82
Net Income	**-2,279.49**	**-3,368.82**

Captiva Community Panel
Balance Sheet
As of February 7, 2016

	Feb 7, 16
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	25,729.95
Total Checking/Savings	25,729.95
Total Current Assets	25,729.95
TOTAL ASSETS	**25,729.95**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	29,098.77
Net Income	-3,368.82
Total Equity	25,729.95
TOTAL LIABILITIES & EQUITY	**25,729.95**

Proposed Final Captiva Plan (February 9, 2016)

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Captiva residents, property owners and businesses value the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's residents.
- A community that provides a level of commercial services that reflects the balance between tourism, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, organizations representing Captiva residents, property owners and businesses must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limits noise, light, water and air pollution.
- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that maintain ~~appropriate~~ existing densities~~,~~ and building heights, and development regulations designed to preserve the Captiva Community Vision ~~vision~~.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as present and future residents and organizations on Captiva work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva. (Added by Ordinance No. 03-01).

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. Subdividing parcels that were zoned RSC-2 (Captiva Estate) as of January 1, 2002 is prohibited unless all resulting lots comply with the minimum lot size and dimensional requirements set forth in the Land Development Code for the RSC-2 zoned lots in Captiva. (Added by Ordinance No. 03-01).

POLICY 13.1.2: Building Heights on Captiva Island. The height of buildings and structures on Captiva is related to conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these natural and regulatory forces, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If the lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19).

POLICY 13.1.3: Beach and Shore Preservation. Lee County will continue to support the efforts 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).

POLICY 13.1.4: Quality of Adjacent Waters. Lee County will encourage and support efforts by Captiva to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva. Such measures may include regulation of the maintenance of septic systems or other onsite sewage treatment and disposal systems, and the introduction of sewers only if sized to limit development to that permitted by the Captiva Plan and Land Development Code. (Added by Ordinance No. 03-01).

POLICY 13.1.5: County Information Clearinghouse. The Captiva Community Panel will establish a document clearing house on Captiva or will publicize the appropriate internet access, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. (Added by Ordinance No. 03-01).

POLICY 13.1.6: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct the public informational session on Captiva at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel shall apply.

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).

POLICY 13.1.7: Public Participation. 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 Captiva as well as ongoing technical expertise related to the functioning of any adopted policies. (Added by Ordinance No. 03-01).

POLICY 13.1.8: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by Captiva residents and organizations to develop and submit ordinances that will encourage the siting and design of structures consistent with the historical character of the island (Added by Ordinance No. 03-01).

POLICY 13.1.9: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by current zoning standards will not be permitted. (Added by Ordinance No. 05-19).

POLICY 13.1.10: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva.

POLICY 13.1.11: Telecommunications Tower. 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. 15-19).

POLICY 13.1.12: Dark Skies. The location of Captiva provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Land development regulations applicable to exterior residential and commercial lighting must limit light pollution and light trespass, and protect wildlife from any detrimental effects.

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations and policies affecting Captiva will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.14: Blind Pass. Lee County will support through advocacy at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit Captiva residents, property owners and businesses.

OBJECTIVE 13.2: Mixed Use Development. Captiva 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09).

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed Use Planned Development. (Added by Ordinance No. 07-09).

OBJECTIVE 13.3: Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

OBJECTIVE 13.4: Tourism: Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. Captiva will work with Lee County Visitor and Convention Bureau to implement this policy.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, residential units on Captiva Island (excluding those in South Seas Island Resort and in other licensed resorts, hotels or motels) may not be rented for a period of less than seven (7) consecutive days, and may not be rented or leased under more than one lease at a time.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy: Lee County will encourage and support efforts by Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and policies affecting Captiva will permit no further degradation of estuarine and wetland resources and no loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: **Trees along Captiva Drive.** The restoration of the historic tree canopy and vegetation buffers ~~Indigenous or native trees and other non-invasive species must be planted and maintained~~ along Captiva Drive between Blind Pass and the north end of Captiva Drive is encouraged. ~~to facilitate the restoration of the historic tree canopy and vegetation buffers.~~ For all new tree plantings on Captiva Drive, only trees that are indigenous, native or non-invasive may be planted. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is also encouraged on Captiva.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. Captiva and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva will be protected to the greatest extent possible. The Land Development Code will include setbacks from the mangrove fringe along Captiva to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13).

CAPTIVA COMMUNITY PANEL

March 8, 2016, meeting

AGENDA

Meeting convened at 9 a.m. at South Seas Island Resort
Call-in: 1-877-603-2098 ● Access code: 690183

9:00 a.m. Introductions and roll call; approval of Feb. 9 minutes
9:05 a.m. CEPD update — Kathy Rooker
9:10 a.m. Captiva Fire District update – Chief Rich Dickerson
9:15 a.m. LCSO update — Sgt. Mike Sawicki
9:20 a.m. Hurricane Preparedness & Response Committee — Doris Holzheimer
9:25 a.m. Sewer Committee update– Jay Brown
9:45 a.m. Proposed bylaws revision on allocation and selection of panel seats– Jack Cunningham
10:00 a.m. Committee reports:

- Update on Priority Committees (as needed – see enclosed list)
  - Captiva Drive improvements – David Mintz
  - Review of Captiva/Lee County tax distribution – Mike Mullins
  - Others?
- Fund-raising — Jack Cunningham
- Financial update — Ken Gooderham
- Planning issues update — Max Forgey

10:25 a.m. Other business and public comment

- Confirm date for next meeting (April 12)

10:30 a.m. Adjourn

"The Captiva Community Panel provides a public forum whereby Captiva property owners can present projects requiring variances and get feedback from and answer questions of the panel members and other Captiva neighbors attending the public meeting. The panel has no decision-making authority on variance requests but does advise Lee County as to the point of view of the panel and the point of view expressed by other interested Captivans attending the public meeting at which the variance request was presented."

Next Captiva Community Panel meeting tentatively scheduled for April 12 in the Cone Room at South Seas Island Resort, Captiva

The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel obligations

1) Publish an annual schedule of 2017 meetings after the December meeting.
2) Re-elect panel members (or elect new panel members) for those whose terms expire at the end of 2016 (see below).
3) Develop and approve a 2017 budget no later than the December meeting.
4) Bylaws revisions as necessary – requires 60 days' notice prior to vote.

PANEL SEAT ASSIGNMENTS:

- **CPOA**: Mike Boris, Mike Kelly, Jay Brown, Sandy Stilwell, Rene Miville
- **CCA**: Jack Cunningham, Peter Koury
- **PANEL**: Dave Jensen, David Mintz, Bob Walter, Mike Mullins

TERM STATUS:

- Expires in December 2015 and termed out: Jerry McClure, David Rohn
- Expires in December 2016 and termed out: Jay Brown, Jack Cunningham, Mike Kelly
- Expires in December 2016 with another three-year term possible: Bob Walter
- Expires in December 2017 and termed out: Sandy Stilwell
- Expires in December 2017 with another three-year term possible: Mike Boris, Dave Jensen, David Mintz
- Expires in December 2018 and termed out: None
- Expires in December 2018 with another three-year term possible: Peter Koury, Rene Miville, Mike Mullins
- Expires in December 2019 and termed out: Bob Walter

Article 6, Section 2 -- Terms of Office

> Panel Members shall serve terms running for a period of three (3) consecutive years commencing at the Regular January meeting. Panel Members may be appointed or elected pursuant to these Bylaws for a second three (3) year term, for a maximum of six (6) consecutive years. Panel Members having completed two (2) consecutive terms on the Panel shall not be eligible for re-appointment to the Panel unless and until a period of one (1) year has expired since the completion of the last term served by such Panel member.

2015 OFFICERS:

- President: Jay Brown
- Vice President: Mike Mullins
- Secretary: Peter Koury
- Treasurer: Mike Boris

Article 5, Section 1 -- Election of Officers

> At its first January meeting following its annual meeting in December, the Panel shall elect Officers of the Panel who shall serve a one (1) year term or until the end of their term on the Panel, whichever period is the lesser. The terms of office shall commence at the Regular January meeting. Mandatory Panel nominations and elections as necessary shall be held for the following offices: President, Vice President, Secretary and Treasurer. The Panel may also choose to elect other officers as may be desired from time to time. Election of officers may not occur without a quorum of the Members being first established.

PANEL SEAT VACANCIES:

Jan. 2016 - Dec. 2018	CPOA	CCA	PANEL	
Jan. 2017 - Dec. 2019	CPOA	CCA	CPOA	PANEL
Jan. 2018 - Dec. 2020	CPOA	CPOA	PANEL	PANEL
Jan. 2019 - Dec. 2021	CPOA	CCA	PANEL	
Jan. 2020 - Dec. 2022	CPOA	CCA	CPOA	PANEL
Jan. 2021 - Dec. 2023	CPOA	CPOA	PANEL	PANEL

PANEL PRIORITY COMMITTEES WITH
TENTATIVE PANEL CHAIRS AND POSSIBLE VOLUNTEERS

Short term projects:

- Improve S-curves, road striping, and eastside walking/bicycle lane from Andy Rosse Lane to South Seas (David Mintz with Ken Gooderham and Jose Gonzalez)
- Coordinated island trolley service (Sandy Stilwell with Debi Almeida and Jeff Shuff)
- Funding panel through direct contributions and other mechanisms (Jack Cunningham)
- Captiva Plan and Code education (Dave Rohn with Paul Garvey and CCA staff)
- Review of Captiva/Lee County tax distribution (Mike Boris with Mike Mullins)
- Garbage/recycling container policy (Jerry McClure with Debi Almeida)

Medium term projects:

- Traffic solutions to reduce automobile use on Captiva – including electric trolley service from SSR to 'Tween Waters, water taxi from SSR to McCarthy's and Jensen's Marinas; airport jitney (Jay Brown with Paul McCarthy and Lisa Riordan)
- Zoning master plan to maintain commercial/residential balance in Village (Mike Kelly)
- Village building heights/size (David Mintz with Nathalie Pyle)
- Septic regulations/enforcement (on hold)
- Reduce over-booking/overcrowding of rental units (Dave Jensen with Lisa Riordan)
- Reduction of noise from gas leaf blowers (David Mintz)
- Transition from gas to electric golf carts on Captiva (Bob Walter)
- Map beach access points/document beach usage for future CEPD funding (CEPD issue)

Long term projects:

- Sewers (Jay Brown, Dave Jensen, David Mintz. Mike Mullins and Bob Walter)
- Underground utilities (on hold pending review of prior study)
- Purchase undeveloped land and density rights (Mike Kelly)
- Pedestrian walkway/bicycle path through Captiva (Jay Brown, Jack Cunningham with Cindy Brown)

CCP MEMBER COMPOSITION

Jay Brown

3/8/16

As a unique and small portion of unincorporated Lee County, Captiva must have an organization that advocates for the interests of all Captivans. This organization should be representative of all interest groups while operating with factual honesty and respectful collegiality. Most importantly, this organization must be accepted as THE VOICE OF CAPTIVA. Captiva cannot hope to represent itself successfully to Lee County if it does so with multiple organizations expressing conflicting positions.

The current membership profile of our Panel is excellent. We are an experienced team working on important public issues. We have Panel members designated by CCA, we have members from each of the Captiva neighborhoods, we have small business members and we have the South Seas managing director. The current Panel composition IS representative of all our various constituencies.

However, there has been a continuing historical concern among some Captiva residents that the existing membership process COULD result in a non-representative Panel. This concern exists because one organization appoints five Panel members and this one organization is seen by some to have limited purpose beyond appointing Panel members. It would benefit Panel effectiveness long term if this potential source of criticism were eliminated. It would NOT be an admission of any past weakness or impropriety in the Panel's historical operation. It should be seen only as a sincere effort to be all-inclusive all the time BOTH in perception and, as it has been, in reality.

The Panel has important work to do. Few of us want to pause, yet again, for lengthy debate about this historical issue. Reducing the number of CPOA designates to equal the number of CCA designates with a corresponding increase in Panel designates should eliminate, once and for all, any opportunity for misperception and mistrust. Thanks for considering my views and, please, let's move forward with cooperation and mutual respect regardless of our individual positions about Panel composition.

CCP Bylaws Change Presentation 2-9-2016

I am proposing a change to the CCP Bylaws involving the member selection process. The current Bylaws specify five members be appointed by the CPOA, two by the CCA and four at large members be elected by the Panel. This means 64% of the total are appointed and 36% elected.

I propose the CPOA appoint two members, the CCA appoint two members, SSR appoint one member and six at large members be elected by the Panel. This arrangement would mean 45% are appointed and 55% are elected.

It was my intention to propose all eleven members be elected. With the Panel electing all members, a self-perpetuating Panel could result. The proposed appointment process should prevent that possibility.

I am proposing two member appointments by the CPOA because I believe one organization should not control 45% of the total membership nor that two organizations, the CPOA and CCA, should control 64% of the total. The one member appointment by SSR is because of their significant geography, population and overall influence on Captiva. These five appointments equal 45% of the total thus the majority of the Panel would be elected.

This Bylaws change is only focused on the member selection subject. All other aspects of the Bylaws were addressed last year. The Panel should be able to review, discuss and vote on this single proposal without disrupting the committee projects now in process.

Bylaws Article Nine, Sec.1 and 2 apply to this proposal. Following discussion today, at the Mar. 8 and Apr. 12 CCP meetings, the vote should occur on Apr. 12.

CCP Bylaws Proposed Changes Feb. 9, 2016

Article Two, Section 1 – Panel structure

The panel structure shall be determined according to the aforementioned Lee County agreement. The Panel shall consist of eleven (11) voting Members. The Panel shall consist of ~~five (5)~~ two (2) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc. (CCA), one (1) representative appointed by South Seas Resort (SSR) and an additional ~~four (4)~~ six (6) Members to be elected from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation.

Article Six, Section 4 – Appointment, nomination and election of Panel Members

A. Panel Member positions shall be timely filled in the manner by which they were originally appointed or elected. Those positions designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the CPOA. Those positions designated for appointment by the Captiva Civic Association (CCA) shall be filled by the CCA. The position designated for appointment by South Seas Resort (SSR) shall be filled by SSR. Those positions designated as at-large Panel positions shall be filled by the Panel pursuant to the nomination and election process set forth below. In the event of a vacancy in an existing CPOA, ,CCA or SSR position which has not been filled within thirty (30) days by the respective organization, the Panel may fill the vacancy by direct election upon two weeks written notice to the respective organization, as if the position was an at large Panel position. The Member elected by the Panel to fill a vacancy which was previously designated for the CPOA, CCA or the SSR will serve the balance of that existing term, but

upon conclusion of such term, the respective organization shall again be offered its designated position to fill.

B. At the Regular October meeting, the CPOA, the CCA, SSR and the Panel's Nominating Committee (see Article 7, Sec. 3.B. below) shall present to the Panel its appointments and nominations for the respective Panel positions. All appointments and nominations shall be submitted to the Panel in writing with an attached resume or letter of background for each appointment or nominee. All appointments and nominations shall be made known to the public. In the event the CPOA, CCA or SSR does not submit its appointment at or by the Regular October meeting, the Panel may fill the vacancy by direct election as if the position was an at-large Panel position for that single three (3) year term, after which it reverts back to the respective organization for its appointment. With respect to the Panel's at-large positions, the Panel shall not be bound by the recommendations of the Nominating Committee. The Panel may accept the nominations as presented, may suggest names of its own choosing, or may accept additional names from the community. Any additional nominations for the at-large positions shall be submitted to the Panel in writing with an attached resume or letter of background by the Regular November meeting-at
which time all at-large nominees will be made public.

Section 5 – Attendance

It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings either in person or by telephone in a calendar year is subject to removal from the Panel at the discretion of the Panel. Any position vacated under this Section shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the~~ CCA or SSR.

Section 6, – Removal and resignations

C. A vacancy created by removal or resignation of a Panel Member shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the~~ CCA or SSR.

Captiva Community Panel
Balance Sheet
As of March 6, 2016

	Mar 6, 16
ASSETS	
Current Assets	
Checking/Savings	
Cash in bank - operating	24,571.43
Total Checking/Savings	24,571.43
Total Current Assets	24,571.43
TOTAL ASSETS	**24,571.43**
LIABILITIES & EQUITY	
Equity	
Unrestrict (retained earnings)	29,098.77
Net Income	-4,527.34
Total Equity	24,571.43
TOTAL LIABILITIES & EQUITY	**24,571.43**

Captiva Community Panel
Profit & Loss YTD Comparison
March 1 - 6, 2016

	Mar 1 - 6, 16	Jan 1 - Mar 6, 16
Ordinary Income/Expense		
Income		
Contributed support		
Indiv/business contribution	0.00	1,650.00
Total Contributed support	0.00	1,650.00
Total Income	0.00	1,650.00
Expense		
Business expenses		
Organizational (corp) expenses	0.00	136.25
Total Business expenses	0.00	136.25
Consulting		
Administration	1,500.00	4,500.00
Planning & coordination	0.00	1,034.50
Total Consulting	1,500.00	5,534.50
Misc expenses		
Advertising expenses	0.00	128.71
Mileage & tolls	38.40	124.20
Web site/computer services	0.00	100.00
Total Misc expenses	38.40	352.91
Non-personnel expenses		
Community planning outreach		
Reimbursable planning expenses	19.44	76.10
Total Community planning outreach	19.44	76.10
Printing & copying	25.68	77.58
Total Non-personnel expenses	45.12	153.68
Total Expense	1,583.52	6,177.34
Net Ordinary Income	-1,583.52	-4,527.34
Net Income	**-1,583.52**	**-4,527.34**

CPA2015-00009

SURVEYS

CAPTIVA COMMUNITY SURVEY

To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on land use and zoning topics, then join us at upcoming public meetings to discuss this survey and the next steps the panel and the island should take.

To complete the survey online, go to
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Your response is needed by Nov. 15

• Results will be discussed at the Dec. 10 panel meeting •

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Captiva Community Panel
P.O. Box 72
Captiva, FL 33924-0072

Captiva Community Survey

We want to hear from you about important island issues.

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Captiva Community Survey 2013

SurveyMonkey

1. What should a landscaping plan for Captiva include? (Rank in the order of importance to you, with 1 being most important and 6 being least.)

	Response Percent	Response Count
Encouraging use of native or low-water species	**65.7%**	**134**
Removal of non-native, invasive species	52.9%	108
Restoring the canopy along Captiva Drive where possible	58.3%	119
Creating a vegetative buffer between homes where possible	37.3%	76
Using vegetation to enhance beach management	64.7%	132
Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive	45.6%	93
I have no opinion on this issue	2.5%	5
	Comments	48
	answered question	**204**
	skipped question	**37**

2. (To correct the set-up on the prior question, to allow ranking)... What should a landscaping plan for Captiva include? (Rank in the order of importance to you, with 1 being most important and 6 being least.)

	1	2	3	4	5	6	Rating Average	Rating Count
Encouraging use of native or low-water species	**36.4% (40)**	21.8% (24)	17.3% (19)	14.5% (16)	8.2% (9)	1.8% (2)	2.42	110
Removal of nonnative, invasive species	17.3% (19)	**26.4% (29)**	20.9% (23)	11.8% (13)	14.5% (16)	9.1% (10)	3.07	110
Restoring the canopy along Captiva Drive where possible	**25.5% (28)**	15.5% (17)	12.7% (14)	14.5% (16)	15.5% (17)	16.4% (18)	3.28	110
Creating a vegetative buffer between homes where possible	3.6% (4)	4.5% (5)	9.1% (10)	22.7% (25)	**30.9% (34)**	29.1% (32)	4.60	110
Using vegetation to enhance beach management	11.8% (13)	19.1% (21)	**26.4% (29)**	19.1% (21)	18.2% (20)	5.5% (6)	3.29	110
Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive	5.5% (6)	12.7% (14)	13.6% (15)	17.3% (19)	12.7% (14)	**38.2% (42)**	4.34	110
						answered question		**110**
						skipped question		**131**

3. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

	Response Percent	Response Count
If we offer landscaping guidelines, private owners will mostly follow them	53.1%	119
We will need greater enforcement to achieve any impact	28.6%	64
A public education campaign will convince owners of the benefits of any new rules	**53.6%**	**120**
People will plant what they want, regardless of what county rules say	25.0%	56
I have no opinion on this issue	4.9%	11
	Comments	28
	answered question	**224**
	skipped question	**17**

4. Do you support preserving historic buildings and other resources on the island?

	Response Percent	Response Count
Yes.	**69.6%**	**158**
No.	9.7%	22
Not sure, I need more information.	19.4%	44
I have no opinion on this issue	1.3%	3
	Comments	22
	answered question	**227**
	skipped question	**14**

5. What do you consider criteria for a designation as a historic property? (Check all that apply)

	Response Percent	Response Count
Age or longevity	39.4%	89
Historical significance	**86.3%**	**195**
Cultural/social significance	49.1%	111
Archeological significance	50.0%	113
Not sure, need more information.	9.3%	21
I have no opinion on this issue	3.5%	8
	Comments	13
	answered question	**226**
	skipped question	**15**

6. What site(s) on the island do you think warrant preservation by a “historic” designation?

	Response Count
	111
answered question	**111**
skipped question	**130**

7. Which statement best matches your opinion of lighting on the island? (Check all that apply)

		Response Percent	Response Count
We need more lighting on the roadways to make it safer and easier to see at night.		14.4%	33
We need more lights at individual driveways to make it easier to see house numbers.		8.3%	19
We need more light in the Village area only at night to make it safer and easier to see.		10.5%	24
We need less or better directed light on the island at night to minimize light pollution.		32.8%	75
The lighting we now have works pretty well for me.		**53.3%**	**122**
I have no opinion on this issue		0.9%	2
		Comments	26
		answered question	**229**
		skipped question	**12**

8. Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?

	Response Percent	Response Count
Yes.	**63.8%**	**146**
No.	19.7%	45
Not sure, I need more information.	15.3%	35
I have no opinion on this issue	1.3%	3
	Comments	18
	answered question	**229**
	skipped question	**12**

9. Are you concerned about maintaining the commercial core of the island in the Village?

	Response Percent	Response Count
Yes, we need to keep essential businesses in the Village	**57.0%**	**127**
Yes, but the commercial core will survive without regulatory intervention	32.7%	73
No, there are too many businesses there now	5.4%	12
Not sure, need more information.	3.1%	7
I don't care about the business community on the island.	0.0%	0
I have no opinion on this issue	1.8%	4
	Comments	24
	answered question	**223**
	skipped question	**18**

10. Which of the following statements do you agree with? (Check all that apply)

	Response Percent	Response Count
I like the current mix of commercial and residential uses in the Village.	**70.1%**	**155**
I think there should be more businesses and fewer residences in the Village.	12.7%	28
I think there should be more residences and fewer businesses in the Village.	5.4%	12
There needs to be more of a buffer between businesses and residences in the Village.	11.8%	26
The Village needs more parking to make it easier to drive there.	22.6%	50
The Village needs less parking to encourage people to walk or bike.	16.7%	37
I have no opinion on this issue	4.5%	10
	Other (please specify)	21
	answered question	**221**
	skipped question	**20**

11. What’s the one new business Captiva really needs?

	Response Count
	117
	answered question	**117**
	skipped question	**124**

12. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

	Response Percent	Response Count
Residents	6.8%	15
Tourists and other businesses	5.0%	11
A combination of the two	**88.1%**	**193**
	Comments	20
	answered question	**219**
	skipped question	**22**

13. Do you feel safe walking or biking on Captiva's streets?

	Response Percent	Response Count
Yes.	**60.6%**	**134**
No.	35.7%	79
Not sure, need more information.	0.9%	2
I have no opinion on this issue	2.7%	6
	Comments	55
	answered question	**221**
	skipped question	**20**

14. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

		Response Percent	Response Count
Yes, but I won't because (give reason below).		38.5%	80
No, I'm happy with the current situation.		**49.0%**	**102**
Not sure, need more information.		2.9%	6
I have no opinion on this issue		9.6%	20
	I won't bike/walk more on Captiva because...		107

answered question	**208**
skipped question	**33**

15. Which of the following issues should be part of a community discussion about walking and biking on the island? (Check all that apply)

	Response Percent	Response Count
Slower traffic speeds in selected zones	24.5%	53
Faster traffic speeds in selected zones	7.9%	17
Separated bike/walk paths away from traffic	51.4%	111
Wider bike/walk shoulders in the Village	**61.1%**	**132**
More enforcement of traffic/speed laws	18.1%	39
More enforcement of bike/walk laws	9.3%	20
More parking to help eliminate cruising traffic	15.7%	34
Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)	27.8%	60
I have no opinion on this issue	6.5%	14
	Comments	40
	answered question	**216**
	skipped question	**25**

16. Which of these statements reflects your opinion?

		Response Percent	Response Count
I support more public parking and beach access on Captiva in general.		11.1%	24
I support more public parking and beach access only if it would guarantee more government funding for beach management.		27.3%	59
I do not support more public parking and beach access on Captiva.		**55.6%**	**120**
I have no opinion on this issue.		6.0%	13
		Comments	25
		answered question	**216**
		skipped question	**25**

17. Do you feel the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

	Response Percent	Response Count
Establishing standards to maintain a Village “look”	46.1%	100
Putting island power lines underground	**59.9%**	**130**
Bringing sanitary sewer service to the island	44.7%	97
Creating wider bike/walk lanes on Captiva Drive	58.1%	126
Creating a bike/shared-use path separated from the road	38.2%	83
Having uniform rental rules for the entire island	14.3%	31
Enforcing leash laws on the beach	24.0%	52
Reducing stormwater runoff to improve water quality	28.1%	61
	Comments	36
	answered question	**217**
	skipped question	**24**

18. What other issue(s) should the Captiva Community Panel be focusing on for the future planning and land use of the island?

	Response Count
	63
answered question	**63**
skipped question	**178**

19. Prior to receiving this survey, were you aware of the Captiva Community Panel?

		Response Percent	Response Count
Yes		**61.1%**	**135**
No		38.9%	86
		Comments	9
		answered question	**221**
		skipped question	**20**

20. If “yes,” what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

	Response Percent	Response Count
1 -- Very negative	2.5%	4
2	1.2%	2
3	1.2%	2
4	1.2%	2
5 -- Neutral	**25.8%**	**42**
6	3.7%	6
7	10.4%	17
8	19.6%	32
9	6.1%	10
10 -- Very positive	15.3%	25
I have no opinion on this issue.	12.9%	21
	Comments	18
	answered question	**163**
	skipped question	**78**

21. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

	Response Percent	Response Count
Yes	25.2%	55
No	**74.8%**	**163**
	Comments	11
	answered question	**218**
	skipped question	**23**

22. Other questions or comments?

	Response Count
	21
	answered question	**21**
	skipped question	**220**

23. Where do you live on the island?

	Response Percent	Response Count
Gold Coast	12.7%	28
Tween Waters stretch	8.6%	19
The Village	28.6%	63
South Seas Island Resort	**50.0%**	**110**
	answered question	**220**
	skipped question	**21**

24. Where do you own property on the island? (Check all that apply)

	Response Percent	Response Count
Gold Coast	13.1%	28
Tween Waters stretch	8.9%	19
The Village	29.0%	62
South Seas Island Resort	**54.2%**	**116**
	Comments	9
	answered question	**214**
	skipped question	**27**

25. Do you own multiple properties on the island?

	Response Percent	Response Count
Yes	24.5%	54
No	**75.5%**	**166**
	answered question	**220**
	skipped question	**21**

26. Which best describes you? (Check all that apply)

	Response Percent	Response Count
Full-time (9 months or more) resident & property owner	14.1%	31
Full-time (9 months or more) renter	0.5%	1
Part-time (3-9 months) resident & property owner	24.5%	54
Property owner, but on island less than 3 months per year	**35.5%**	**78**
Timeshare owner	25.0%	55
Business owner	3.2%	7
Employee	1.8%	4
	Comments	10
	answered question	**220**
	skipped question	**21**

27. OPTIONAL: Give us your name, mailing address and/or email if we need to follow up on your responses.

	Response Percent	Response Count
Name	**93.1%**	**94**
Address	82.2%	83
Email	92.1%	93
	answered question	**101**
	skipped question	**140**

28. If you are not currently receiving email updates from the Panel, would you like to be added to our email list? (We limit how many messages we send, and you can opt out at any time.)

		Response Percent	Response Count
Yes		**73.6%**	**89**
No		26.4%	32
	What is your email address?		81
		answered question	**121**
		skipped question	**120**

2013 CCP survey comments

Landscaping plan comments

NOTE: Question order was:
1. Encouraging use of native or low-water species
2. Removal of non-native, invasive species
3. Restoring the canopy along Captiva Drive where possible
4. Creating a vegetative buffer between homes where possible
5. Using vegetation to enhance beach management
6. Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive

- Not interested in Sanibel-type regulation or enforcement.
- I am interested in using vegetation to enhance beach management. We see "low rise vegetation" as the prerogative of the property owner. It's another form of storm protection.
- People will want a vegetative buffer for privacy. I do.
- First two are 1 and 2, rest is make-work stuff
- Restoring Captiva Drive canopy is most important
- I think both native and non-native invasive (emphasis on invasive) species should be removed. E.g., gumbo limbo and sea grape trees can be very invasive, as well as non-native Brazilian pepper, moon flower, air potato, non-native scaevola. Whereas many palms may be non-native, but are NOT invasive, such coconuts (coco nucifera).
- I don't feel I am knowledgeable enough about the specifics of the situation on Captiva to comment intelligently.
- 1. Encouraging 2. Removal 3. Creating 4.Using
- Don't understand the use of vegetation to enhance beach mgmt.
- Canopy #1,Enhance beach management #2, keep low rise vegetation to allow view #3, native low water #4, vegetative buffer #5
- There is no enforcement by Lee County so the question is moot.
- The sight of dead trees that was once a beautiful panorama of the area is now dreadful as you arrive.
- Replanted areas should strive to be "natural" in appearance so the island does not look like a giant planned community.
- The canopy was the most enchanting, unique and regal part of Captiva; the signature feature.
- 1. Remove non-native, 2.Encourage low-water, 3. Create a vegetative buffer, 4 use vegetation to enhance...
- If I may order in order of listed above: 5,4,1,6,3,2
- 1) canopy 2) native or low-water species 3) vegetative buffer between homes 4) removal of non-native species 5) vegetation to enhance beach management 6) low-rise vegetation in front of Tween Waters
- 1.Using vegetation to enhance beach management 2.Encourage native species 3.Restore the canopy 4.Creative buffer between homes 5.Keep low-vise vegetation to allow Gulf view 6.Removal of non-native species
- Please leave existing Australian pines alone!

- 1. Using veg to enhance beach man. 2 encourage use of native 3 create veg buffer between homes 4 removal of non-natives Online survey will not take numbers
- 1. Removal of non-native species... 2. Encourage us of native species..... 3. Use vegetation to enhance beach... 4. Create vegetative buffer.....
- include toxic chemical control
- Improve the landscaping to enhance roadways to enhance the experience for both visitors and residents.
- Sea Oates and palm trees along Tween portion with all other tree species removed or trimmed very low. Homeowner approval required. Funded/maintained by county if possible
- 3/2/5/1/6/4 -- couldn't rank as only check marks appeared.
- I have ranked canopy #1. I support vegetation. It does not have to be native. Annuals add beauty.
- Let people plant what they want to plant. Stop trying to be so bossy!!
- 1/5/4/6/3/2
- As Hurricane Sandy illustrated, it's much more important to have vegetation that creates sand dunes than to preserve a Gulf view.
- Please leave the canopy of Australian pines alone. Rank in order of Questions: 5,6,1,4,3,2
- All are important. Removing the invasives is probably the most important. While I really loved the canopy on the Drive, the consequences in a hurricane must mitigate what is planted anywhere on the Island. In my opinion all the Australian Pines should be gone from Captiva as lovely as they are. Vegetation between the homes ensures privacy and is a noise buffer. Again, the type of vegetation is important. If your neighbor's tree hits your house when the wind blows hard, that is a big problem in a storm. Our only damage in Charley was roof damage from a neighbor's tree. Said tree is still there and still a danger. Regarding low rise vegetation to allow a gulf view.....yes, that makes a difference and goes with my first statement. What kind of tree or bush is not going to cause a problem with lines, etc. in a storm?
- Golly, there's a lot of busy body work to done. Lee County does a lot of this already. As to the Tweenies' stretch, isn't a lot of that the result of improving the dunes following H. Charley? That was good work and should not be undone.
- 1 encouraging use of native or low water species;2 removal of non-native; 3.vegetation for beach management; 4canopy; 5 low density vegetation; 6 creating a buffer
- All are good issues
- In order above: 2,1,5,4,3,6
- 1 restoring canopy, 2 remove non-native, 3 encourage native, 4 vegetation beach, 5 gulf view, 6 between homes

Vegetation rules comments

- People should be able to plant what they want within reason.
- Not in favor of "Big Brother" approach
- Based on the fact that there are multiple violations of permanent use of piling levels once the occupancy permit is final, I think there were be multiple violations of landscaping guidelines.
- Some people will plant what they want but many will follow guidelines
- We don't need vegetation rules
- Panel will have to use care in deciding which landscape policies are important enough to override individual property rights

- Educate, regulate and enforce. Stress self-interest to achieve compliance. Introduce new laws only in situations where environmental damage is measurable.
- A landscape plan should include that invasives (emphasis on invasives) species should be removed, whether native or non-native e.g., native Amelia pattens, gumbo limbo and sea grape trees can be very invasive, as well as non-native Brazilian pepper, moon flower, air potato, non-native scaevola. Whereas many palms may be non-native, but are NOT invasive, such coconuts (coco nucifera).
- The county will not enforce regulations just as they do not enforce zoning regulations NOW.
- Not allow the size of the new homes which takes additional land, removes vegetation, and spoils the image that Captiva was and should be again.
- We don't need another set of rules.
- It will be very tough to enforce. We need the plant police, which will cost taxpayers more money.
- I believe that owners of private property will tend to their own views from a monetary and design criteria
- Homeowners will do what they want, especially the deeper the pockets. Regulations often impact on homeowner who is the little guy.
- As long as it is not invasive or illegal to plant, what people plant on private property should be their choice. I advocate public education and working with the local landscaping companies to encourage native low-water planting.
- None of the choices are true. A combination of guidelines and public education have the best chance of working
- Unless it affects their neighbors or island property values, owners should not be told by government what to do on their own property.
- We can encourage landscaping guidelines with the use of tax breaks, something to help the decision making process along
- I believe "rules" should only apply to invasive species. Freedom of choice otherwise but with an education campaign to at least inform what is recommended.
- I think working with the landscape companies who could then encourage the homeowner might be helpful. People come with preconceived ideas that the beach landscaping should look like their northern landscaping (very manicured) and to me grass and lawns do not belong here. I love Bob Walsh but he could be more helpful in this regard. I think many people would do it differently if they had it to do over. The people who come here now have a lot of money and are used to having things their own way. South Seas little homeowner’s area has tried hard to maintain a laid back feeling with rules and regulations but people find ways around them and basically do what they want. With so much glitz in the world, if that's what they want, there are plenty of places to find it but that's not how it works. They want what's here but feel a need to improve on Mother Nature.
- Private property is strictly that! PRIVATE! We do not need nor do we want any vegetation rules. Captiva looks fine as is. Stay out of private property and keep your regulations!!!!!
- Again, why do we think we know better than the actual owner of the property
- I think guidelines, public education and enforcement are all necessary
- We disagree with the premise of the question. Private land is private land. We would not welcome any regulations.
- I am not sure that any of these is appropriate for the entire Island. Would like to think that people will follow some type of plan but those with established landscaping that works are not likely to totally re-landscape. Public education will help. Enforcement of what??? Is there now

any law to enforce? Obviously people have planted what they want. Some of it is beautiful, if inappropriate. Witness some of the grassy expanses on the Drive and the very large trees.
- I do not favor regulation of plant species on private property except to the extent of controlling noxious weeds or invasive species.
- If we offer guidelines and do a public education campaign it may help, but some people will always do want they want. Landscapers play an important role.
- As long as they are "guidelines" and not rules

Historic preservation comments

- They add to the charm
- The house owned by the Jackers is on a registry. Registry is the job of the individual owner, not the community
- More important to preserve the historic look of Captiva rather than specific structures
- The unique character, including the intimate and natural feeling of the island, is worth preserving.
- Preserve ONLY those already designated
- Houses north of Tween Waters are already gone, Andy Rosse houses are gone, South Seas historic cottage is now on Sanibel, so there is nothing left that is worth the effort. Island is scenic, minimally historic.
- History will not repeat itself, if it is destroyed. Enforce rules and regulations, and not let money and influence change the natural state of Captiva.
- Cultural history is the only link we have to our past. Our legacies (good and bad) shouldn't be discarded or reinvented.
- What is the heavy burden placed on property owners? Just the owners of historic sites or all local property owners?
- Very important
- Tween Waters and Chapel by the Sea and cemetery
- There is too much talk of restrictions which holds back the island from being a premier destination. Lack of restaurants, services, etc. Zoning should have been only commercial on Andy Rosse Lane.
- Would want to know the long run ramifications i.e. modifications, sale restrictions, etc. This would need to be an owners choice decision
- No control on this issue
- I do not support this! We do not need some board or historical society telling Private Property owners what they can and cannot do with their PRIVATE Property!!
- If the property owner receives benefits like reduced real estate tax by having their rights limited.
- Chapel by the Sea is fine and I don't think Tween Waters should be regulated.
- Captiva is losing itself. The older houses and buildings have something worth saving.
- Sounds like some people are too wrapped up in their perceived historic importance.
- Not sure what “other resources” means
- What historic buildings? The Chapel?
- Each property needs to be considered individually

Historic criteria comments

- There are established rules for historic registration.
- All of these elements could represent a significant factor, but a decision would ultimately rest on the specifics of the case, including the broader context of the property under consideration.
- Longevity unto itself does not necessarily make something historic. Landfills will be around for a very long time but we probably don't want a monument to them--they are unto themselves.
- The older building that used to be a restaurant at South Seas
- I love the sense of history that little Useppa has and how well they have presented it. Our stories are what we are and what makes us real.
- The problem with granting historic preservation to structures that do not meet flood zone requirements, will selectively allow such owners special privilege under current zoning laws. Because of our barrier island and storm surge issues, no buildings should be given historic status unless they are elevated to meet current zoning requirements
- Once again I do not want a Historic property board on our Island!!! NO new rules or regulations for private property owners!!! Stay out of our lives please; we have enough regulations as is!!
- This should not be something to limit private property, like saying Indians build a mound here so you can't build your house here.
- I am not in favor of, and will fight against making any part of Captiva an Historic District.
- Age alone is not good enough. It must have significance. Already too many buildings in the Village have gone the way of the mega house.
- I oppose designation.
- Not sure about cultural/social and architectural; I would need more information.
- If you are saving the building it should have architectural significance.

What site(s) warrant preservation by a "historic" designation?

- Chapel by the Sea, cemetery, Rauschenberg studio, stilt house
- The cemetery
- Island Store, Andy's dock
- Chapel by the Sea and Tween Waters.
- The chapel, the library. It's too late for Andy Rosse Lane!
- The cemetery, Ding Darlings House on Stilts on the Bay Side The Mucky Duck South Seas Resort
- Not enough information.
- Chapel and cemetery
- The chapel
- Island store, ding darling fish house
- The individual owner of a property is the only person(s) who can seek historic designation. These are useless questions.
- None
- Chapel By The Sea
- "Downtown" Captiva (Andy Rosse and SanCap Road) has interesting structures that appear historic and reflect the old island look. I like this element. However, a few have already been transformed. Is this process irresistible?
- Library
- Only those already designated
- Church

- Some of the "traditional" island homes and cottages that are of a particular age or design.
- Tween waters and the wedding chapel
- Possibly the Chapel by the Sea, maybe Tween Waters.
- The Church at Captiva town, The Island Store Bubble Room
- Graveyard
- Chapel By The Sea
- Chapel by the Sea and cemetery
- Don't know! Haven't been a time share owner long enough to have an opinion!
- Chapel by the Sea, Cemetery, Tween Waters Inn
- Perhaps a list could be drawn up - I am a timeshare 'resident' and sadly when we are there, everything seems to be shut (i.e. museums). Very sad for us
- The Little Chapel by the Sea
- Light house
- Bubble room
- Both Chapel by the Sea and Tween Water Cottages. Are there others not mentioned under consideration?
- All but the Chapel area are gone already. Keep the chapel and cemetery as they are.
- Cemetery, Chapel, Preservation of trees, plants for the Captiva "feel"
- Don't forget the Calusa Indian mound at South Seas
- Near the Library and Little church
- The cemetery
- Ding Darling, Bailey structures, Captiva historical locations
- Not enough knowledge of all potential sites. Definitely the Chapel.
- Sanibel Lighthouse and ancillary facilities.
- Tween Waters Inn
- Chapel by the Sea
- Chapel by the Sea
- Shell mound at the South Seas resort.
- Don't know of any
- Historical Museum
- Community Center, Library and Chapel. Andy Rosse Lane is already vastly changed. Public Beaches should be protected. Tween Waters
- Rauschenberg properties, Andy Rosse Lane
- Church/Cemetery
- Island Store, old cottages on Andy Rosse now mostly occupied by businesses, Old Captiva Inn
- Chapel Island Store
- Island store, Bubble Room, antique store, Rauschenberg studio and fish house
- Captiva Chapel By the Sea
- Chapel by the sea
- Tween Waters, Island Store, Chapel and cemetery
- country store
- At this point I believe the appropriate designations are in place
- Graveyard, Chapel by Sea, Jensens', Island Store
- Chapel by the Sea and Tween Waters Cottages
- Any Calusa artifacts. Home once owned by Ding Darling.

- Tween Waters Cottages Chapel by the Sea Cemetery Don't know enough about the Rauschenberg compound
- Island Store, Bubble Room, Cemetery at Chapel by the Sea if not included with the chapel
- Buck Key (though I know not technically Captiva)
- cemetery, chapel
- Some of the original structures that may still be found, any buildings going back to before 1940s
- Don't know the island well enough
- I do not believe there are any sites that are historic. Maybe the island store. That's about it. Moving forward with quality services to better the experience is more important than preserving some old structure just because it is old. There really are no historic properties worth talking about.
- Caloosa mounds in South Seas
- Ding Darling Dock House
- None
- The Island Store, Jensens' Marina
- The Chapel, Tweenies'', Rauschenberg's', nothing recognizable left of the So Seas that existed 40 years ago except some of the golf course. Calusa shell mounds are certainly of interest. Anne Morrow Lindberg is a great part of our history. History doesn't have to be ancient, it's going on all the time. Maybe Jensen's or the Bubble Room & Mucky Duck have a place. The biggest loss in my opinion was Timmy's Nook.
- Robert Rauschenberg's fishing house
- Island Store....
- Rauschenberg studio
- Community center, Jensen's offices, island store
- Nothing. Consider a historic structure that gets damaged for whatever reason beyond repair. Would the owner have the right to rebuild at grade as a historic structure and not elevated?
- Chapel by the Sea
- Church and library area
- Chapel by the Sea, Tween Waters cottages, Key Lime Bistro.
- Chapel by the Sea
- Chapel
- Chapel By The Sea
- NONE!
- Chapel, cemetery
- Cemetery....chapel...older buildings.....
- The Captiva General Store, the Bubble Room, the Antique Store, the store West of the Bubble Room, the Ding Darling Fish House and the Rauschenberg Studio.
- Several of the original beach cottages located in the village area.
- Chapel by the Sea if they request to be one.
- Chapel by the Sea, some older Victorian cottages
- Chapel
- The Cemetery, the Chapel, some of the houses and the Fish House on the Rauschenberg property (Bob was so good at seeing the importance of this). Would love to see Jensen's on the Bay given special status.
- Chapel By the Sea, and Tween Waters Cottages
- Chapel by the Sea and the cemetery

- Chapel
- Chapel
- Chapel, cemetery, Island Store, Rauschenberg fish house
- None that I know of. The architecture is pretty bad. It is clearly not Nantucket Town.
- Chapel by the Sea
- Church, general store
- Chapel by the Sea Rauschenberg/Darling stilt house
- Captiva Chapel & Cemetery
- Don't know.
- Old cabin on SSIR
- Island store
- Island store, Bubble Room, Kings Crown

Lighting on the island

- I do support signs being lit. I don't know enough about lighting to indicate which regulations would be best.
- It is very hard at night to see people walking on street
- Enforce what is on the books. We don't need more regulation.
- We don't have a lighting problem - we have a driving problem, especially around Andy Rosse Ln and SSIR. People drive too fast. Lights may make it easier for drivers to see pedestrians but it won't make it safer until they slow down.
- Try to increase road safety, especially for pedestrians and bikers, by using directed LED lighting. Avoid overhead street lamps. Power with solar panels. The nearly universal use of GPS systems makes seeing numbers almost irrelevant.
- Where roads are narrow and pedestrians may be walking or bikers riding, more lighting would be beneficial.
- The atmosphere of the island is what makes it special. Certain lighting for safety on the roads and the village for liability issues.
- if you are going to walk and it is dark, carry a flash light or glow stick
- I like the less lighting is better except in the area between Andy Rosse and the entrance to South Seas. It would be helpful to have some lighting for the safety of walkers at night
- Actually, new Captiva Sign Regulations are less restrictive than the rest of the county - for instance: roof signs are allowed on Captiva.
- If lighting is added it should be low glare, high efficiency fixtures. Losing the "star filled night sky" takes away from the island experience.
- Rauschenberg corner is dangerous to pedestrians
- It might be good to encourage owners to put a simple spot light on their house number/name of property.
- Lighting or some other way of highlighting the S curves at night (South of Tween Waters and north of Tween Waters) since there have been many accidents at both places over the years.
- better directed light with new additions
- Think it's fine as it is.
- The village area needs a total overhaul. Provide tax breaks to encourage new and better services - increase the quality of the experience on the island.
- Upward directed lighting needs enforcement. The current regulations work well.

- I really don't want more lighting!
- More light is needed on the road from the South Seas Resort to the Green Flash. Many people walk along the road at night to restaurants.
- Businesses should not be allowed to have their outside lights on all night. Once the customers are gone, the lights should be out.
- Need lighting especially from South Seas to Andy Rosse, as there are always so many pedestrians at night, and hard to see them.
- There are some areas -- especially the curve at the Rauschenberg property -- that need more light. But light can be directed downward so it does not cause "light pollution."
- Home owners can install solar installations to light house numbers. The Village would be fine if the "visitors" would stick to the pedestrian paths and use lights on bicycles, wear light colored clothing and not ignore basic rules that they doubtless follow when not having an Island experience.
- Captiva should adopt a "dark skies" policy and enforce a Sanibel style lighting policy. No to more light in village. And, when, pray tell, were bright lights historically shunned?
- I love the peace, quiet and nature. 25w bulbs are all we need outside.

Lighting rules comments

- I think we should get improvement by educating and encouraging owners not by legislation.
- We are supposed to eliminate lighting that affects the beach during turtle season
- Need rules to keep light levels low as they now are
- The value of the island ultimately depends on preserving its wonderful, natural character. Producing another suburb can be undertaken elsewhere, but why do that to a property as unique as Captiva?
- if you are going to walk and it is dark, carry a flash light or glow stick
- Voluntary rules now work well.
- The beach is dark so I don't understand how there would be too much light for the turtles, besides I think sometimes we get carried away with the preservation of animals.
- Within reason
- Especially yacht club and tween waters
- The rules already exist to protect our nesting turtles.
- Enforce existing rules
- Sanibel is ruined due to all the regulations; we do not need any more for Captiva.
- Sanibel is a wonderful illustration about how lighting, when properly done, can provide needed illumination while preserving the nighttime skies, improving ambience and protecting sea turtles.
- Fortunately, Captiva is NOT Sanibel. We like it the way it is.
- Within the proper distance of the beach.

Preserving commercial core comments

- The businesses here are almost exclusively for the tourists and provide little benefit to residents of the island.
- Business people are able to change or evade rules as suits them

- Would like to see more businesses necessary for residents' needs, e.g. grocery, gas station, pharmacy
- A few basic businesses belong on the island, others could be placed elsewhere. Biking, sailing, and kayaking rentals should not be moved. Restaurants and grocery stores should also stay. Others like clothing, gifts and art may or may not have a place.
- We need to keep the businesses we have in the Village - no more or no less. If we lose the businesses in the Village people will have to leave the island to get supplies and food.
- Lacking any real code enforcement, businesses have free rein to intensify uses beyond existing codes and regulations.
- Keep the hodge podge from making the village look like a summer resort of cheap shops that have the appearance of struggling from season to season.
- The village flourished after Charley. A business needs to survive on its own to ensure quality, fairness, and longevity.
- One person's identification of an essential business will be different from another's. For me, it is a good grocery store, like we have; an ATM; and a variety of good restaurants. A competitively priced gas station would probably be too much to hope for!
- This a critical discussion
- There are enough houses in the Village. What makes the place is the small restaurants, bars, live entertainment and art galleries.
- I believe we need to encourage business possibly looking at additional options with regards to mixed use. Not sure what regulatory intervention refers to in the second line
- We need a core, but small and solid business community in the Village. Most important to keep businesses consistent with look, feel and essence of historic, old Captiva. Fast food and chain operations should be prohibited through appropriate zoning.
- Restaurants used to be better and more diverse. Now one person owns all and the quality is poor.
- Tax revenue for all
- I think this is a very fragile situation as brought to light by the Roberts. It is obvious what their idea of civilization is and I can only imagine what plans they had for "the village". Next stop Disney World
- Should encourage zoning on Andy Rosse Lane for structures allowing commercial on lower level and living quarters above.
- Keep your regulations out of Captiva and let the free market work. What is wrong with you people? When has increased regulations ever helped business or reduced costs? Look at what is going on in DC, are you blind?
- The businesses are disappearing which ultimately negatively affects the tax base. As Sanibel is now admitting, it's smart to help the local business owner to survive. They are a vital part of the "economic ecology" of the islands.
- It can, and should, be done by zoning.
- Commercial businesses are important. The problem now is that too many properties are owned by the same individuals. Diversity is better in my opinion. We need the Bank, the Post Office, the Island Store, the various shops that sell both clothing and "tourist" items. That is part of the experience of being on vacation or running out of eggs at breakfast. Love the fish truck from Andy's. I do object to formula food served in a variety of same owner-operated restaurants, but do not think that it is up to the Panel to regulate commerce. It seems to be in balance. Now, just enforce the regs that will prevent them from the overflowing dumpsters and the septic systems that cannot be maintained. If there is no commercial business on Captiva and we all have to go

to Sanibel for everything, there will be unrest among the property owners who actually live there for all or a good part of the year.
- What constitutes an "Essential" business??? Truth is the Village has become a hotel zone.
- Could you allow public parking on public land?

Village current mix comments

- The economy governs what businesses succeed
- I would encourage businesses to develop in the Village and realize that may require a bit more parking space is needed but would be reluctant to use too much land on public parking.
- Biking, walking and busing (South Seas Resort) need to be encouraged. Additional parking development should be discouraged.
- In season, the comment is we will not go to Captiva as it is a grid lock, yet the businesses say they need the business. More convenient transportation, less traffic.
- I would like the idea of less parking and more walking, but my husband has Parkinson's Disease and therefore walking can be an issue, so more parking would be ideal
- Businesses should be limited to dining and shopping
- How about actually working with Lee County to enforce parking, seating, noise, truck delivery regulations?
- Not enough parking for the businesses already there...
- If you only want to serve residents and visitors who are local to the business then encourage only walking and biking. If you add parking visitors from further away will find it easier but with parking comes clearing land and losing ambiance. Nobody wants to walk or bike early evening when the bugs are especially ravenous.
- Maintaining the natural environment should be the number 1 priority as opposed to attracting more businesses / traffic.
- We need businesses that are respectful of the neighborhoods next door.
- I would like to see the possibility of additional business opportunities to continue the idea of mixed use.
- The Village can serve the Captiva residents and visitors without more parking. In the Captiva environs, an increase in parking will only draw increased automobiles usage. Captiva should encourage walking and biking. Parking, garbage, dumpster and septic regulations should be strictly enforced in the Village. Captiva has a large number of weekly renters. Day trippers should not be encouraged.
- Today's consumer wants more than what Captiva offers.
- Buffer in the form of noise control and excessive signage/lighting
- Parking is needed. However, more bike racks and foot paths will encourage people to drive less. I support both.
- Leave the Village as is? What is wrong with Captiva the way it is? Why are you so anxious to change what is working?
- Parking is a chronic, vexing issue. Beach day trippers who spend little or nothing are the least welcome as they contribute nothing to the economy of Captiva (other than parking fee). Yolo draws many customers to day long beach activities but provides only about 3 spaces. Most restaurants seem to have enough parking for their visitors. Not sure how to solve parking for those visiting Captiva for the day to shop and eat. Maybe some additional parking at CCA, charge small fee.
- The village needs better pedestrian and bike access to encourage people to walk or bike there.

- Ah!! Therein is a big problem. My husband always says "bring your own parking place." Captiva is not a big island. People will just have to live with what we have. While I feel sorry for those who try to find parking, this is a self-limiting situation. We cannot have it both ways. Too many of the properties are rented by their owners and not lived in by owners. These people want to drive to restaurants instead of walking. This is not possible during the busy season. People swarm the roads, flaunt ordinary rules of traffic, etc. It is just a fact of life on Captiva. How is one going to regulate that??? Captiva has grown past its own boundaries, advertised past the capacity to deliver and priced its Real Estate accordingly. As a property owner and half-year resident, I honestly feel as though the rental situation is the elephant in the room. Regulate that and so many of the problems will not be there.
- No to more parking. Do not encourage more day trippers. And, how would you provide "more of a buffer" between businesses and residences???

What's the business Captiva needs?

- Drug store or garage
- Suggest more gift shops / clothing.
- Fabulous Bakery
- Pizza
- Business related to enjoying the general area's natural resources.
- A small-scale pharmacy, food, hardware
- Shake shack
- Anything affordable! How about a good reliable and reasonably priced pizza place to start.
- A good Italian restaurant
- Bakery/deli/sandwich shop
- Larger grocery market than Island Store
- Enterprises that help guests and owners to appreciate the place of Captiva Island in the eco-system and world. Celebrate the past and strive for a beautiful, sustainable future.
- Office and computer supplies
- A decent restaurant
- Cat wash.
- Island Store
- Drug/grocery
- Take out sandwich shop
- Pack and Ship
- Medical facility/Drs office
- Grocery store
- A store along the lines of Jerry's or Baileys of Sanibel, but on a smaller scale. We find the store in Captiva quite limited. Perhaps the existing store could be encouraged to have a better mix of food and a little less of knickknacks?
- I think the bases are covered! My family goes there to get away from the rat race of shopping, running errands etc.
- Dog kennel
- The stores that used to be on the second floor just outside South Seas
- Another larger grocery store for some price competition.
- Lee County Code Enforcement Annex

- Grocery store
- A good Italian restaurant
- Grocery/pharmacy
- Captiva seems to be losing its gallery/artsy shops but that could be the economy.
- Mailing store
- Hardware store
- Beach shack restaurant,
- Some place that has less expensive gift items.
- Grocery store that is reasonable with prices
- We have a nice variety.
- Discotheque
- Small grocery
- Another restaurant
- A food market open until 8 PM
- Pharmacy
- Organic/Natural Health Food store
- Sushi
- A restaurant whose food is not awful! The Stilwell restaurants serve poor quality food and the Green Flash is terrible. We dine only on Sanibel.
- Gas station (the one at South Seas entrance doesn't really count).
- A small general store for local rentals that isn't so high priced that you want to leave the area to shop
- I believe Captiva has all that is needed! The Island Store sells all necessities, there are plenty of restaurant choices, and the SSR shops offer items as well. LESS is more. Sanibel is a short drive for any other needed items.
- Bakery
- Market
- McDonald's - JK!!!
- Retail variety
- Hardware store
- Island Store
- Urgent care. Hardware store.
- Expanded groceries. More variety.
- Beach products (beach chairs, umbrellas, etc.) rental business.
- Small pharmacy
- Clothing/shoes
- Can't think of one we can't survive without!
- A gas station
- A small gas station.
- A jewelry store would be a nice addition. Possibly a takeout/catering type business.
- Restaurants with better food
- Better, more varied restaurants. The current offers are weak compared to many parts of Florida. The downturn probably had an impact here.
- Better restaurants, better retail.
- Larger/better general store with more grocery choices and some hardware things

- Our own Chamber of Commerce. Sanibel Chamber does not truthfully acknowledge Captiva Island whether we are members or not.
- If a different style business was really needed it would already exist.
- What we have is fine.
- Retail shops
- If it is needed it will appear
- A larger grocery store
- Gourmet takeout
- Fish store/farmers market
- Hardware shop,
- Better ice cream store
- Food trucks, fresh food vendors, craft/art events. All on a much smaller scale, but planned events to draw more shoppers to the village.
- Grocery
- Decent deli/supermarket for all needs - Jerry's and Baileys are too far.
- Self-serve frozen yogurt. Also, improved food at the Mucky Duck.
- Business center with high speed internet, copying, faxing, and computers.
- Hardware Store
- Good Restaurant
- A good restaurant
- An anti-regulatory business or committee. To keep the government out of our personal and business lives.
- Better market
- A restaurant that can actually prepare a decent meal.
- We need our own small chamber of commerce to tell people about Captiva's unique offerings and help guide visitors around our small area.
- A parking garage
- An outreach emergency care medical clinic
- PLEASE leave Captiva alone.
- GOOD restaurants!
- Gas Station.
- Grocer
- PEOPLE MINDING THEIR OWN BUSINESS.
- A good restaurant. The food in the village is pretty bad.
- Pharmacy
- Retail
- Permanent seafood store... the truck is nice when available
- A pharmacy
- A discount liquor store!
- Better grocery store

Residents or tourists comments

- Residents and tourists. Don't like traveling to Sanibel to shop.
- Businesses should serve customers. DUH

- It seems to me that the two groups are interdependent. Consequently, a plan that supports co-existence should be developed.
- A mix makes visitors experience from the residents the atmosphere that makes Captiva.
- Residents and tourists...not sure what businesses serve other businesses.
- Business more and more on Captiva serve generally to budget minded tourists and much less to residents.
- Residential business will be stronger and have a more determined incentive to stay in business and not make it look like a shanty town
- Restaurants should serve both. Specialty shops and galleries probably cater to and depend upon tourists for physical sales volume.
- Businesses are going to serve their bottom line and whatever constituencies contribute to that.
- Without one, there cannot be the other. It's symbiotic in nature.
- Residents include weekly and monthly renters. Businesses should not be geared to attract day trippers.
- Residents do not support the local Captiva businesses.
- Demand determines business types and customers.
- Residents are able to enjoy the businesses we have.
- Whatever it takes to survive, hopefully capitalism is alive and well on Captiva.
- Themselves and their employees....and by doing so all will be served.
- They can serve the desires of whomever they want.
- considering how few residents are on island year round, tourists are a vital part of retailers' survival
- A combination of which two? The full time residents need accommodation. Those of us who live there half-time need accommodation. Property owners who are absent for all but 2 weeks of the year and use their properties for rentals almost exclusively should be sentenced to a week of spring break!! If the Island wants residents who live there and care about the Island, the Panel needs to address the situation and make the Island a place for all of us who really want to inhabit the Island; those who are willing to pay for the privilege of residence. Investors who buy to rent need to be regulated better. Perhaps we need fewer Real Estate Agents. (Sorry to my friends who work so hard to live and work on the Island selling Real Estate. Perhaps they should be the only ones allowed to sell property! They really do care about Captiva and are as legitimate a business as any other)
- This is an absurd question. They will do what they need to do to survive.

Feel safe biking or walking?

- Cars still going too fast and bikers are not always in the safety shoulder
- Safer here than in other place for traffic is much slower
- Time of day makes a difference. Clearly there is responsibility whether it be bikers, walkers or drivers to be alert and focus on safety.
- walking yes, biking no
- As a walker it is fine - as a biker need bike path on one side of the road.
- Safety shoulder should have been wider
- The shoulder should be widened to accommodate pedestrians walking comfortably side by side. This would also be better for pedestrians and cyclists at night.
- Rarely do either

- It seems to me the Village would benefit from having a proper sidewalk between Andy Rosse Lane and SSIR to encourage guests of the resort to go spend their money at businesses in the Village. A safe, comfortable sidewalk would encourage that and make everybody a winner.
- Safety shoulder is inadequate particularly at night
- Yes, but sometimes the traffic is too heavy and too fast. Walking, biking and busing should be emphasized. Adherence to speed limits is important.
- Encouragement and enforcement of speed limits, and better and wider walking and biking lanes will allow this to happen.
- Some of the curves are blind and I feel very uncomfortably when biking them.
- No - from Andy Rosse to south seas entrance
- Though not at the blinking light bend north of Island Store.
- Too much traffic
- It's better but should be consistent all the way.
- Road and bike paths too narrow
- The Panel adding golf carts to Captiva encourages more congestion and underage unsafe driving.
- Too much vegetation overgrowing the walkways - including the SSIR.
- A larger designated shoulder is important. Especially for pedestrians.
- Traffic and biking can be an issue.
- Again Rauschenberg Corner need lights
- We run and ride our bikes on Captiva Drive. You take your life in your hands. We really need a bike path. With driving speeds and distracted driving due to texting...tragedy is assured. In the short term, vegetation growth onto the road needs to be trimmed back.
- I find most people drive cautiously, even at night.
- Most of the time. Not on Captiva Drive during high season. Speed is an issue on the Tween Waters stretch in the early morning when it is dark. Once weekly monitoring between 6:30 and sun-up by deputies staggering the days they are out would help.
- except outside village
- Need sidewalks on Andy Rossi to separate cars and walkers.
- Safety shoulder could be bigger to be safer; however, don't know that there is room.
- Better bicycle lanes would be helpful.
- Except during the highest tourist seasons when there is a sharp increase in the number of drivers who drive too fast
- The body will always lose when meeting up with a motorized vehicle.
- The safety shoulder along Captiva Drive could be made wider for greater safety. Owners could also keep vegetation out of the safety shoulder. Other streets are OK as is.
- It's better than most places where cars and bikes and walkers have to get along. By the time most motorists get to Captiva, they are aware of others using the road and visibility is quite good in most areas. Mopeds seem to be the biggest problem and I don't see them much anymore, a new law?
- There are no dedicated walking or bike paths
- safe as most streets
- Less safe walking, especially along the beach area and gold coast.
- Low lighting on San-Cap Road in Village area needed.
- There needs to be a walking biking path along the main highway on both sides of Captiva Drive for the full length of Captiva

- Not around some of the bends.
- I bike every day, and feel safe except when the psycho owner of the Mucky Duck drives his fancy car. He's a nut. Who buys a very fast sports car to drive on Captiva? A nut, that's who.
- Large 18 wheeler delivery trucks that double park daily are dangerous; musicians, repair & lawn care trucks constantly blocking streets. Only a matter of time before someone gets hurt.
- OK, only in the very early morning, and mid afternoon
- Especially in season, the narrow shoulder is too close to the traffic.
- The area between South Seas and the Village is especially dangerous.
- I do feel the visual presence of our law enforcement patrol cars and perhaps a few more tickets issued would slow folks down.
- The buffer is working nicely.
- For the most part, the answer is "Yes". At night during the busy season, not so much at night. Other than that, if one follows the rules of the road and realizes that the roads are narrow and caution is needed, one is safe. (So glad that the too-wide South Seas busses are gone.) The Island has its own limitations that regulations are not going to solve.
- Bike/walk path is not wide enough. At night, the streets are too dark. Walk at night at your own risk. Even during the day, the path is simply too narrow and too close to car/truck traffic.
- My only issue is with motorists frequently exceeding the speed limit when I ride on Captiva Drive.
- Not in 'season"
- Some stroller is going to get flatten by a white Cadillac. It will be terrible. We need sidewalks from South Seas to tween waters. Big issue for me.
- Yes, but not on Captiva Drive.
- A painted bikers' lane would help.
- Better but still not safe -- especially mornings

I won't bike/walk more on Captiva because…

- Shared use path is not safe
- It is not safe. People on bike veer into roadway and ride double. Cars go too fast and there is not enough speed enforcement. Safety shoulder not really wide enough and not really a bike or walk path
- No bike path
- There is not a safe path
- I won't bike on Captiva because there is no bike path and the road is too narrow especially around curves.
- No Bike Path
- Bike/walking path to narrow
- Shoulder is narrow and therefore uncomfortable to walk at night
- Not safe. Need bike/walking path
- Safety shoulder is inadequate
- Bikes are somewhat difficult to rent during popular times and expensive for families. It is an additional cost to car rental.
- Lanes too narrow for biking
- Dangerous on the "S" curves and the area between Jensen's on Gulf and South Seas Resort.
- it is too dangerous

- Need a wider/clearer bike path possibly on one side of roadway
- Narrow safety shoulder
- I do bike, but I still think we need more of a bike path like on Sanibel
- Need bike paths
- It is not safe, especially in the area between Andy Rosse Lane and South Seas Resort
- There are no bike lanes on the sides of Captiva Road
- Need more biking paths.
- There are safety issues for walkers/bicyclists because of no sidewalks or walkways designated to these groups. There is a lot of traffic on Captiva and nowhere to go especially on turns.
- ...because we feel unsafe on narrow paths
- It's dangerous to walk from parking at South Seas over to the restaurant. Need a sidewalk for safety
- Do not feel safe, the vehicles speed, that includes the local residents, and at night it is dangerous.
- My husband has Parkinson's disease, therefore walking can be troublesome. Same goes for cycling
- Need bike/jogging/walking path that is not on or next to Captiva Drive.
- Blind curves are a little scary, walkers and bikers can't be on the same shoulder.
- inadequate trail/path
- But better lighting or walkways at night would be helpful
- Limited access to beach areas, private property designation etc...people should not be able to own the sand...
- Wider bike paths would be helpful, especially south of the turn at Jensen's, to Blind Pass.
- It's too dangerous
- Walking area needs to be widened so bikes and walkers can both be on the path.
- My timeshare is on South Seas and I like to walk to the fitness center but the road is so narrow and doesn't have walking or biking lanes.
- Layout of Captiva not set up for walking (only beach) and riding a bike can be really hazardous on the island because of the bends
- Road and bike paths too narrow
- More access to affordable bike rentals
- Need real bike paths but no ROW available.
- Traffic
- Roads are too congested and dangerous for pedestrians in Captiva. Incorporate bike / walking / running paths as they have near Ding Darling.
- It is dangerous to walk/ride on the safety shoulder. It is not even kept clean and open
- Shoulder is very narrow with the turns in the roads
- Safety concerns
- Wider paths.
- Closeness of traffic
- We need the bike paths extended from Sanibel - Blind Pass to the end of Captiva (Post Office).
- I don't feel safe walking and frequently have to move to uneven areas.
- Cars and trucks drive aggressively. Speed cyclists are also aggressive.
- People often walk in the middle of Captiva Drive and I fear for their safety and my driving responsibility.
- As stated above, it is very dangerous.

- Unsafe walkways/bike paths
- Side shoulders are too narrow, especially around the two S curves and the curve right before South Seas.
- We walk everywhere!
- I do a lot of biking and walking but I don't feel safe doing either
- Need more lighting on village streets
- Walking, running path would encourage people to walk and run longer distances. Many people do not feel comfortable walking and running so close to cars. They stop at the Jensen S curve .
- It would be nice to have some more bike trails like those on Sanibel.
- Too dangerous due to cars.
- Need better bike path to connect with Sanibel and down to South Seas
- It’s dangerous the way it is.
- The walking/biking lane is quite narrow in some places
- Better walkways are needed in the village as tourists tend to wander into the streets
- Need bike paths - TOO Dangerous now!
- I would bike except for the fact that it is very dangerous to do so on Captiva Drive or Andy Rosse Lane. The delivery trucks along Andy Rosse are allowed to double park, triple line up each & every morning at the four-way stop. Vehicles weave their way to their destination while avoiding walking visitors or bikers.
- Wider shoulders would encourage me to walk more in the village along Cap. Dr. and Tween stretch
- The traffic.
- Too much car traffic!
- I bike a lot, but I would like to walk my dogs on Captiva Drive if there were a wider bike lane or sidewalk, the cars drive too fast to feel safe with such a narrow side to the road
- There are no true safe bike paths like Sanibel
- Need a better path from south of the curve to the bridge
- The setback on both sides of Captiva Drive needs to be better cleaned. Sand and plants should routinely be cut back and cleaned to keep the original space that was installed when the road was redone. Also better notice/markings to bike should areas.
- Walking or biking positions me too close to cars
- I'd like better walking/bike lanes and slowing mechanisms (rumble strips, rather than police control) especially on the corners, which are dangerous. The speed laws are too slow on the straight areas of road.
- No walking paths
- I do not like the pedestrian safety issue at the turn past the old firehouse. Something should be done there to provide additional pedestrian safety - perhaps an easement over the corner property for a sidewalk?
- The walks are too narrow!
- Insufficient width sidewalks or biking paths
- Some of the bends need wider bike paths
- Leave Captiva alone, it is beautiful as is!!!
- Runners are the problem. They run on the wrong side of the road and think the bikes should get out of their way, but they are a moving object on the wrong side of the road.

- Sharing the narrow road with large beer trucks and other massive vehicles makes the walk to the post office quite daunting. Our favorite is walking tourists with strollers weaving in and out of the traffic.
- Heavy traffic, not sure what the solution is...other than restricting further commercial development, or very well thought out development.....I consider the addition of Doc Ford's positive.
- There is limited room for vehicular and pedestrian traffic with the current width of the roads.
- Shoulders are too narrow and close to cars.
- I do plenty of biking and walking on Captiva, but as a pedestrian, biker and motorists, I should wish it could be safer for everyone.
- The edge stretch in front of the cantina, beach stuff and sunshine cafe needs to be paved. The drop down can be treacherous for biking.
- People go too fast around the curves.
- It's so dangerous. The bike, walking path needs to be wider. I feel very strongly about this.
- Island has limitations that do not allow everyone to walk, run, drive, bike (especially bike) at all times of the day. Part of the problem is just plain following the rules of the road.
- The space between the road and the bike path is too narrow
- Distracted drivers, narrow road, and most importantly impatient drivers ignoring speed limits. Would favor speed bumps or other speed reducers in village area.
- Lack of trail to ride on.
- There's a real need for wider paths on CAPTIVA for both bikes and walkers.
- Safety shoulders are too narrow, especially on the S curves
- Inadequate bike path
- Inadequate bike paths
- No room for walking or biking.
- Spandex riders in large groups ride aggressively. Sand and vegetation overgrows the safety paths. Minors driving golf carts are hazardous to all, including themselves. Large trucks and cars drive as though they are on the freeway especially around S curves. Aggressive drivers
- Too much traffic going to Andy Rosse and South Seas that are non-residents.
- There is no speed enforcement on Captiva Drive and there needs to be.
- it's too dangerous
- I'm too old.
- Wider shared use path or a buffer between the path and traffic.
- Narrow roadways-dangerous for walking and biking
- Would like bike/pedestrian paths, but realize space is limited. Love to ride on Sanibel

Issues for community discussion

- Separate paths discussed for many years, no solution has been found. Allow more golf carts.
- Too many cars drive far too fast on the lower section of the island. Walkers need to be trained to walk facing the traffic. Every rural kid knows that, but a lot of folks on Captiva don't seem to know it.
- Slower speeds on the entire island!!! Widen shoulder along Captiva Drive
- This is a real make-work question. It is really not an issue.
- Restrict cars at certain times. Pedicabs are a great idea.

- Cyclists can be very dangerous to pedestrians; the cycle clubs come in large numbers and are not pedestrian sensitive. Cyclists should not be allowed to ride in safety shoulders.
- There is no way to make it better. The "Safety Lane" should not have been added to the roadway.
- There are long stretches on the island where speeds could be increased without impacting safety
- It was great when the South Seas trolley would take you to Andy Rosse Lane. It was much safer. I do realize the liability, but another trolley or shuttles would be great and make it much safer
- Transportation between South Seas and the Village - or end of Island would be nice
- Too many commercial vehicles that don't obey speed rules.
- No trolleys!
- The island needs to have safer biking and walking paths.
- I feel the current laws/road sides etc. work well. Adding more parking, enforcement, shoulders with markings etc. will make our Island look more like a city. I would certainly be against trolleys, cabs etc.! We would feel like we were in NYC. The Island is so small; we don't need it to be more organized. I find both drivers and walkers to be cautious and courteous.
- Parking for golf carts. It will cut down on cars being used.
- Enforcement of slow driving laws to keep the tourists from driving ten miles an hour and not paying attention. Also arrest a few bicyclists who zip through stop signs as if they don't pertain to them.
- Allow golf cart traffic to go to tween waters like before new rule
- During peak times of the year, Captiva is at capacity. Nothing should be done to further encourage greater usage. Buses and van shuttles should not be encouraged.
- Think the balance is ok but it takes a long time to get out of the island.
- Enforcement of delivery truck parking. Seems it must be a law enforcement nightmare to see the congestion at the 4-way stop & allow it to continue. Also, musicians park within the street to unload all their equipment without regard to oncoming traffic. They'll finish their task with absolutely no regard to the rest of the street's activity.
- Walking safety when facing traffic (the prescribed method) is very dangerous on the three, 90 degree inside turns, north of the first turn coming from Blind Pass. As stated earlier the safety shoulders should be widened the length of Cap. Dr. and separated from the driving zone by small tabs causing tire noise. Separate paths would be nice but would be a major battle.
- Current speed limits are fine. Traffic enforcement should be limited to dangerous violations, as we need tourists and business workers to come here.
- The traffic moves so slowly thru the village and there is so much congestion that everyone is aware of others. It pretty much takes care of itself
- NO to other alternatives! No to parking garages!
- A trolley between Tween Waters and South Seas would be very helpful
- Extend the area of permitted golf cart use.
- Much traffic is caused by people cruising to the end of the island. There should be disincentives for people to just drive to Captiva, turn around and go back.
- How about letting golf carts drive the entire Island.
- No trolleys please...they are too slow and just make it worse
- Would be a grand plan but somehow have a connected brick walk path throughout the village on up to South Seas. Try walking in the dark from the Bubble Room to South Seas...scary!!!
- Posted speeds are OK, no further enforcement, people generally follow the limits.

- I especially would like to see a separated pedestrian, or pedestrian/bike pathway that goes through the Rauschenberg property, behind the complex of buildings at the Sunshine Café, at the west edge of the Bubble Room parking lot and between the General Store and RC Otters to Andy Rosse Lane (and possibly through Sunset Captiva to the Library).
- The commercial parking that is now “sold” to day trip people for beach usage needs to be stopped. One charm of CAPTIVA is that those using the beach are also paying to stay on the island or have homes here which contribute to an appreciation and care for our beach.
- More parking will bring MORE cruising traffic, if they think there's a better chance to park.
- There are several that I would love to check but the real answer is that Captiva is a small Island and not everyone can be accommodated. The roads are already narrow. How will wider bike paths be created??? Bikers and pedestrians/strollers, etc. cannot all be in the same place at the same time. SO...who is entitled???? This becomes a philosophical issue about speed and the need to get somewhere coupled with the idea that "I am spending big bucks to be here and I want my own way".
- NO to wider shoulders in village. Leave us alone. And, as to speeds, it's already 25 mph.
- Things seem OK the way they are.
- Slower speed in Village area all the way up to S-curve @ Jensen's on the Gulf. Many inexperienced bikers, mothers with children, teens, tourists etc. walk in that area. Really scary to see them on the curves, especially where the vegetation has overgrown.
- Eliminate the passing zones. Cars when passing are traveling at a high rate of speed and impact cars exiting driveways and pedestrian traffic.

Public parking and beach access

- I do not want to see parking along Captiva Drive EVER!
- I support alternatives such as shuttles. I am unaware of public land that could be used and I do not support the purchase of any for parking.
- Parking has basically remained the same for years, only this time the CEPD failed to get funding.
- Support more public parking to serve existing needs. Do not want to increase day visitor traffic on island unless it supports CEPD funding.
- Beach access could be increased and tied to a new transportation system that does not increase the number of cars on the island.
- Allowing more parking with regulations that must be enforced. Our enforcement policy is minimal; likewise we do not enjoy what is there to be enjoyed.
- Captiva’s capacity to expand is very limited. The atmosphere of such a beautiful place can be ruined very easily by trying to cram 'A quart into a pint pot"
- How about more beach access if needed at no increase to public parking?
- I am a resident of South Seas and some of these issues do not affect me.
- If a fee was charged to island property owners it should be tied to the value of their private property to try to balance the amount charged. It should not be put onto the back of every timeshare owner who already pays for many fees.
- A public parking area in the village would be nice, as parking for restaurants is limited.
- Adding more public access will increase the number of vehicles, day visits etc. Keeping Captiva quiet and more of a vacation destination keeps the peace. We don't have a lot of active night life so the majority of vacationers are families; therefore the trouble etc. is kept to a minimum.
- We have plenty of beach access throughout the island. Parking is the issue.

- Though I believe we need more parking on one hand, having a lot more could possibly cause more congestion and wear and tear on the beaches with regards to trash etc. We don't have enough service to take care of trash generated by an abundance of public access. That would have to be addressed as well. It seems we walk a fine line in this regard.
- We could do with some beach access by the church and cemetery - currently it is difficult. In general, I think the situation is ok as it is.
- Beach access should be for people staying on the island. We do not want the public able to come on the island. This is asking for trouble. Captiva should be a high end, exclusive experience. Attract a high end hotel operator to buy South Seas. Let them build a 5 star, exclusive hotel. Develop the island for a contemporary and quality experience.
- Parking is brought up again & again. I wonder where anyone will propose to put this "additional" parking. Of course we would like it! However, some businesses do nothing to direct their customers as to where to leave their car for the day. Yolo is one. They have only 3-4 parking spaces & leave their customers to grab a spot anywhere they can. They often form a line of cars down Andy Rosse Lane while making reservations, etc. It seems every business should have the room to accommodate their customers. Unfair situation.
- There doesn't seem to be room for more parking on Captiva.
- How about leaving things as is and not charging us anymore than we are already paying? Why are you so anxious to change things and increase costs and regulations? How about finding ways to reduce costs and regulations?
- Drawing more day tripping beach goers does little to help Captiva economy. Costs for renourishment should be shared county wide since it draws tourists from everywhere and greatly benefits the county coffers. Having the burden fall only on locals serves to chase local residents and businesses away, turning the island into even more of one big rental property.
- NO MORE PUBLIC PARKING!!!
- NO, NO, NO. Please NO. If people want to use the beach here, they need to come and stay somewhere on the island. That means people using the beach are helping to pay for it.
- This is a barrier Island! Where is the parking going to be created? Neither we nor anybody else is going to make this Island anything but what it wants to be. If we want to be here we will have to pay for that privilege.
- Parking is a major issue, as is beach access, but space is so limited and parking buildings are totally unacceptable.
- Adding public parking will require enforcement and maintenance. After dark, parking beyond the village area creates safety issue for pedestrians on the dark streets walking to the Village. Walkers tend to wear dark clothing, walk in the street and not pay attention to traffic. Village businesses might provide shuttle service at night, but not thru neighborhood streets. Shuttles are disruptive to residential areas.

Do you feel panel should be looking into other issues?

- Sep path can't be done. Leash laws -- just a rule that dogs be under voice control
- Captiva is a special place now and we all must work to keep it that way. My thanks to everyone involved.
- I do think that some of the businesses on Andy Rosse need updating and maintenance. This is the responsibility of the owner but it diminishes the "quaint" when it becomes unsightly or neglected.
- This is an unnecessary make-work list of useless issues.

- A village "look" that makes Captiva resemble Disney World is not what we need. Authenticity and uniqueness should be part of the formula.
- None of the above needs panel attention.
- If underground power lines would eliminate all the power outages I would be for this
- As much as rules are disliked, there would be chaos if we did not have them. We can still maintain the charm of Captiva, and have comfort and security.
- Absolutely NO RENTAL RULES!!!
- Maybe sewer service but is this possible? How would it be financed?
- If you start to try and over regulate the island it won't look or feel like an island anymore and it will just feel like another place that lost its character to a committee
- Since when does Captiva have a storm water runoff issue?
- Standards do get complicated. Inevitably it will create a conflict between who is grandfathered and god bless whomever is building new. There should be a master plan of some type that interprets what is visually important about and to Captiva. It can be as simple as signage standards and entrance landscape or as complicated as cataloging the vernacular architecture of the island (which includes the McMansions).
- Maintaining the safety shoulder and keeping landscaping from creating blind spots
- Need clear regulations and enforcement to eliminate weekend or day rentals, especially for weddings, graduations and other parties at rented houses in residential zones. Renting for those purposes is a commercial use of the property and not permitted in residential zones.
- Village look standards should not be too restrictive. Should encourage walk-ability and character. We have rental rules in place.
- also wider bike/walk lanes on Captiva Drive in village area
- Sewer service cannot be a condition precedent to permitting greater development and growth on Captiva. It is a serious issue.
- Think is mostly ok as it is.
- Captiva owners pay enough tax and it all goes to Lee County and we do not get much for our tax dollars. All this and more should be done for Captiva without raising taxes.
- We have heard many horror stories from people actually renting while stuffing the place they are staying in with many more people than expected.
- Nice but too expensive.
- It's a shame that underground power lines were not approved before. Tween Waters has set a beautiful example.
- See previous comment about the Village "look"
- None of above.
- Why do you want to make so many changes to our beautiful Island? Please go away and leave us alone.
- Current issue for rentals seems to be over capacity on many homes in the village. 6-8 cars spill over into the street on each driveway. Stories of clogged septic systems and trashed homes are common.
- So many rental houses detract from a true community, as one never knows who is supposed to be next door, the renters often don't know beach rules, noise, etc.
- I support putting power lines underground if it provides safety to the grid in the aftermath of a hurricane and storm surge. If power lines are put underground, that might provide a good opportunity to put a bike path on top of the buried power lines. There are some places the existing shared-use path needs to be widened -- especially between the village and South Seas,

but much of the problem is maintaining the width of the existing path by removing sand, debris and vegetative encroachment.
- Please, Please put the utility lines underground. They are ghastly & ugly now that we have lost the lovely canopy along Captiva Drive.
- LEAVE US ALONE.
- OOH! So many good topics. I would have checked the bike path, but honestly cannot see how it will work with property owners. Sewer is a huge problem. I think that it is necessary but only if it will NOT bring the Sanibel look to Captiva.
- NO, NO, NO! My God, it's apparent that members of the panel need something to do. Please leave us alone. All this goes way beyond the Panel's County defined mission. Much of this has been rejected by the community over and over again. Quite acting like a Chamber of Commerce.
- We must continue to allow dogs on the beach regardless of the leash law enforcement. We do not need the sheriff or anyone else enforcing the leash laws
- Most important for me.
- The shared use path would not have to be widened if it was properly maintained. Sand needs to be kept back and landscaping trimmed so as not to over-run existing path. Widening the path encourages people to walk and bike 3 or 4 abreast instead of 1 or 2. Why not keep what we have but take better care of it?

What other issue(s) should the Panel be focusing on?

- Noise level at nights at private parties, i.e. wedding receptions
- What is the wish list of land for parking and or public use
- Preserving wetlands and their buffers, beach buffers. Reducing removal of mature vegetation.
- Its demise.
- Crime prevention. Increase support for stronger property values thru increase in minimum length rentals.
- Architectural review to maintain at least minimum conformity to present "look" of Captiva
- Restrict development of undeveloped properties. More efforts to preserve mangroves and wild life.
- Fishing in public spaces should be better managed and facilities should be added to allow disposal of waste, monofilament, fishing line, hooks, bait and fish cleaning trash, etc. Fishing should be allowed on the Gulf-side of Blind Pass bridge only. Rules should create a buffer to limit boat anglers from getting in the space of private docks and property.
- Making the County enforce the EXISTING zoning and land use regulations
- Keep out commercialization. Keep its rustic, "old Florida" feel
- Lake Okeechobee dumping the water into the ocean is unbelievable!
- Additional garbage pick-up on Saturdays to decrease rodent population and improve sanitation.
- Encourage better markers in Bay channels for boating
- More activities that would encourage visitors to see and experience the outer islands as well as Captiva. An appreciation of nature could be good for business.
- Beautiful though the large houses on Captiva are, it would be nice if some of the plots of land for sale could be used to build more than one very large scale property which seems to be shut up more than it is open
- Maintain an island look with low rise buildings
- Reduced vehicular traffic

- Making sure that the island is not further developed by "tear down housing with McMansion replacement"
- More Holiday/Community Annual events
- Consistent and reasonable enforcement of existing zoning and codes. No point changing what will not be enforced.
- With the coming change of the weather they should be thinking of how to protect the island
- Maintain the intimate atmosphere of the island and village.
- Protecting our water quality
- Walks over the dunes to prevent erosion in those path ways many other beaches have them in place
- Lowering the height limit of structures in the Village
- Future development of Rauschenberg Triangle of land
- Wish there was some way to maintain historical charming look of the island (i.e. cottages).
- Raise enforcement of existing zoning and noise laws to prevent the final drift of Captiva from being the quiet, tranquil, clean residential community it once was to the compromised, weekly rental tourist resort it now mostly is. I know that twenty one of the twenty four houses on Wightman Lane are now weekly rentals and I am confident that a similar rate exists for the entire village. Quietness, tranquility and cleanliness in the Village now reflect the standards of the weekly renters. Sanibel does not have this problem generally speaking because they actually enforce their regulations.
- To us it's about keeping the beach beautiful. That is why people love Captiva. We do not want Captiva to become more commercialized or busy. People love the Island because of its simplicity.
- Keep the Island quaint like Nantucket.... NOT high-rise Disney like Marco
- Storm sewers do not remove the water and prevent first floor flooding.
- Keeping the islands ambience and not allow overbuilding and overcrowding. Limiting daily beach access to people not living or staying on island by limiting parking. Don't let the island become another Periwinkle Way.
- Do not over-regulate
- Ease of transition of certain properties to allow for mixed use.
- Garbage collection at dumpsters--keeping them closed; limiting number of persons in rental houses consistent with bedrooms and septic capacity; enforcing parking regulations; clean-up of beach in heavily used areas, especially from village to South Seas
- The Panel has to focus on maintaining Captiva's traditional, non-commercial, low-rise, low impact feel. Increased parking, overcrowding and over-development will damage the island for resident, visitors, and eventually, businesses with a long-term perspective. Also, there needs to be some thought about how best to maintain and keep clean the sections of beach that receive the greatest use.
- Consider a study to incorporate Captiva as its own city without Lee County. We may find we can get better services, attract better retail, enhance the island and lower taxes.
- Fixing dips in Captiva Road and resurfacing Binder Drive
- I wonder why Yolo is allowed to extend that business onto the beach whereas no one else can. Have you seen how they tear up the sand on a daily basis with all their equipment? Go check it out, especially now since we are all paying for the beautiful beach renourishment...
- Providing more information about community matters being discussed by the CCP to all island stakeholders
- Separate representation at the county to protect and preserve the uniqueness of the island

- Stay on top of Height restrictions I would ban grass but that's probably not going to happen
- Stop the jet ski rentals!
- Size and height restrictions on building
- Access for boating and rules for using boats in the bay
- Allowing golf carts to travel all the way to Tween Water.
- Limit the big foot housing projects
- We residents are grownups so let's use deterrents rather than laws. We are an island community and want to remain happy and neighborly, rather than afraid we're breaking some laws all the time. I have a dog and pick up after it - so maybe allow our furry friends on all beaches - but accumulated penalties for irresponsible actions. As far as tourists go - fine them if they trash our island!
- There needs to be a charge added to all rentals on the Island to cover the costs of beach renourishment instead of the residents footing the bill. They use it and we pay for it!
- Stop dredging!
- Keep current zoning.
- Reducing costs, reducing regulations. Stop trying to add new rules because someone does not like their neighbor's yard or the businesses in Captiva. Get out of our lives and off our PRIVATE properties.
- Public restrooms
- To keep the exclusivity of the Island while maintaining its simple charm, natural feel, beauty, and the quiet, open beaches.
- The charm of Captiva is that we who live here love it and are willing to pay to keep it as charming and lovely as it always has been. People who want to come and visit are always welcome and can stay in the many available places. Beyond that, the island is almost too tiny to really accommodate many more than are here to live and stay for a vacation time.
- Improving cell phone and cable TV service. We have too many black outs, get the public electric utility company to improve service.
- Wasn't all of the above enough? Am still concerned about the use of barrel tiles and the similar style roofs during hurricanes.
- I wouldn't dare say anything to encourage to meddle further.
- Limit size of buildings. Limit building height. Limit building square footage.
- Limiting the size of new buildings. The mansions on Wightman, etc. are too big for the area.
- No jet skis, no parasailing, no floating restaurants selling food
- More golf carts Extend to Tween Waters for golf carts

Aware of panel?

- I totally support this group and attend meeting when possible.
- I am aware the CPOA determines how 8 of the 10 panel seats are appointed which does not make for a representative community planning panel.
- Yes, we are very grateful for their work. That said I'd like to see property owners that rent their properties get a greater voice on issues. Is there a way to use technology to allow people to attend meetings without being there physically? I seem to recall some division with the CPOA and agreeing more with CPOA more than the panel.
- Unfortunately, I am not able to attend meetings as I am only down for short periods. However, my father attends the meetings regularly.

- A very important part of our community!
- Keep up the good work
- I am completely disgusted that we have one. Nothing good ever comes out of community panels, they are always taken over by one political view or the other and ALWAYS increases costs, regulations and ruins a community. It should be abolished immediately.
- The word "Panel" is what's confusing me. We wish to take an active role. ARE you the Captiva Civic Association? WHAT have you done with them, if not!!!!!?
- So far, so good. A work in progress.

Perception of panel?

- Still wish panel and CCA had better relationship, but there are too many people that are anti-panel and think it is only for businesses and financial gain for members.
- Not enough effort to inform residents of issues pending or to encourage other residents' participation in decision-making.
- Was aware of the panel but not sure just what it was all about
- I am concerned about the amount of public input solicited.
- has not been effective
- Panel should be independent entity.
- My father speaks very highly of the panel and its goals to date
- Thankless job that takes much time and effort. I am appreciative for the community members who serve. I wish there could be a venue to get more exposure with absentee owners to get them more involved and focused on the community aspect of the island. If I had an idea, I would submit.
- As a newly elected homeowner association President, I suggest that the Panel members meet with the leadership of the various Captiva homeowner associations at least once a year for input, improved communication and to jointly focus on goals for Captiva
- Negative feeling about failure of Panel to follow through with underground power lines. It seems that relatively few, outspoken, people stopped this.
- I am not really neutral. I think there is a decided business bias. The panel serves some purposes very well, but I think there should be a spirit of cooperation between it and the Civic Association. We might do good things together.
- Thank you for all your hard work as volunteers!
- Do not know the make-up and opinions of the panel.
- Any decision made by this panel should have 100% unanimous consent of every property owner or business on the Island. Otherwise it is an unfair representation of the Island itself as a large portion of owners do not live on the Island full time
- Even though the CCP advertises its meetings, when I have attended I did not feel particularly welcome and the "audience" is basically ignored by the board.
- Overall it is positive, but I would like to see broader representation on the panel and better cooperation between the panel and the Captiva Civic Association.
- I wish to find out all about you.
- The folks on the panel care and ask for comments to try to understand how the people feel.

Have you attended panel meetings?

- in the past years I have attended
- We are timeshare owners living in the UK, so would be unable to attend
- Only because I have not been on the island when they were held.
- Please consider a way to use technology to record and share the meetings or use some sort of media (gotomeetings.com?) to provide greater access.
- Due to my work schedule, I often am not able to attend. I try to keep up by reading the minutes.
- We have in previous years.
- This panel is not a true representation of Captiva and I do not recall voting for any of its members.
- We have received no notice.
- I admire and respect those who have given so freely of their time to serve on this Panel.

Other questions or comments?

- A plan without action is no plan but a plan to failure
- If the CCP exists to do planning and review land use policies, etc. Why are some property owners allowed to hold review meetings in venues other than the CCP?
- What is this survey supposed to achieve?
- Keep up the good work, and protect what I believe is a little paradise right here in Southwest Florida
- I love the feel of 'Old Florida' when I'm in Captiva. Please don't let that go. Matching storefronts are not natural!
- We have timesharing since 1981. We have come to think of the island has paradise, frightened of the prospect of another catastrophe of losing one of the most beautiful spots we have.
- Captiva has suffered a lot from Charley. It is just getting back some of the rustic or more natural appearance. In design, sometimes less is more.
- Wall to Wall Mansions on Andy Rosse needs not to be repeated
- Thank you for caring about Captiva, and working hard to protect its beauty.
- Thank you for your work
- I know that the panel does updates. I don't have an answer as to who would do it and how to pay for it but possibly a regular newsletter like a constant contact program that sends updates and asks that people share it with other property owners could get more people involved. The CEPD, CIHS, etc. send out newsletter updates and ask for subscribers. Or possibly be included in the others newsletter? Just thinking of how to grow the following.
- Captiva Community Panel is the Island's best resource to keep everything here nice.
- Let me know when they are. I'm not on the island all the time.
- Leave our Island as!
- I'm curious about how you came to be. How many "members" you have. How many people are on the "panel" and if they represent varied or similar viewpoints.
- When and where does the committee meet?
- I do not rent my home. It is not fair to expect others not to rent theirs but I do favor fewer tourists and would be pleased if the number of renters/tourists were to decline.
- Quit trying to be our local government.
- Keep CAPTIVA unique. Limit development.

DRAFT – DRAFT – DRAFT – DRAFT – DRAFT -- DRAFT

Captiva Community Panel

COMMUNITY SURVEY

To launch its latest update to the Captiva Plan (county-adopted land use and zoning policies covering the island), the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by _____

• Results will be discussed at the _____ panel meeting •

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Thanks for your participation, and for your efforts to preserve and protect Captiva.

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Landscaping

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.3:** 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).

___ Yes, leave it as is.
___ It should be changed to include the following: TEXT BOX
__ Don't care.

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.14:** 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.)

NOTE: The Captiva Drive landscape plan has yet to be developed.

___ Yes, leave it as is.
___ Yes, but it need to updated in the following way: TEXT BOX
__ No, it should be changed to include the following: TEXT BOX
__ Don't care.

Historic preservation

Do you support preserving historic buildings and other resources on the island?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

If such preservation efforts limited what a building owner could do with the structure, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

If such preservation efforts allow a building owner to make improvement to a structure without having to bring it completely up to current code, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

Lighting

Which statement best matches your opinion of lighting on the island?
___ We need more lighting on the roadways to make it safer and easier to see at night.
___ We need more light in the Village area at night only to make it safer and easier to see.
___ We need less light on the island at night in general.
___ The lighting we now have works pretty well for me.
___ Don't know.
___ Other: TEXT BOX

Is it your opinion that the island needs lighting rules that will help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?
___ Yes.
___ No.

___ Not sure, need more information.
___ Don't care.

The Village

Are you concerned about maintaining the commercial core of the island in the Village?
___ Yes, we need to keep essential businesses in the Village
___ Yes, but the commercial core will survive without regulatory intervention.
___ No, there are too many businesses there now.
___ Not sure, need more information.
___ I don't care about the business community on the island.

Which of the following statements do you agree with?
___ I like the current mix of commercial and residential uses in the Village.
___ I think there should be more businesses and fewer residences in the Village.
___ I think there should be more residences and fewer businesses in the Village.
___ There needs to be more of a buffer between businesses and residences in the Village.
___ The Village needs more parking to make it easier to drive there.
___ The Village needs less parking to encourage people to walk or bike.

What's the one business Captiva really needs? _____

What's the one business Captiva really doesn't need? _____

Do you believe Captiva businesses primarily serving residents, or tourists and other businesses, or a combination of the two?
___ Residents
___ Tourists and other businesses
___ Combination of the two

Pedestrian & bicycle safety

Do you feel safe walking or biking on Captiva's streets?
___ Yes.
___ No.
___ Not sure, need more information.
___ Don't care.

Would you like to do more biking or walking on Captiva? If so, what's holding you back?
___ Yes, but I won't because_____.
___ No, I'm happy with the current situation.
___ Not sure, need more information.
___ Don't care.

Which of the following issues should be part of a community discussion? Rank your top three items by number:
__ Slower traffic speeds
__ Separated bike/walk paths away from traffic
__ Wider bike/walk shoulders in the Village
__ More enforcement of traffic/speed laws
__ More enforcement of bike/walk laws

__ Better parking to help eliminate cruising traffic
__ Other alternatives to driving for on-island transport (trolleys, pedicabs, van shuttles)

What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island? TEXT BOX

Where do you live on the island?
__ Gold Coast
__ Tween Waters stretch
__ Village
__ South Seas

Which best describes you?
__ Full-time (9 months or more) resident & property owner
__ Full-time (9 months or more) renter
__ Part-time (3-9 months) resident & property owner
__ Property owner, but on island less than 3 months per year
__ Business owner
__ Business employee
__ Other: _____

From 2010 survey:

Survey security:

This survey is open to all property owners and registered voters on Captiva; if you are both, you can complete this survey twice, using the different security numbers requested below. You are allowed one survey response per property or voter's registration; if you own more than one property, you can answer more than one survey using the STRAP number for each property you own.

If you are a property owner, please enter your property's STRAP number here (it's the 17-digit number on the address label of the postcard you received): _____

If you are a registered voter, please enter your voter ID number here (it's the 8-digit number on your voter's registration card or the address label of the postcard you received notifying you about this survey): _____

- Do you own property on Captiva?
  □ Yes □ No
  Address (optional) _____

- On which section of the island do you live?
  □ Gold Coast □ Tween Waters □ Village □ South Seas

- Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?
  □ Yes □ No

- Have you read the final draft of the Captiva Land Development Code? (It is available online at www.captivacommunitypanel.com.)
  □ Yes □ No

Other questions or comments?

DRAFT 2 – DRAFT 2 – DRAFT 2 – DRAFT 2 – DRAFT 2

Captiva Community Panel

COMMUNITY SURVEY

To launch its latest update to the Captiva Plan (county-adopted land use and zoning policies covering the island), the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by _____

• Results will be discussed at the _____ panel meeting •

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

More information is available online at www.captivacommnitypanel.com

Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

> *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.*

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

The Panel anticipates the future landscape regulations will mostly affect public lands, but some rules could either target the **prohibition or removal of unwanted species** (such as Australian pine or Brazilian pepper) or **encourage the planting of native, low-water species** that would thrive in the island climate. The Panel welcomes your thoughts on what **level of regulation**—if any— is needed, and what **level of enforcement** is practical.

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.3:** 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).

___ Yes, leave it as is.
___ It should be changed to include the following: TEXT BOX
___ No opinion.
Comments: TEXT BOX

Are you generally in support of the existing Captiva Plan policy regarding landscaping (below):

> **POLICY 13.1.14:** 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.)

NOTE: The Captiva Drive landscape plan has yet to be developed.

___ Yes, leave it as is.
___ Yes, but it needs to be updated in the following way: TEXT BOX
___ No, it should be changed to include the following: TEXT BOX
___ No opinion.
Comments: TEXT BOX

Historic preservation

Although most people don't think of Captiva Island as a famous place in US history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are no Captiva sites on the National Register of Historic Places. (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. They would like to know **how you define "historic,"** in a Captiva context, if there

any **specific sites** that are particularly important, and whether there are any **new measures** that Lee County should take to promote historic preservation on the island.

Do you support preserving historic buildings and other resources on the island?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

If such preservation efforts limited what a building owner could do with the structure, would you support it?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

If such preservation efforts allow a building owner to make improvements to a structure without having to bring it completely up to current code, would you support it?
___ Yes.
___ No.
___ Codes impacting public safety should be met with any improvements, but other conditions could be as is for an historic structure.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642(5)), although identification signs—popular on the island's front yards—are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. They would like to know if you would like to see **more or less restriction** on lighting on the island, and **in what areas** and **under what conditions**. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

Which statement best matches your opinion of lighting on the island? (Mark as many answers as you want):
___ We need more lighting on the roadways to make it safer and easier to see at night.
___ We need more light in the Village area only at night to make it safer and easier to see.

___ We need less light on the island at night in general to minimize light pollution.
___ The lighting we now have works pretty well for me.
___ No opinion.
Comments: TEXT BOX

Is it your opinion that the island needs lighting rules, such as those that exist on Sanibel, that will help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

The Village

In referring to "the Village," this covers the area north of the Jensen S-curve and south of South Seas Island Resort.

Are you concerned about maintaining the commercial core of the island in the Village?
___ Yes, we need to keep essential businesses in the Village
___ Yes, but the commercial core will survive without regulatory intervention.
___ No, there are too many businesses there now.
___ Not sure, need more information.
___ I don't care about the business community on the island.

Which of the following statements do you agree with?
___ I like the current mix of commercial and residential uses in the Village.
___ I think there should be more businesses and fewer residences in the Village.
___ I think there should be more residences and fewer businesses in the Village.
___ There needs to be more of a buffer between businesses and residences in the Village.
___ The Village needs more parking to make it easier to drive there.
___ The Village needs less parking to encourage people to walk or bike.
Comments: TEXT BOX

Should there be a question about architectural standards and maintaining a Village "look"?

What's the one new business Captiva really needs? _____
Comments: TEXT BOX

What's the one business Captiva really doesn't need? _____
Comments: TEXT BOX

Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?
___ Residents
___ Tourists and other businesses
___ Combination of the two
Comments: TEXT BOX

Pedestrian & bicycle safety

Do you feel safe walking or biking on Captiva's streets?
___ Yes.
___ No.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Would you like to do more biking or walking on Captiva? If so, what's holding you back?
___ Yes, but I won't because_____.
___ No, I'm happy with the current situation.
___ Not sure, need more information.
___ No opinion.
Comments: TEXT BOX

Which of the following issues should be part of a community discussion? Rank your top three items by number:
__ Slower traffic speeds in selected zones
__ Faster traffic speeds in selected zones
__ Separated bike/walk paths away from traffic
__ Wider bike/walk shoulders in the Village
__ More enforcement of traffic/speed laws
__ More enforcement of bike/walk laws
__ Better parking to help eliminate cruising traffic
__ Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
Comments: TEXT BOX

Parking

Public parking has always been an issue on Captiva. With the Corps of Engineers withholding federal funds for beach renourishment due to a lack of public beach access and parking, island property owners may have to foot more of the beach project's cost now and into the future.

Which of these statements reflects your opinion?
___ I support more public beach parking in general.
___ I support more public beach parking if it would guarantee the island federal funds for beach renourishment.
___ I do not support more public beach parking on the island, even if property owners have to pay more to maintain the beach.
___ No opinion.

Other issues

What should be the Captiva Community Panel's top priority over the next two years? TEXT BOX
Prior to receiving this survey, were you aware of the Captiva Community Panel:
___ Yes
___ No

If "yes," what is your perception of the panel?
___ Positive
___ Negative

___ No option
Comments: TEXT BOX

Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?
___ Yes
___ No

Have you read the final draft of the Captiva Land Development Code? (It is available online at www.captivacommunitypanel.com.)
___ Yes
___ No

Any comments on the current code? TEXT BOX

What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island? TEXT BOX

Other questions or comments? TEXT BOX

Survey security:

This survey is open to all property owners and registered voters on Captiva. If you are both, you can complete this survey twice, using the different security numbers requested below. You are allowed no more than two survey responses (property owner and voter).

If you are a property owner, please enter your property's STRAP number here (it's the 17-digit number on the address label of the postcard you received):
_____

If you are a registered voter, please enter your voter ID number here (it's the 8-digit number on your voter's registration card or the address label of the postcard you received notifying you about this survey): _____

Where do you live on the island?
__ Gold Coast
__ Tween Waters stretch
__ Village
__ South Seas

Which best describes you?
__ Full-time (9 months or more) resident & property owner
__ Full-time (9 months or more) renter
__ Part-time (3-9 months) resident & property owner
__ Property owner, but on island less than 3 months per year
__ Business owner
__ Employee
__ Other: _____

Captiva Community Survey 2013

Captiva Community Panel Community Survey

Lee County is in the process of updating its land use and zoning policies, which are a part of the county's overall plan. To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by Nov. 15, 2013. Results will be discussed at the Dec. 10 panel meeting and at subsequent public meetings.

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

Captiva Community Survey 2013

Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

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.

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

Future landscape regulations, for example, could either target the prohibition or removal of unwanted species (such as Australian pine or Brazilian pepper) or encourage the planting of native, low-water species that would thrive in the island climate. The Panel welcomes your thoughts on what level of regulation -— if any -— is needed, and what level of enforcement is practical.

1. What should a landscaping plan for Captiva include? (Check all that apply)

- [ ] Encouraging use of native or low-water species
- [ ] Removal of non-native, invasive species
- [ ] Restoring the canopy along Captiva Drive where possible
- [ ] Creating a vegetative buffer between homes where possible
- [ ] Using vegetation to enhance beach management
- [ ] Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive
- [ ] I have no opinion on this issue
- [ ] Other (please specify)

Captiva Community Survey 2013

2. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

- [ ] If we offer landscaping guidelines, private owners will mostly follow them
- [ ] We will need greater enforcement to achieve any impact
- [ ] A public education campaign will convince owners of the benefits of any new rules
- [ ] People will plant what they want, regardless of what county rules say
- [ ] I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

Historic preservation

Although most people don't think of Captiva Island as a famous place in U.S. history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are two Captiva sites on the National Register of Historic Places – the Tween Waters cottages and the Chapel by the Sea (pending). (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. They would like to know how you define "historic," in a Captiva context, if there any specific sites that are particularly important, and whether there are any new measures that Lee County should take to promote historic preservation on the island.

3. Do you support preserving historic buildings and other resources on the island?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Other (please specify)

4. What do you consider criteria for a designation as a historic property? (Check all that apply)

- ☐ Age or longevity
- ☐ Historical significance
- ☐ Cultural/social significance
- ☐ Archeological significance
- ☐ Not sure, need more information.
- ☐ I have no opinion on this issue

Other (please specify)

5. What site on the island do you think deserves preservation by a "historic" designation?

Captiva Community Survey 2013

Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642 (5)), although identification signs — popular on the island's front yards — are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. They would like to know if you prefer to see more or fewer restrictions on lighting on the island, and in what areas and under what conditions. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

6. Which statement best matches your opinion of lighting on the island? (Check all that apply)

- [ ] We need more lighting on the roadways to make it safer and easier to see at night.
- [ ] We need more lights at individual driveways to make it easier to see house numbers.
- [ ] We need more light in the Village area only at night to make it safer and easier to see.
- [ ] We need less or better directed light on the island at night to minimize light pollution.
- [ ] The lighting we now have works pretty well for me.
- [ ] I have no opinion on this issue

Other (please specify)

7. Is it your opinion that the island needs lighting rules, such as those that exist on Sanibel, that will encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging use of lighting fixtures that prevent light from going up into the sky?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

The Village

In referring to “the Village,” this covers the area north of the Jensen S-curve and south of South Seas Island Resort.

8. Are you concerned about maintaining the commercial core of the island in the Village?

- ◯ Yes, we need to keep essential businesses in the Village
- ◯ Yes, but the commercial core will survive without regulatory intervention
- ◯ No, there are too many businesses there now
- ◯ Not sure, need more information.
- ◯ I don’t care about the business community on the island.
- ◯ I have no opinion on this issue

Other (please specify)

9. Which of the following statements do you agree with? (Check all that apply)

- ☐ I like the current mix of commercial and residential uses in the Village.
- ☐ I think there should be more businesses and fewer residences in the Village.
- ☐ I think there should be more residences and fewer businesses in the Village.
- ☐ There needs to be more of a buffer between businesses and residences in the Village.
- ☐ The Village needs more parking to make it easier to drive there.
- ☐ The Village needs less parking to encourage people to walk or bike.
- ☐ I have no opinion on this issue

Other (please specify)

10. What’s the one new business Captiva really needs?

11. What’s the one business Captiva really doesn’t need?

12. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- ◯ Residents
- ◯ Tourists and other businesses
- ◯ Combination of the two

Other (please specify)

Captiva Community Survey 2013

Pedestrian & bicycle safety

13. Do you feel safe walking or biking on Captiva's streets?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

Other (please specify)

14. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

- ◯ Yes, but I won't because (give reason below).
- ◯ No, I'm happy with the current situation.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

I won't bike/walk more on Captiva because...

15. Which of the following issues should be part of a community discussion? (Check all that apply)

- [ ] Slower traffic speeds in selected zones
- [ ] Faster traffic speeds in selected zones
- [ ] Separated bike/walk paths away from traffic
- [ ] Wider bike/walk shoulders in the Village
- [ ] More enforcement of traffic/speed laws
- [ ] More enforcement of bike/walk laws
- [ ] Better parking to help eliminate cruising traffic
- [ ] Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
- [ ] I have no opinion on this issue

Other (please specify)

Captiva Community Survey 2013

Parking

Public parking has always been an issue on Captiva. With the Corps of Engineers recently withdrawing federal funds for beach nourishment due to a lack of public beach access and parking on Captiva, island property owners may have to pay more of the beach project's cost now and into the future.

16. Which of these statements reflects your opinion?

- ◯ I support more public beach parking in general.
- ◯ I support more public beach parking if it would guarantee the island federal funds for beach renourishment.
- ◯ I do not support more public beach parking on the island, even if property owners have to pay more to maintain the beach.
- ◯ I have no opinion on this issue.

Other (please specify)

Captiva Community Survey 2013

Other issues

17. Do you fell the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

- [ ] Establishing standards to maintain a Village "look"
- [ ] Putting island power lines underground
- [ ] Brining limited sanitary sewer services to the island
- [ ] Creating bike/walk lanes on Captiva Drive
- [ ] Creating a bike/shared-use path on the island
- [ ] Having uniform rental rules for the entire island
- [ ] Enforcing leash laws on the beach
- [ ] Reducing stormwater runoff to improve water quality

Other (please specify)

18. What issue should the Captiva Community Panel really be focusing on for the future planning and land use of the island?

19. Prior to receiving this survey, were you aware of the Captiva Community Panel?

- ◯ Yes
- ◯ No

Other (please specify)

20. If "yes," what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

- ◯ 1 -- Very negative
- ◯ 2
- ◯ 3
- ◯ 4
- ◯ 5 -- Neutral
- ◯ 6
- ◯ 7
- ◯ 8
- ◯ 9
- ◯ 10 -- Very positive
- ◯ I have no opinion on this issue.

Other (please specify)

21. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

- ◯ Yes
- ◯ No

Other (please specify)

22. Other questions or comments?

Captiva Community Survey 2013

Tell us about you

A few final questions to help us analyze the survey results.

*23. Where do you live on the island?

- ◯ Gold Coast
- ◯ Tween Waters stretch
- ◯ The Village
- ◯ South Seas Island Resort

24. Where do yo own property on the island? (Check all that apply.)

- ☐ Gold Coast
- ☐ Tween Waters stretch
- ☐ The Village
- ☐ South Seas Island Resort

*25. Do you own multiple properties on the island?

- ◯ Yes
- ◯ No

*26. Which best describes you? (Check all that apply)

- ☐ Full-time (9 months or more) resident & property owner
- ☐ Full-time (9 months or more) renter
- ☐ Part-time (3-9 months) resident & property owner
- ☐ Property owner, but on island less than 3 months per year
- ☐ Business owner
- ☐ Employee

Other (please specify)

27. OPTIONAL: Give us your name, address and/or email if we need to follow up on your responses.

Name

Address

Email

28. If you are not currently receiving email updates from the panel, would you like to be added to our emai list? (We limt how many messages we send, and you can opt out at any time.)

- ◯ Yes
- ◯ No

What is your email address?

Thanks for taking the time to complete this survey, and be sure to attend an upcoming Community Panel meeting to hear the results.

1. Captiva Community Panel Community Survey

Lee County is in the process of updating its land use and zoning policies, which are a part of the county's overall plan. To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by Nov. 15, 2013. Results will be discussed at the Dec. 10 panel meeting and at subsequent public meetings.

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Remember: This is not a vote, but is a chance for your input on issues that affect our island.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

2. Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

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.

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

Future landscape regulations, for example, could either target the prohibition or removal of unwanted species (such as Australian pine or Brazilian pepper) and encourage the planting of native, low-water species that would thrive in the island climate. The Panel welcomes your thoughts on what level of regulation -— if any -— is needed, and what level of enforcement is practical.

1. What should a landscaping plan for Captiva include? (Rank in the order of importance to you, with 1 being most important and 6 being least.)

- [ ] Encouraging use of native or low-water species
- [ ] Removal of non-native, invasive species
- [ ] Restoring the canopy along Captiva Drive where possible
- [ ] Creating a vegetative buffer between homes where possible
- [ ] Using vegetation to enhance beach management
- [ ] Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive
- [ ] I have no opinion on this issue

Comments

2. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

- [ ] If we offer landscaping guidelines, private owners will mostly follow them
- [ ] We will need greater enforcement to achieve any impact
- [ ] A public education campaign will convince owners of the benefits of any new rules
- [ ] People will plant what they want, regardless of what county rules say
- [ ] I have no opinion on this issue

Comments

3. Historic preservation

Although most people don't think of Captiva Island as a famous place in U.S. history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are two Captiva sites on the National Register of Historic Places –– the Tween Waters cottages and the Chapel by the Sea (pending). (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. We would like to know how you define "historic," in a Captiva context, if there are any specific sites that are particularly important, and whether there are any new measures that Lee County should take to promote historic preservation on the island.

1. Do you support preserving historic buildings and other resources on the island?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Comments

2. What do you consider criteria for a designation as a historic property? (Check all that apply)

- ☐ Age or longevity
- ☐ Historical significance
- ☐ Cultural/social significance
- ☐ Archeological significance
- ☐ Not sure, need more information.
- ☐ I have no opinion on this issue

Comments

3. What site(s) on the island do you think warrant preservation by a "historic" designation?

4. Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642 (5)), although identification signs — popular on the island's front yards — are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. We would like to know if you prefer to see more or fewer restrictions on lighting on the island, and in what areas and under what conditions. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

1. Which statement best matches your opinion of lighting on the island? (Check all that apply)

- [ ] We need more lighting on the roadways to make it safer and easier to see at night.
- [ ] We need more lights at individual driveways to make it easier to see house numbers.
- [ ] We need more light in the Village area only at night to make it safer and easier to see.
- [ ] We need less or better directed light on the island at night to minimize light pollution.
- [ ] The lighting we now have works pretty well for me.
- [ ] I have no opinion on this issue

Comments

2. Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, I need more information.
- ◯ I have no opinion on this issue

Comments

5. The Village

The next few questions pertain to “the Village,” the area north of the Jensen S-curve and south of South Seas Island Resort.

1. Are you concerned about maintaining the commercial core of the island in the Village?

- ◯ Yes, we need to keep essential businesses in the Village
- ◯ Yes, but the commercial core will survive without regulatory intervention
- ◯ No, there are too many businesses there now
- ◯ Not sure, need more information.
- ◯ I don’t care about the business community on the island.
- ◯ I have no opinion on this issue

Comments

2. Which of the following statements do you agree with? (Check all that apply)

- ☐ I like the current mix of commercial and residential uses in the Village.
- ☐ I think there should be more businesses and fewer residences in the Village.
- ☐ I think there should be more residences and fewer businesses in the Village.
- ☐ There needs to be more of a buffer between businesses and residences in the Village.
- ☐ The Village needs more parking to make it easier to drive there.
- ☐ The Village needs less parking to encourage people to walk or bike.
- ☐ I have no opinion on this issue

Other (please specify)

3. What’s the one new business Captiva really needs?

4. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- ◯ Residents
- ◯ Tourists and other businesses
- ◯ A combination of the two

Comments

6. Pedestrian & bicycle safety

The addition of a safety shoulder along Captiva Drive has encouraged more walking and biking on the island, but how is the interaction between walkers/bikers and motorized traffic working out?

1. Do you feel safe walking or biking on Captiva's streets?

- ◯ Yes.
- ◯ No.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

Comments

2. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

- ◯ Yes, but I won't because (give reason below).
- ◯ No, I'm happy with the current situation.
- ◯ Not sure, need more information.
- ◯ I have no opinion on this issue

I won't bike/walk more on Captiva because...

3. Which of the following issues should be part of a community discussion about walking and biking on the island? (Check all that apply)

- [ ] Slower traffic speeds in selected zones
- [ ] Faster traffic speeds in selected zones
- [ ] Separated bike/walk paths away from traffic
- [ ] Wider bike/walk shoulders in the Village
- [ ] More enforcement of traffic/speed laws
- [ ] More enforcement of bike/walk laws
- [ ] More parking to help eliminate cruising traffic
- [ ] Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
- [ ] I have no opinion on this issue

Comments

7. Parking

The availability of parking and beach access has always been an issue on Captiva. For example, due to the recent loss of government funding for beach nourishment tied to beach access and parking, island property owners may have to pay more of the project costs now and in the future.

1. Which of these statements reflects your opinion?

- ◯ I support more public parking and beach access on Captiva in general.
- ◯ I support more public parking and beach access only if it would guarantee more government funding for beach management.
- ◯ I do not support more public parking and beach access on Captiva.
- ◯ I have no opinion on this issue.

Comments

8. Other issues

1. Do you feel the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

- [ ] Establishing standards to maintain a Village "look"
- [ ] Putting island power lines underground
- [ ] Bringing sanitary sewer service to the island
- [ ] Creating wider bike/walk lanes on Captiva Drive
- [ ] Creating a bike/shared-use path separated from the road
- [ ] Having uniform rental rules for the entire island
- [ ] Enforcing leash laws on the beach
- [ ] Reducing stormwater runoff to improve water quality

Comments

2. What other issue(s) should the Captiva Community Panel be focusing on for the future planning and land use of the island?

3. Prior to receiving this survey, were you aware of the Captiva Community Panel?

- ◯ Yes
- ◯ No

Comments

4. If "yes," what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

- ◯ 1 -- Very negative
- ◯ 2
- ◯ 3
- ◯ 4
- ◯ 5 -- Neutral
- ◯ 6
- ◯ 7
- ◯ 8
- ◯ 9
- ◯ 10 -- Very positive
- ◯ I have no opinion on this issue.

Comments

5. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

- ◯ Yes
- ◯ No

Comments

6. Other questions or comments?

9. Tell us about yourself

A few final questions to help us analyze the survey results.

1. Where do you live on the island?

- ◯ Gold Coast
- ◯ Tween Waters stretch
- ◯ The Village
- ◯ South Seas Island Resort

2. Where do you own property on the island? (Check all that apply)

- ☐ Gold Coast
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Comments

3. Do you own multiple properties on the island?

- ◯ Yes
- ◯ No

4. Which best describes you? (Check all that apply)

- ☐ Full-time (9 months or more) resident & property owner
- ☐ Full-time (9 months or more) renter
- ☐ Part-time (3-9 months) resident & property owner
- ☐ Property owner, but on island less than 3 months per year
- ☐ Timeshare owner
- ☐ Business owner
- ☐ Employee

Comments

5. OPTIONAL: Give us your name, mailing address and/or email if we need to follow up on your responses.

Name

Address

Email

6. If you are not currently receiving email updates from the Panel, would you like to be added to our email list? (We limit how many messages we send, and you can opt out at any time.)

◯ Yes

◯ No

What is your email address?

Thanks for taking the time to complete this survey, and be sure to attend an upcoming Community Panel meeting to hear the results. They will also be posted online at www.captivacommunitypanel.com.

CPA2015-00009

WORKSHOPS

Help plan the future of Captiva!

The Captiva Community Panel is updating the existing Captiva Plan, which sets out the land use and zoning policies the county uses for island properties. As a follow-up to the community survey the Panel conducted last fall, it is holding public workshops to let Captivans discuss key issues identified in the surveys. We invite the public to participate in one or all of these workshops to provide input and insights on Captiva's future.

Tuesday, Feb. 11:
Community Panel meeting 9 a.m.
Auger Room at Chadwicks Square, South Seas Island Resort
Public workshop 10:30 a.m.-noon.
Overview of Captiva Plan update and previous panel planning efforts, review of community survey results.

Thursday, March 6:
Public workshop (time and location to be determined).
Focus on lighting and bike/ped issues.

Tuesday, March 11:
Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort
Public workshop 10:30 a.m.-noon. Focus on landscaping and historic preservation.

Tuesday, April 8:
Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort
Public workshop 10:30 a.m.-noon.
Discussion of other issues and summary of workshop discussions.

Tuesday, May 13:
Community Panel meeting 9 a.m.
Cone Rooms at Chadwicks Square, South Seas Island Resort
Review of community input, discuss possible actions and timetable to develop any desired Plan language for community review.

Assuming changes in the Captiva Plan are recommended based on community input, new language would be drafted by the panel over the summer for public review and discussion fall 2014 and winter 2015.

For more information:
Online: www.captivacommunitypanel.com
Email: captivacommunitypanel@gmail.com
Call: Panel administrator Ken Gooderham, (239) 489-2616
or Panel planner Max Forgey, (239) 560-5864

Help plan Captiva's future!

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If changes in the Captiva Plan are recommended based on community input, new language would be drafted by the panel over the summer for public review and discussion in next winter.

For more information:
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The Captiva Community Panel is sponsored by the Captiva Property Owners Association Inc., a 501(c)3 nonprofit organization by IRS determination. The association is registered under account number CH28824 with the state of Florida under Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A copy of the official registration and financial information may be obtained from the Division of Consumer Services by calling toll-free (800) 435-7352 within the state. Registration does not imply endorsement, approval or recommendation by the state.

Captiva Community Panel

MINUTES

Feb. 11, 2014

Attending: David Rohn, Bob Walter, Sandy Stilwell, Mike Mullins, Paul McCarthy, Jay Brown, Jack Cunningham, Susan Stuart, Jerry McClure, Mike Kelly

Audience: 20

Following introductions, the Jan. 14 minutes were unanimously approved.

CEPD: *Kathy Rooker*: Planting underway about halfway done. Expect to hold sand in place from winds and waves. Plants actually accumulate sand. *Mullins*: Discussion of how much sand gathers with plants. *Rohn*: Extra plants for people to plant themselves? *Rooker*: No. Update on billing. *Rooker*: Public hearing in June, will send assessments by then. Apportionment plan will be accepted then. *Mullins*: When we do capture tax assessments? *Rooker*: What's on your bill now. Get letter from tax appraiser about any tax change, we will forward to update your assessment.

CFD: *Chief Rich Dickerson*: Physicals, station status. Builder selection at today's meeting, demo mid-late March, will be really fast. TJ Klein coming back from Afghanistan, planning some special even for his return.

LCSO: *Deputy Mike Sawicki:* More people more activity. Quiet so far. Updating records. As always, let us know if you see anything strange or unusual. JM: New pre-stop stop sign, looks good. Past Jensens', higher than regular sign.

Mullins: Island resident and artist Stella Farwell recently died, asked for a moment of silence. Introduced Bob Walter as new panel member.

Hurricane: *Doris Holzheimer*: Feb. 18, StormReady proclamation at BoCC 9:30 a.m. Recognition of renewal of SR status. March 6, Hurricane Committee education program at South Seas, not sure of room. 3:30 p.m. At shift change. Rich Dickeron, Mike Sawicki, Gerald Campbell, Amy from EOC. March 11 SkyWarn training with Daniel Noah with NOAA in Ruskin. At Tween Waters in Ding Darling Room. Send changes in authorization form to LCSO and CFD. Passes at meetings or from Sanibel.

Fund-raising: *McCarthy*: Explanation of brochure distribution. Cruise tonight, informal way to meet the panel and express any concerns you may have. 5 p.m. From McCarthy's Marina. *Mullins*: Discussion of funding and benefits to island from panel.

Communications: *Stuart*: Will get photos on cruise. Photos of panel.

Planning: *Max Forgey*: 5/16 symposium on how growth management and planning work in Florida. Good for community panel members to attend. No charge. Palmetto Pines CC in Cape Coral.

Financial: *Gooderham*: Update. Monday After The Masters April 14. StormReady proclamation time confirmed.

Bylaws: *Cunningham*: Number of members on the panel? Like to see consider changing number down to nine. *Mullins*: Not this meeting, but perhaps after next meeting. Include on March 11 agenda. *Brown*: Go through same process as last time, committee discussion and 60 days' notice. *Cunningham*: Preceding next meeting? Yes. Include in agenda, ran through members. Community Center not available for March 6 meeting, schedule at SSIR.

Other business: *Stilwell*: Rides to Village... S Car Go, looks like a snail. Holds 12 people, runs during busy times only. From Chadwicks through Village and back. Not more than 35 mph. Will not hold up traffic however. Set stops, not hop-on, hop-off.

The meeting adjourned at 9:40 a.m.

Public planning workshop

Convened at 10:30 a.m. *Forgey*: introductions... First in a series of four, more if necessary. On status of Captiva Community Plan. Schedule of workshops. Handouts.

Overview... 1984 Lee Plan first adopted. Adopted by ordinance, not purely advisory documents. Enforceable in circuit court. Captiva Plan is part of Lee Plan. First adopt by BoCC in 2002, prepared by Captiva Community Panel. About the panel... liaison to county government. History via handout.

Gooderham: Presentation on community survey. *Cunningham*: When do we get in the weeds? *Forgey*: Now, plan comes first but we can discuss LDC as well. *Kathie Ebaugh*: Plan is main mission, code changes that need to be made from that as necessary. *Ebaugh*: Discussion of plan vs. code. If code is inconsistent, you can fix it now. *Cunningham*: When?

Parks and rec issues at future workshop. More detail at those workshops. *Mullins*: Undergrounding. Assessment policy. Bike paths... Sewers. Water quality in the Gulf. Fertilizer ordinances, sewers, storm water runoff. Specific language to update plan. Goals to policies. *Rohn*: Make workshops educational as well. *Nathalie Pyle*: Expert knowledge in the room for context in the recommendation.

Experts? Landscaping – BobWalsh, SCCF (Jenny Evans?)
Bike/ped – Dan Moser, LeeDOT
Historic preservation – Gloria Sagjo
Lighting – Dark skies... Sanibel?
Water quality – SCCF,

McCarthy: Consensus on plan issues. *Forgey*: Sewers, noise, power lines, parks & rec issues, water quality, Captiva Drive, community appearance, landscaping,

- Landscaping, aesthetics, community appearance, Captiva Drive, dark skies
- Water quality, septics, sewers, wastewater treatment & quality, runoff, fertilizer
- Not historical preservation – NO
- Bike/ped – safety, transportation, recreation – areas of concern? Lighting – safety
- The Village – appearance, heights, uses, rentals, mixed use, commercial/residential interface, quality of life... neighborhood character and quality of life
- Community facilities and services – NO

Captiva Community Plan Workshop
'Character, Design & Quality of Life'
Thursday March 6, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes. [Bracketed items were reconstituted from memory]

Key Elements

Max's Table

- Great beach
- Low building height, density
- Beautiful natural vegetation
- Small, **remote—**but not isolated, community feeling
- A tranquil island environment (except during season)
- Transitioning to a more-rental community
- Getting noisier as the transition takes place
- High seasonal population—new community every Saturday
- Great weather

Patrick's Table

- Small Town
- Old Florida
- Neighborly
- Heavily landscaped
- Dark, no street lights
- LA light pollution [?]
- Similar to Island Beach Preserve
- Travel & [tourism]

Wayne's Table

- People (Corporate and Human) include:
    - Investors
    - Inhabitants
    - Transients
- Sacred spaces & Holy Sites
- Beach
- One road in; one road out; it's the same road
- Built-out village
- Dark skies
- Structures transition to and from rentals and ownership

- The 'Clean Slate' of hurricane is game changer
- Randomness of vegetation adds character because (due to the youth of the island [i.e. as a land mass] everything is invasive, but in character.
- [If Central Park is Manhattan's sacred place] Captiva Island itself is Captiva's sacred place.

Design & Architecture

Max's Table

- The last change in building height (2011-12) was generally good
- Unfortunately, new construction is not taking advantage of the sloped-roof option.
- Insufficient attention to how a building fits on the site, especially in the Village
- People are building to the limit.
- Buildings are square and blocky on Wrightman (in particular) and block the sun.
- Not enough light
- Admitting light, especially in upper stories, is key to good design
- Economics are at work here—it's too expensive to maintain a seasonal single family unit in the Village—[you have to rent it out part of the year to pay taxes and maintain the property, therefore you must build the biggest building possible to generate income.]
- SSR and Gold Coast are generally OK
- Good design on most of the island, [but Village needs some attention]
- SSR employee lots are a future concern. Anticipate management may replace them eventually
- Consider upper limits on number of bedrooms and mandatory upper story setbacks for light
- Owners try to shoehorn as much house as they can on to their lots—height, setback, all stories
- Need planning designs that fit community standards
- Bulk, façade, massing of elements, landscaped area, tree preservation on lot
- Landscape program
- Village building design and landscape
- Recess second floor [to let in the light]
- Consider designs other communities have used—Sanibel is a good example but there are others
- Homes with character
- Consider 30 day rental minimum periods in village
- Or 2-weeks
    - The above will be hard to implement
- Wrightman, Rosse are the core of the village
- Building Code-Septic. [State could help us by imposing stricter rules
- Realtors advertise downstairs rooms [that shouldn't be occupied to begin with]

- Sanibel---Tougher code enforcement. [That's possible when you have your own municipality.]
- We cannot be Laissez-Faire any more
- Yes, we can
- Consider different building heights in Village
- Consider returning to **old** height standard in Village
- Village stretches to South Side of South Seas (including the Boyle property)

Patrick's Table

- Enforcement of Landscaping Code of Captiva Plan
- Intended consequence of roof height and code encouraging?????
- Roof code needs graphic design, drawing explanation
- Cheaper to pay fine than relocate trees
- Nothing on regular
- 42 foot height limit
- Types of roof lines needs graphic clarification
- Potential minimum building lot width
- Oversized rental homes
- Contradiction in standards
- Multijurisdictional issues
- INDIVIDUAL RIGHTS
- Setbacks and heights
- Property appraisers (taxes)

Wayne's Table

- Individualism is encouraged, but each site should respect its setting and that of its neighbors through size [restrictions.]
- No Naples-ization!
- Achieve through influence, not (unenforced) regulation
- Promote awards for success in development and redevelopment, that exceed [the expectations of] Code Enforcement
- Promote education for encouraging **the eclectic, the creative, the native, and the natural.**
- But there is a need for a [re]source center/site for the information and point a [long?] look for the 'ties that bind' the community together through sacred spaces/holy sites.

Environmental & Landscape Practices

Max's Table

- The mangrove problem
- Septics—on the 3rd week of March, the smell can be quite ripe. Not good for business.

- Mike K: We struggled with that the last time around. When property changes hands, you can require pumpage and certification, but you can't enforce it on an annual basis
- Difficult to enforce
- Panel could make recommendations for stricter rules to state. No guarantees.
- Panel could notify Code Enforcement of the need[this time of year when it is most acute]
- Panel could speak to neighbors through realtors—that may be the most effective approach
- Sanctuary gumbo limbo trees are instructive example [Jack C]
- Tendency to finesse [enforcement] post-Charley.
- People reluctant [to pursue the 2002 comp plan commitment to have a landscape code for Captiva]
- Would be great to have a booklet [which will educate residents and newcomers about native vegetation]
    - Max advised Jack C that he will send the table from the Lee LDCs.
    - Max advised that he knows of someone who might be interested in that project and will advise Ken

Patrick's Table

- Invasive are not equal exotic
- Brazilian Pepper spreading—Big Problem
- Tropical landscaping "Recommended Plantings of Captiva"--- education issue.
- Mangrove Preservation--- not enforced
- Restrict invasive species
- People buy homes thinking suburban landscape design as oppose to Tropical or Caribbean style

Wayne's Table

- Maintain beaches as complete [?]
- Plant native species—or let natives self-start
- Vegetation is key for design
- [Issues are] indistinguishable from Environmental issues.
- Maintain screening with its covering of utilities
- Award the [cropped?] lawns

Lighting

Max's Table

- San moving to [tougher regulations]
- Safety issue—from Green Flash to SSR
- Problem Captiva Drive to Andy Rosse around to South Seas
- Danger –Don't want to hit a kid

Patrick's Table

- No lampposts, streetlights
- Down lighting on signs **not enforced**. Potential for regulation.
- Frequent deliveries, EMS, trades
- Sign regs, no big neon sign.

Wayne's Table

- To be consistent with dark skies, lower and directed lights for pedestrians rather than lighting signs.

Captiva Community Plan Workshop
'Transportation'
Tuesday March 11, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes. [Bracketed items were reconstituted from memory]

Key Elements
Overall Mobility

Max's Table

- If you try to get anywhere [this time of year, all the way to South Seas you will] encounter trucks
- Smaller delivery trucks would help
- Walking is helpful; [it's good for you]
- Bicycles, people, and motor scooters cause problems for deliveries
- Safety strips [and remember they aren't sidewalks or bikepaths; they don't meet the minimum requirements for those designations] over-run
- Don't have two lanes in reality when delivery vehicles are parked in the ROW
- Can't walk on safety strip
- Bike/Pedestrian--almost blind on bridge---issue for bikes
- Bicyclists become a threat; "spandies" don't respect rules.
- Cyclists don't stop at STOP signs
- They don't use horns or bells
- Bicycle groups—[they travel in pelotons of 20 or more cyclists and pay little heed to others on the road]
- Shared Bike/Ped on safety strip
- They freak out when they see oncoming vehicles
- It's contrary to the established rule but it may be safer to walk **with** traffic
- Driving on Rosse interferes with pedestrians
- Also motor bikes
- Rosse became a pedestrian street—sidewalks ignored
- Wightman—sometimes problem with golf carts
- 3-wheel motorbikes; no reverse—problem all over the island

Julia's Table

- Bikes, Walking, Golf Carts, Cars
- Cars=not a lot of issues getting around island, but getting on/off a problem.
- Not a lot of traffic

- One stop sign
- Table was in Agreement on this point about Cars.
- Cars in Village--intermittent parking problem. More so in high season
- Build more > more problems
- Parking enforcement issues
- Mexican Restaurant parking on street
- Not "need more parking" but people put parking wherever they choose
- How's Sandy's trolley doing?
    - To Dave's observation, it is empty in daytime but full at night
    - In operation past few weeks SSR to A Rosse
    - Do enough people know about it?
- SSR has [few] restaurants, [so visitors] go to A Rosse
    - Danger of walking down Captiva road at night
- Back to panel mission
    - Need mode [of transport] between Tween Waters and SSR
    - Support for some type of trolley
- Haphazard parking
- Mediating number of cars
- Who would fund the trolley?
    - Between Tween Waters and South Seas Resort
- Tween Waters has parking issue at peak
- SSR used to run trolley at peak times
    - Turnaround locations
    - Fumes
    - Noise

Tony's Table

- Beautiful island
- Can walk it
- Solutions
    - Pedestrian wide path
    - Cut through R. Park, A. Rosse
    - Beach path (to Andy Rosse)
    - Park & Ride
- Do it right or don't do it
- Traffic
    - 9-12 3-6 weekly
    - Season & summer (Tarpon)

Sharon's Table

- S-Curve safety
- Golf carts
    - Allowing them to go farther—especially along Tween Waters stretch
    - Can accommodate more golf carts than cars—parking, etc.
- Connectivity
- S Car Go—expand to other businesses
- Evening vs day traffic---plus day trippers
- There are five dangerous 90° curves causing safety --- Safety issues. Cars going into pathways
- Green Flash to South Seas
    - Lighting—very dark, can't see pedestrians
- Opposed to additional lighting—some like it "dark"
    - Maybe reflective clothing or surfaces
    - Down lighting
- Balance between safety and lighting is tricky
- Rental bikes should have front/back lights

Pedestrian Pathways & Bikeways

Max's Table

- It is a concern because there are lots of people on road—kids, golf carts…
- Potential for acquisition of new ROW via eminent domain only. It may be worth it.
- [Some ROW could be acquired via] voluntary means
- Old tree cut down at Jensen's curve. DOT was not flexible
- Captiva Drive is on private property in places
- People encroaching on Captiva Drive with pavers have been tolerated [but now that they are grandfathered, their neighbors don't get the same privilege]
- Mile long strip between S-Curve—can it be moved?
- It is unusable private property
- Wider strip would be ideal
- Dune path would be costly—move boulders and riprap
- People walk in the dark [wearing dark clothing]
- Meandering pathway through dunes would be great!
- Consider lowering speed limit at night (similar to Collier County with the panthers)
- Consider allowing golf carts islandwide
- Consider 25 MPH island wide all the time
- Some traffic calming options:
    - Brick strips
    - Do not want speed bumps or washboards

    - Would consider experimenting with rubber bumps
- Really important between Village and Green Flash
- On Blind Pass Bridge keep cyclists on one side
- Captiva Plan [could consider eliminate overhead electric lines]—would room to expand, esp southernmost ½ mile
- Other options:
    - Consider Intelligent bike paths
    - Consider boardwalks on beach, understanding that feral cat and rodent problems seem to go along with boardwalks
        - Meandering pathway
        - Seaward of private property to protect turtles
    - Find ways to encourage bicyclists to behave better

Julia's Table

- Where do the cars come from?
- Are most cars at restaurants going from sunsets to restaurants? From Gold Coast to town?
- Trolley would help
- Places with parking lots/shared use/Paul's Marina [Park & Ride]
- **Need traffic count**
- Jay says majority are SSR & renters
- Pedestrians
    - From SSR [southward a concern]—not much issue at SSR
    - But they need to be registered [???]
    - SSR entrance to S-curve to A Rosse down to Green Flash
- Walking, particularly at twilight—Eyes don't see as well
- What fixes?
    - Lighting
    - Trolley
    - Solar footlights –not uplights
    - Discussions with Sanibel as to what they are doing
    - Could we consider widening ped path?
    - Is that a waste of time to try?
    - Now ROW—only side to walk due to drains on other side
    - Put structure on top of drains
    - Trim overgrown brush
    - Help from fire dept
    - Maybe talk with Rauschenberg Property?
    - Have they been approached?
    - Panel should say "there is a pedestrian safety issue from SSR to Green Flash
    - How about white line, flap sticks, go to Rauschenberg property
    - Bikes. Same as peds/but harder for bikes

        - Bikes can use roadway
        - Can you have bike only path?
        - Gold coast
        - S-curve
        - Tween Waters. In these places you couldn't get ROW to put in bike path inland, separated by grass. We asked—was any incentive offered?
    - Vegetation is special. People put time into that.
    - Village—nothing to do, except encourage bikers to use road
    - Bikes---kids!

    - Bikes are rentals (Do they supply helmets and is use of helmets enforced?)
    - Little lights will help (downlights)
    - Approach as safety issue. 25 MPH limit
    - Remind everyone "Bikes Share Roadway"
        - 15 MPH through town
        - Bikes should use roads [not safety strip]
    - Establish safety shoulder (1 ½ ft.) each side
        - The path is wide enough for bikes, as long as cars do not drift
    - Storm drains—No accidents so far
    - People look at Sanibel—We could have a bike path
    - Speed Limit—don't change it again!

Sharon's Table

- Pedestrian concerns (survey)
    - Bikeways
    - Pathways
- Pedestrian—S Curve dangerous
    - Southside
    - 1st. Curve east side
    - Bike & walkers interface
- Expanding existing path to 5 ft.
- Ideally—stand alone bike and walk paths
- Blind Pass to South Seas (all 5 miles)—bike/walk path along side of dunes to protect shorelines
- Concerns—maintenance of path, storms, etc.
- Put path along shorelines
- Bike/walk separated by greenbelt
- Doesn't like expanded path--safety
- Cannot require bikes to use pathway
- Pathways
    - If pathway along shoreline limit lighting or buffer to protect turtles

Vehicular Access

Max's Table

- Double lines on roadway
- Allow golf carts islandwide
- Consider trolleys
- Water taxi a possibility but concerns with dolphins an issue
- Pedi cab advertising a possibility
- Jitneys, but keep in mind Long Island example

Julia's Table

- **Dead issue—no more beach parking!**

Sharon's Table

- Parking—**no new parking or additional beach access**
- Post office parking lot—wanted to put in parking spaces there.
- Revisit question with owners—if it was a shared meter revenue
- Infrastructure
    - Humps/bumps resurfacing needed at Tween Waters
    - Bike safety
    - Corners need to be safer

Transit/Alternatives

Max's Table

- Valet Parking—Village and South Seas Plantation
- Shirley lot potential
- If you offer more parking, you get more people --OR--
- If you offer more parking, you may have fewer violations.
- Beach parking should accommodate golf carts—several will fit in one car space.
- *Seasonal* speed limit

Julia's Table

- Ferry boat
    - Or something that connects to buses if public would deliver

    - Car ferry from community to community
    - Where would it land?

- Back to [Sandy S's] trolley
    - How is it funded?
    - Is Sandy keeping data?
    - What happened to SSR trolley?
        - Noisy—different routing, no "jingling bells"
        - Smelly
        - Turning (annoys owners)
    - Electric—quiet
    - Quiet trolley –10 minute [length of island trip]
- Possible stops
    - SSR, Green Flash, Tween Waters
    - Educate, "Use our Trolley"
    - Bars/Tween Waters
- Walkers and Bikers—little lights
- Need to use reflective clothes
- Golf Carts
    - Need to have lights that work
    - Kids need to be using seat belts
    - 6 year old drivers?
- Highway legal GC—why is run limited? Because they are **slow**
        - People live in Villages (Ocala) —so they don't need a car
- The more folks who use non-cars, the better for all
- Why were people upset with trolley?
    - Fumes, noise, "neighborhood tours," mostly empty, resort was losing money (it could not charge for it), turnarounds
    - Not a lot of incidents because people feel it isn't safe

Sharon's Table

Alternatives

- Dedicate part of Ding Darling lot for trolley service (owned by Dept of Interior)
- (Mobility plan requires places for cars to park)
- Trolley service to Captiva
- Off-island trolley service (e.g. Punta Rass, Summerlin Square)

Off-Island Circulation

Max's Table

- Captiva does not want day trippers
- Consider one or two buses a day
- **Here's the Big Question: Do we encourage or discourage day trippers?** [When you answer that question, a lot of subsequent questions are easy to answer.]
- Businesses, especially SSR, do OK with employee parking; some restaurants not so much.
- Don't have a free shuttle to/from outside if you don't want day trippers.

Julia's Table

- February Sanibel Day tripper Bottleneck
- Go Early; Go Late
- Does Sanibel want to control day trippers—they just turned down "Packed Van" coming over
- There was a Ding Darling study of where to drop off people

Sharon's Table

- Off Island parking & transportation
- Day trippers/vacationers---beach etc
- (if parking & congestion problems are solved it would equal more people)
- Not sure if that is what we want
- Water taxis form Punta Rassa to Mucky Duck. Need new docks
- Circulation
    - Getting where you need to go from Captiva to mainland
    - No to bus service (would not be used)
- Causeway-2 lanes in/out based on traffic needs
- Public parking for boats

Captiva Community Plan Workshop
Economic Development
Thursday March 27, 2014
South Seas Resort @10:00 AM

Ken's Table

- Residences run as a business
- Zoning vs Use→residential with commerce core
- Maintain mix over time
- Replacements, not new businesses
    - More renters/rentals with more turnovers
- Renewals-→enforcement
- Encourage resident owners or longer rentals for ownership in community
- Rentals→Economic reality
    - Homes designed for multi-family rentals
    - No ownership necessary→stake in community
    - Septic impact & solid waste overload
    - Noise issues
- Rental vs Business
- 7-Day Code enforcement. Codify [islandwide] and make it longer?
- How to enforce?
- Change in market? Could they get younger and louder?
- Ambiguity in rental practices
- Marketing Captiva:
    - Agents→Sell as businesses, not residences
- Encourage owners not to rent
- Mixed uses:
    - Contain mixed use to commercial zoning
    - Rentals tied to business
        - Employees
        - Not Multi-Units
    - No incentives necessary
- Structures:
    - Wightman Ave→House Mass Issue
    - Look at Floor Area Ratio (FAR) enforcement
    - Height→Design for max business use/rental space
        - Flat roofs
    - How many rules are needed?
    - How are rules enforced?
    - Clarify building heights (and revisit?)
    - Legal issues with platted lands

        - Bert Harris [Act] – How solid is it?
        - Vested Units
        - Septic Issues & permitting; # of people allowed
- Biz Climate
    - [There are] issues, [but there is] no conflict between business [and residents]
        - Garbage
        - Parking biggest issue
            - Cannot build enough
            - Seasonal maximum
            - No off island shuttles
            - Do not expand golf cart area
- Lower impact area an asset
- Preserve Captiva→Keep it attractive to all!
- Enforcement →How much of it is needed?
    - Formal vs informal action
- How to pressure existing businesses?
- Can rental homes be considered commercial use?
- Better understanding laws & zoning overlay

Max's Table (Mike M, Paul, Dave J)

- [Business and residential]—It's a mix
- Mostly residential
- Agree with 80% [of survey respondents]—it's a good mix
- A bit shabby
- New house-50' possible [frontage] on Wightman—People get jammed
- Regs—setbacks; make it more more European, with vertical intergrating, more exciting foot traffic
- Don't want regulations to push it either way
- Can be more restrictive
- Building heights restriction –island wide or RSC-2? [Max confirmed—it is only specified by ordinance in RSC-2, although County appears to regard it as applying countywide as a standard.]
- Need to go street by street
    - Rosse different from Wightman & Laika & Chapin
- 75' on Chapin; 50' on Laika & Wightman
- Deed restrictions in Village—must allow walking
- 10 Years from now—Rental rules should apply county wide
- Infrastructure
    - Delivery trucks too big
        - Not likely to change
    - Need sewer—septic systems overloaded
- Rentals & Intensity
    - Gold Coast rules [re short term rentals] should apply islandwide
    - 1 person can sign lease
    - As always, who will enforce?
    - At 1-2 acre density [ie RSC-2] , there is buffer
    - Restrict number **of people**

    - Too many people in multifamily units
    - Easy to regulate→2 families rent 2 units on same property
    - Enforce **through realtors**!
- Ideal renters—ones who spend lots of money
    - Family oriented

Mixed Use

- Post Office
    - could do home delivery—3 days a week
    - Interaction good [with USPS; good meeting place for community]
    - Would do better if centrally located
- Goals, incentives work; Cannot restrict or mandate business types
- Some community expansion likely especially in vicinity of the Boyle property
- Like Village walkability
- Turn CBD lot into valet parking
- Noise—too many kids [in large family groups; not referring to small family groups]
- 4-5 families [on one property] not good
- Kind of commercial
    - Not a many dining choices
- What would stop DQ, P. Hut? [Two things—design standards; economics-- Not profitable enough doesn't match business model.]
- Awnings, signage, walkability, aesthetics important
- Want high-end retail with high-end residences
- [If you have] kids want [dining to be] cheap
- European village with liner buildings [at SSR entrance]
- [It would be] nice to have a town center

Tourism, the 'Captiva brand'

- What about Raushenberg property?
- Take what we have, make it nicer.
- Go after a [non-rowdy] audience---not [looking for the] wet T-shirt experience
- **Don't** need large groups
- We have a brand
    - Don't [let it] get trashy
- Restaurants not as good as old days
- Doesn't have to be Ritz Carlton [kind of clientele]
- Character
- Rental rules are diminishing crowds?
- Ideal
    - People who used to own 2nd homes
    - 50 to 60 years old with 2-3 kids, no pets
    - Six figure income
- Target—off season
- From major urban centers
- [Looking for] quality experience and good meals

- Exclusivity which results from pricing
- Not rowdy
- **Creative, fun, friendly, natural**
- [Looking for their own] Paradise
- Some come from Sanibel [for quieter experience]
- Caribbean Island on mainland with emergency services
- Some fall in love with village
- Escape
- Quality vs Quantity
- Better 10 good than 100 lousy visitors
- 1 week with family
- 1 month with old folks
- They fly in and rent cars
- Special time with kids
- Memories
- With other families
- Compete on quality
- Where New England Village meets Caribbean
- Sanibel island may be better for biking
- Captiva better for walking
- Not crowded, mostly
- It is getting that way at Christmas, though
- **High retention! Return business, year after year**
- **Tweak, protect!**
- 7-11 would kill it
- **One week on Captiva is a Reward! You've earned it.**

- Some people don't know that they have building height options, so they choose the boxy option.

Sharon's Table

Village—located between Jensen's and South Seas Resort

- More residential than commercial
- Acreage measurement?
    - Mucky duck
    - Galleries
    - Dress shops
    - Real Estate offices
    - Key lime
    - La-Te-Ca Coffee and ice cream shop
    - Etc..
- Would like zoning map to identify which areas are zoned commercial
- Rentals—commercial-like, but do not want [to be considered] that way

- Do not want to be a bedroom community for Fort Myers
- Keep and protect commercial zoning
    - Mixed use maybe OK
        - Was not an option at the time (had to live there—not rental)
- Only way to have residential in village is to have mixed-use
- S Car Go—brings business awareness
- Hard to make living retail here (come and go)
- South Seas Subsidizes
- Parking issue-would like-pay to park (night); use parking from businesses that are closed at night
- Some like balance as is; another wants more retail and to retain what we have now.
- Want more retail or maintain what we have now
- Future example Mucky Duck could be mixed use

Rentals & Intensity

- American Realty—140-plus rentals on Captiva
- Condo docs restriction to weekly rental
- Some 2 week min
- South Seas—daily
    - No to daily throughout Captiva
- Becoming a rental island
- Impact different
- Air BNB—mini B&Bs (Google it) airbnb.com
    - No meals
    - International trend
    - Rent bed and bath
- State license and restriction
- Charging $2000 without paying bed tax
- Density issue if you rent
    - 1-2 rooms of home
    - Impact
    - B & B happening now without paying taxes, etc.
- Appeal to families
    - Important to keep
- Tighten up rental restrictions
    - Start out as 3 bedroom and then cut them into more
- Infrastructural demands
    - Sewer etc
- Mixed use Development
    - Devise control—protect and maintain commercial use kept for commercial
    - Use residential as part of development
    - Maintain existing commercial
        - No additional commercial unless mixed use
    - Future: Make it mixed use

    - The residential should be allowed to be rental in mixed use or even vacant

Residential

- Yes limits to house size
- Height limit important
- Too boxy—shadows cast by larger buildings
    - Need set back increased?
- Some height aesthetics—one thing to allow for nice roofline
- Vegetation buffer
- Existing Zoning & Property Rights
    - 10' setback required---20' better
    - Village flood restrictions inconsistent
    - # of stories vs # height
    - Intent was to preserve 2 stories of living—but now not happy with height
    - Keypoints: Setbacks, shadows, replacing vegetation, septic limitations

Business Climate

- Brand that is Captiva
    - Exclusive
    - Happy
    - Family-oriented
    - Beach community
    - Nature/beach
    - Quaint
    - Family friendly
    - Small
    - Limited new things (no big development)
    - Not a place you go for a day
    - Come for a week/not day trip
    - Unlikely to change
    - Want to see "same"

Conflict Residents/Business

- Residents peaceful but accepting of tourist season
- "holiday Village" work together
- Chapel-historic/business help
- Historic-tourism attracts/distractors
- Should be tax benefit for historic building
- Store is historic designated

Tourism

- Historic structures
- Activities
- Boats/marina at South Seas/Tween Waters

- Kayaks
- Holiday Village
- Kayak & nature symposium etc.
- Natural beauty
- Eco tourism
- Trams
- Negative
    - Parking
    - Access for bikes and pedestrians
    - “Tight”
    - More beach parking
    - Potholes

Captiva Community Plan Workshop
Water Quality
Tuesday April 8, 2014
South Seas Resort @10:00 AM

TABLE 1 (Tony)

Water Quality

- Any Proof? (Septics?)
- The Cape Coral sewer system model is a good way to fund sewer expansion
- SCSF→Excess water; Sanibel has capacity; can create incentive
- SCSF→Sewer vs Septic
- New sewers are expensive
- Majority would or might accept sewer
- Bubble Room has install aeration system and has had outstanding success.
- What are we supposed to do? Public ignorance
- Absentee owners—that's sometime true. Communicate.
- Not sure whether there is a water quality problem

- Issue #1
    - Bay/Beaches (closure?)
    - Algae Bloom/Red Tide
    - Lake Discharge
    - Storm Runoff→Off Island
    - Bad Septic?—need proof
- Is it over-rated?
- Not functions—testing Package Plant
- ID Problem→Odor Pollution
- Solution
    - Sewer = Growth? At a Cost
    - Better Septic Incentives
- Sewer/Septic (not sewer)
    - Incentives to upgrade septic?
    - More Inspection?
    - We don't know [what the direct impacts of Greywater
    - Need more information about costs
    - Need some group to explain
    - Economics of sewers—need workshop
    - They must know the costs—how to mitigate? What is it?
    - How to assure no overdevelopment as a result of sewer building

    - Alternative issues—identify the nuisances [and get them fixed]

- Enforce new & old septic [rules]
- Will Incentives work? Or education info?
- For sewer or Package Plant
- Landscape/fertilizer standards
    - Give landscapers 5-star ratings, and do the same for rental agents
    - Flora/fauna—no Braz pepper!
    - Exotics in general
    - Need rule re maximally invasive species
- Political influence when we choose to exercise it. So use it!
- Inter-local cooperation
    - OK with Sanibel
    - Get costs for sewer study
    - "Study Group" (sewer issue)—costs, how to.
    - Smart Growth Commission
    - Lift stations in Cape Coral are a big issue (outside)

- Rental Rep on Package Panel

- Stormwater
    - Poor/Flooding/Pollution
    - Roads Flood/What system?
    - It has to go somewhere
    - There are drains—partial system, not consistent
    - Do they fill up? Yes
    - Bridge higher than road
    - Catch basins

- Ad Hoc
    - County Needs System (roads)
    - Quantity/Quality
    - Rate Landscapers→fertilizer standard
        - What regs to use?
- Environment
    - Don't forget exotics
    - Invasive species i.e. Brazilian Pepper
    - Turtles (OK)

- Highly populated beach, but no authority
    - Could be CEPD
    - Possible use for bed tax funds
    - Beach maintenance

    - Shouldn't be law enforcement responsibility
    - Pets—no dogs on beach!
    - [Want higher standards than FM Beach]
    - No containers

- Wrap up
    - Incentives
    - Enforceability
    - Role of rental agencies—rent consistent with # of rooms
    - Drains don't accept sufficient water

Table 2 (Julia's)

- Need Data; need "proof" in order to make decision
- Septic Study was done 2-3 years ago
- Water Quality
    - Language in code and change to ownership→ then septic system evaluation, function & size
- Lake O is biggest issue that is generated off the island
    - What can be done—discuss, awareness
    - Nothing can be done in our lifetime
    - Lady notes that there is signage at the Lighthouse, advising that the discoloration of water is caused by runoff from Sugar; that is educational and helpful
    - Maybe there are individual steps at Lake O.
    - Incremental, small steps
        - "don't buy Sugar"
- Water Quality
    - Different waters [are impacted], not just Lake O, but [Caloosahatchee] River, Gulf, & Bay/[Charlotte Harbor]
    - Fertilizer (use less)
    - More education [is needed] here
    - Residents (snowbirds vs year rounders) overloading septic
    - Septic need to be sized to building and use (they get pumped out often)
    - This is something we can fix
    - Is this a State or county issue?
    - It's a State issue
- On the Island
    - Septic should fit development
    - In St Louis County [MO] they have mandatory inspection and pumpage.
    - At my lake house in Minnesota, there's inspection, even if you're only adding a stairway; any change to building sets off a new permit.

- Tie into development/building permit (no sewer problem?)
- Sewers can be worse that septic. [If one septic tank overflows, that's bad, but it can be fixed; if a sewer is breached, that is really bad.]
- "It's stupid to live here on a sandbar, which nature tries to convert [to something else] on a daily basis, but we do." ☺
- Re Treatment Plants-- would love to have sewers rather than septics & pumping trucks on the road every day
- By the way where are they dumping the sludge and where does it go when it rains?
- Questions [effectiveness of] South Seas package plant
- [Sewers require] tearing up R.O.W. to install
- Sewer plant works for Sanibel but is costly
- Prove that septics harm the environment!
- Is it too late to hook up to Sanibel Wulfert Plant?
- "Sewer in the answer" for the management of waste, but what cost?
- It costs more than Beach Renourishment→this is an ongoing project
- Tearing up ROW will be [complicated]
- Tear up road once & you are done
- Argument—Sewer facilitates development [and higher densities, which is what we are trying to avoid]
- Mayor Kevin liked idea of sewer study—can talk to John Manning. What will it cost?

- Most Over-rated issue→ that "water quality is poor" [Is it really?]
- When Blind Pass is closed, it reduces water quality
  - Try keeping it open
- Misunderstanding with investors—that the changes they make have an impact to island as whole
- Wastewater:
  - Greywater/water reuse—on South Seas use other people use irrig wells
    - To do this islandwide, it would be part of sewer upgrade
  - But Captiva does not have "water shortage." Water comes fresh comes from **Aquifers**
- Encourage native landscape
  - Reduce lawns, sell your lawnmower
- But people want to be left alone-- don't regulate me!
- Yet, we could educate people
- People move here and love the island look then they miss lawns and 'Spring'
- **Inter-local Cooperation**
  - Do Sanibel & Captiva work well together on various issues?
  - There is no cooperation
  - We could talk to them about what they are doing
    - Sanibel has a mayor and Captiva is incorporated

        - SCCF is a common resource
        - Captiva is part of unincorporated County,
    - We (C) don't know what (S) is doing and they don't know what (C) is doing
    - COI—Committee of Islands---nongovernmental, They deal with issues
        - eg. Fireworks ok on Captiva, but not on Sanibel
        - Very interested in Dark Skies
        - Captiva could implement what Sanibel is doing
    - S & C do work together on Big Water issues SCCF
    - Planting & vegetation: SCCF helps Captiva with this, nursery
    - There is informal cooperation on Water Quality issues (not working on it, formally")
- **Biggest problem** is Blind Pass & re-nourishment (Captiva sand runs down to Sanibel and only comes back is trucks)
- They should at least let Captiva to hookup to Sanibel treatment plant for all the sand
- Plenty of organizations In place
- Not enough of year-rounders to keep momentum going
- Sanibel does more than Captiva does on fertilizer reduction
- Captiva does it without rules-- Sanibel is very restrictive
- People move to Captiva because lack of rules/reg
- People from Captiva move to Sanibel because Captiva is changing—too much like FM Beach)
- How long will the island look stay?
    - As long as the little cottages stay.

    - Because when they go away, Big Development (lots of units) will come in its place
- It is only three months out of the year
- Ferry to Cape Coral?—Facetiously—they **do not** want this!
- More people are finding out about Captiva
- Storm Water Management?
    - Minimally, "French Drain" in Village→to Bay
    - No way to treat that mostly-rainwater but fertilizer
    - Now a lot of lawns in those areas
    - **Swales—best way to slow Stormwater; and more native landscape and less grass**
    - If your neighbors build "hills up", you can request that they add swales
    - Permeable membranes?
    - Less grass, too. Where to put swales in Village?
- Environment
    - Sea Turtles, Mangroves, Birds all equally important
    - "Landscape" important to have natural landscape
    - Dark Skies important

- Why do they come here? **Because it is beautiful, but that is hard to maintain**. Good things:
    - Native vegetation
    - Water quality
    - Nice beach
    - Birdlife
    - Fish, dolphins
    - To see the night sky; downlighting helps
- They don't want to see--invasives
    - Coyotes
    - Burmese pythons (not sure about bobcats)
- Those cottages—how many are left in the Villages
    - When they go away, they get converted to cubes of condos
- Rauschenberg….. did it nice; we need another Rauschenberg
- Art communities are wonderful, low impact business
- Captiva should do all it can to support this-to help artists help Captiva
- Rauschenberg estate & how it looks
- Jungle Road…..
- "The Good Old Days" How Captiva used to be. Come down here & **CHANGE IT!**

Lee Plan – existing policies

June 2014

As an example of what other communities have been able to include in their portions of the Lee Plan and as a potential model for language Captiva could consider, below are current Lee Plan policies roughly organized by topics with some notes for discussion – ***Ken Gooderham***

Bike/ped policies

- *Often, alternate transportation is lumped in with other community character or design policies, but there are a few broken out into their own entity:*

POLICY 12.2.4: Sidewalks, bike paths and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)

POLICY 22.2.7: Lee County will support improvement of pedestrian safety by establishing and marking crosswalks throughout the community, and by improving pedestrian circulation within the Historic District. (Added by Ordinance No. 05-19)

POLICY 28.3.4: Standards for Walkable Urban Thoroughfares. The Department of Public Works is encouraged to develop alternative design standards for arterials and collectors serving areas designated in the North Fort Myers Community Plan as a Town Center or Neighborhood Center. (Added by Ordinance No. 09-11)

Environmental protection

- *Some communities have given environmental concerns a separate section with its own overriding objective and various concerns addressed in individual policies. As you'll see, often they just direct some action be taken or contemplated, or express support for preservation efforts by another entity.*

OBJECTIVE 14.1: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.1.6: The county will continue to purchase environmentally sensitive areas, rare and unique uplands, eagle nesting areas, and archaeological and historic sites on Greater Pine Island in accordance with the priorities set out in this plan. (Amended by Ordinance No. 94-30, 00-22)

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OBJECTIVE 22.4: CONSERVATION AND COASTAL MANAGEMENT. Lee County will preserve, protect, and, where possible, enhance the physical integrity, village character, ecological values, and natural beauty of Boca Grande and Gasparilla Island, focusing upon the diverse and healthy native vegetation, the clear offshore waters, and the varied and abundant native marine and wildlife resources in

a manner compatible with the Gasparilla Island Conservation District Act, the promotion and preservation of the historic Boca Grande village as a thriving community, and preservation of Gasparilla Island's historic heritage. Lee County will support the efforts of the Federal and State authorities, and the Boca Grande community to preserve, protect, and enhance the positive environmental qualities of Gasparilla Island. Lee County will involve local community organizations in the planning process and will enforce these community plan policies through implementation in the land development regulations. (Added by Ordinance No. 05-19)

POLICY 22.4.2: Lee County will support the State's efforts to protect and preserve mangroves both on private properties as well as within public lands and easements. Not later than December 31, 2005, Lee County will review the State regulations regarding mangrove trimming and removal and determine whether additional protections need to be enacted on Gasparilla Island to protect its fragile environment. (Added by Ordinance No. 05-19)

POLICY 22.4.3: Lee County will strictly enforce its own policies related to the preservation of the beach dune system, beach dune vegetation, and beach dune wildlife, by discouraging any construction seaward of the 1979 Coastal Construction Control Line. This policy will not apply to the placement of raised walkways intended to cross over the dune system from adjoining properties, nor will it apply to bona fide beach renourishment and shoreline protection efforts. Lee County will support the State's efforts to protect the beach dune system, beach dune vegetation, and beach dune wildlife communities on Gasparilla Island. (Added by Ordinance No. 05-19)

POLICY 22.4.4: The Beach renourishment efforts of Lee County will include the reestablishment of a beach dune system, beach dune vegetation, and beach dune wildlife communities, including nesting birds and turtles, to the greatest extent practicable. Lee County will monitor and enforce its policies and regulations protecting dunes, dune vegetation, and dune wildlife communities on Gasparilla Island. Any rock or hard revetment will be covered with sand and planted with salt resistant native plants. (Added by Ordinance No. 05-19)

POLICY 22.4.6: Lee County will use regulatory powers to preserve, protect, and enhance the marine habitat surrounding Gasparilla Island, including sea grass beds, manatee habitat, estuarine habitat, and near shore waters of Gasparilla Island. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Added by Ordinance No. 05-19)

POLICY 22.4.7: Lee County will review and enforce all permits for new dock construction to assure the protection of sea grass beds, manatee habitat, tarpon fishing grounds, and other environmental values intrinsic to Charlotte Harbor. Copies of dock and shoreline permits will be sent to the Document Clearing House as established pursuant to Policy 22.1.4. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Added by Ordinance No. 05-19)

POLICY 22.4.9: Within two years of the adoption of this Policy, Lee County will establish policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events. (Added by Ordinance No. 05-19)

POLICY 22.4.10: Within two years of the adoption of this Policy, Lee County will establish a program to restore the plant diversity on County owned lands on Gasparilla Island through the removal of exotic vegetation and its replacement with native species. Such a program will be phased so that the general character of the community will be maintained during the maturation process. Exotic species which are killed in place will be removed as appropriate so as not to create a negative impact or create a hazard to the community. (Added by Ordinance No. 05-19)

POLICY 22.4.11: Lee County will support programs that provide periodic clean-up activities in aquatic preserves, on the beaches of Gasparilla Island, and at beach access points on Gasparilla Island. (Added by Ordinance No. 05-19)

POLICY 22.4.13: Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events. (Added by Ordinance No. 05-19)

OBJECTIVE 22.5: Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Gasparilla Island through measures to control the risk of harm attributable to human impact. (Added by Ordinance No. 05-19)

POLICY 22.5.1: Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Charlotte Harbor and the near shore waters of the Gulf of Mexico. (Added by Ordinance No. 05-19)

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OBJECTIVE 25.3: CONSERVATION AND COASTAL MANAGEMENT. Preserve, protect and enhance the natural resources, wildlife habitat, and natural beauty of North Captiva, by maintaining diverse and healthy native vegetation, clear offshore waters, diverse and abundant native marine life, wildlife resources, and by minimizing harm resulting from human activity. (Added by Ordinance No. 09-09)

POLICY 25.3.1: The North Captiva community will work with Lee County to support the efforts of the Federal, State and County authorities to preserve, protect, and enhance its positive environmental qualities. Lee County will involve the North Captiva community organizations in the planning process. (Added by Ordinance No. 09-09)

POLICY 25.3.2: The North Captiva community and Lee County will support the State of Florida and Lee County's efforts to protect and preserve the distinct environmental resources on North Captiva to the greatest extent possible, while addressing the other defined needs and objectives of the community. These resources include but are not limited to:
• mangroves
• the beach dune system, beach dune vegetation, and beach dune wildlife
• coastal dunes, beaches, and coastal scrub vegetation
• beach dune wildlife, including shorebird nesting habitat and sea turtle habitat
• the marine habitat, including sea grass beds and fisheries
(Added by Ordinance No. 09-09)

POLICY 25.3.3: It is the intent of the North Captiva community that, except for emergency events, public purposes, and human powered vehicles, vehicular traffic be banned from all beaches on North Captiva. (Added by Ordinance No. 09-09)

POLICY 25.3.4: The North Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy. (Added by Ordinance No. 09-09)

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OBJECTIVE 26.5: NATURAL RESOURCES AND ENVIRONMENTAL SYSTEMS. Enhance, preserve, protect, and restore the physical integrity, ecological standards, and natural beauty of Alva. (Added by Ordinance No. 11-21)

POLICY 26.5.1: By 2014, Alva will work with Lee County to establish planning policies and development standards that:
1. Promote developments that protect the integrity, stability, and beauty of the natural environment.
2. Maintain wildlife habitat and habitat travel corridors.
3. Require new development and redevelopment to be designed and operated to conserve critical habitats of protected, endangered, and threatened species, and species of special concern.
4. Increase development setbacks from natural areas and surface waters.
5. Establish requirements for natural buffers from parcel lines to development areas.
6. Prohibit developments that would harm protected, endangered, and threatened species, or species of special concern.
7. Enhance connectivity to maintain uninterrupted wildlife corridors among, between, and within parcels.
8. Develop surface water management system design standards that incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural surface waters.
9. Evaluate the feasibility and opportunities for an overall surface water management plan.
(Added by Ordinance No. 11-21)

POLICY 26.5.2: Alva will work with Lee County to identify and evaluate land conservation funding opportunities and acquisition priorities to protect vital natural resources, ecosystems, and habitats from the impacts of clear cutting for residential or agricultural purposes. (Added by Ordinance No. 11-21)

POLICY 26.5.3: As a minimum standard, Lee County will require all new development and redevelopment to comply with State of Florida mandated Total Maximum Daily Load (TMDL) requirement for designated water bodies. (Added by Ordinance No. 11-21)

POLICY 26.5.4: New development and redevelopment in or near existing and potential wellfields must:
1. Be designed to minimize the possibility of contaminating groundwater during construction and operation.
2. Comply with the Lee County Wellfield Protection Ordinance.
(Added by Ordinance No. 11-21)

Landscaping

- *Since Captiva already has landscaping policies, it's more a matter of updating that language. However, note 29.1.11 on "heritage trees" and 29.1.14 on underground utilities as an interesting approach undertaken in Olga*

POLICY 17.4.5: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, or signage guidelines. (Added by Ordinance No. 10-15)

POLICY 17.5.3: The removal of invasive exotic plants, as defined by the state or county, is required for all new development within the Rural Community Preserve. (Added by Ordinance No. 10-15)

POLICY 22.2.5: Lee County will support efforts of the Boca Grande community to beautify road right-of-ways and enhance the public realm of Boca Grande by including provisions for streetscaping in Historic Downtown Villages in the Lee Scape Master Plan. In order to maintain low traffic volumes, operating speeds, and noise levels, improvements will emphasize traffic calming techniques, and the need

to preserve the aesthetic values of the community. Particular emphasis will be placed in the Historic District. Enhancements may include village streetscaping such as additional street trees, trash receptacles, benches and burying utilities underground. (Added by Ordinance No. 05-19)

POLICY 29.1.11: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space. (Added by Ordinance No. 09-10)

POLICY 29.1.13: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design. (Added by Ordinance No. 09-10)

POLICY 29.1.14: When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities. (Added by Ordinance No. 09-10)

Traffic and roadways

- *Also addressed under Community Character*

POLICY 20.2.2: Road capacity improvements needed within the Bayshore Community to serve demands generated outside the community will be designed to minimize the impacts on the community and its rural character. (Added by Ordinance No. 03-02)

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OBJECTIVE 25.2 TRANSPORTATION AND PATHWAYS. Ensure that the character of North Captiva is retained while providing adequate facilities for ingress, egress, and intra-island transportation consistent with property rights. (Added by Ordinance No. 09-09)

POLICY 25.2.1: Lee County will cooperate with the North Captiva community in the location and provision of public boat ramps, access facilities, and parking for the purpose of providing access to North Captiva. (Added by Ordinance No. 09-09)

POLICY 25.2.2: The North Captiva community may collaborate with and seek technical advice from Lee County from time to time on procedures necessary to accomplish pathway maintenance and safety. (Added by Ordinance No. 09-09)

POLICY 25.2.3: Except for emergency events, public purposes, approved community needs, and permitted heavy construction equipment, internal combustion powered vehicles are banned from all pathways on North Captiva. (Added by Ordinance No. 09-09)

Community character

- *As you read through these, note how each area strives to protect its own character, using very similar approaches to very different communities.*

OBJECTIVE 19.1: COMMUNITY CHARACTER. The Estero Community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of Estero

for Lee County to adopt and enforce to help create a visually attractive community. (Added by Ordinance No. 02-05)

POLICY 19.1.2: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards. (Added by Ordinance No. 02-05)

POLICY 19.1.3: Lee County will work, through the permitting process, with private property owners to establish incentives for voluntarily bringing older projects into compliance with the regulations adopted as a result of the Estero Community Plan. (Added by Ordinance No. 02-05)

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POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)

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OBJECTIVE 21.3: RESIDENTIAL USES: Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space. (Added by Ordinance No. 03-21)

POLICY 21.3.1: By the end of 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)

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POLICY 22.1.7: In order to maintain the traditional scale and historic patterns of development on Gasparilla Island, including areas outside the Boca Grande Historic District, the Boca Grande community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage "mega houses" or "mansionization" of Boca Grande. New development or redevelopment will recognize that traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed neighborhoods on Gasparilla Island, should be maintained. (Added by Ordinance No. 05-19)

POLICY 22.1.8: Lawfully existing businesses and commercial buildings in the Boca Grande commercial areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary. (Added by Ordinance No. 05-19)

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OBJECTIVE 23.3: RESIDENTIAL USES. Lee County must protect and enhance the residential character of the Palm Beach Boulevard Community by strictly evaluating adjacent uses, natural resources,

access, and recreational or open space, and requiring compliance with enhanced buffering requirements. (Added by Ordinance No. 07-09)

POLICY 23.3.1: By the end of 2007, The Palm Beach Boulevard community will draft and submit regulations and policies for Lee County to review, amend, or adopt as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 07-09)

POLICY 23.3.2: Mixed Use developments that provide for an integration of commercial and residential uses with pedestrian linkages are encouraged. (Added by Ordinance No. 07-09)

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POLICY 26.4.1: Alva will work with Lee County to utilize the Compact Communities Code, Land Development Code Chapter 32, to establish a walkable mixed-use rural village center that provides for the needs of pedestrians, cyclists, equestrian riders, and drivers. Through this code, Alva will describe the form, function, layout, streetscape, and public spaces of roadways and pathways within the historic core and sub-areas 1 through 4 (including Charleston Park) of the rural village. (Added by Ordinance No. 11-21)

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- *I've included the entire Lehigh section as an example of how they approached it as a whole under the aegis of "sustainability," even though much of what they address is not pertinent to Captiva.*

OBJECTIVE 32.1: ESTABLISH A SUSTAINABLE COMMUNITY OF CHOICE. To ensure that development and redevelopment within the Lehigh Acres Planning Community evolves into a sustainable community containing a broad mix of residential types and non-residential uses served by efficient infrastructure. (Added by Ordinance No. 10-16)

POLICY 32.1.1: The County will incentivize the development of specialized mixed use nodes within the Lehigh Acres Planning Community in a sustainable pattern that will provide opportunities for employment, housing, recreation, goods, and services. Incentives may include, but not be limited to, transfer of development rights, expedited reviews, special land development regulations within the Lehigh Acres Planning Community, and public private partnerships to utilize alternative funding methods including Municipal Service Taxing Units (MSTU) and Municipal Service Benefit Units (MSBU). (Added by Ordinance No. 10-16)

POLICY 32.1.2: Establish a series of specialized mixed use nodes throughout the Lehigh Acres Community to provide opportunities to diversify employment, vary housing types, reduce the need for future roadway expansions, and reduce the need for commuting. (Added by Ordinance No. 10-16)

POLICY 32.1.3: The Lee County Board of Commissioners acknowledges that there is an over-abundance of single-family home sites available to construct detached single-family homes. (Added by Ordinance No. 10-16)

POLICY 32.1.4: Encourage a wide range of housing options within the Lehigh Acres Planning Community by supporting the development of a variety of housing types. (Added by Ordinance No. 10-16)

POLICY 32.1.5: Identify, preserve, protect, and, where possible, restore the remaining natural resources of the community. (Added by Ordinance No. 10-16)

POLICY 32.1.6: Encourage pedestrian friendly development with an emphasis on human scale design. (Added by Ordinance No. 10-16)

POLICY 32.1.7: Encourage connectivity between all land uses through an efficient multi-modal transportation network. (Added by Ordinance No. 10-16)

POLICY 32.1.8: Lee County will work with Lee Tran to improve the mass transit system within the Lehigh Acres Planning Community. (Added by Ordinance No. 10-16)

POLICY 32.1.9: Developers are encouraged to utilize Sustainable Development Design, as outlined in Goal 4. (Added by Ordinance No. 10-16)

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OBJECTIVE 35.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands. (Added by Ordinance No. 11-14)

Community services and coordination with other jurisdictions

- *Boca Grande in particular included some basic community service issues in its policies that might be worth Captiva discuss and consider… for many of the same reasons. They specified local districts or service providers that the county should support and coordinate with, much as Captiva did with CEPD.*

POLICY 22.2.6: Lee County will continue to ensure viable hurricane evacuation options for the residents and stakeholders of Boca Grande. (Added by Ordinance No. 05-19)

OBJECTIVE 22.6: COMMUNITY FACILITIES AND SERVICES. Lee County will seek to ensure the continued delivery of high quality, accessible community facilities and services that meet the educational, recreational, informational, and public safety, health and welfare needs of the residents, visitors and stakeholders of Boca Grande. Through the administration of county services, the Land Development and Administrative Codes, and the cooperative efforts of interagency and intergovernmental agreements, Lee County will continue to provide utilities and infrastructure; emergency, law enforcement and fire protection services; education, information resource and recreation services; and mosquito and animal control services, in a safe and efficient manner. (Added by Ordinance No. 05-19)

POLICY 22.6.1: Lee County will seek to maintain and enhance the public/ private partnership for the operation and enhancement of the Boca Grande Community Center and other County operated facilities open to the public in the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.2: Lee County will cooperate with the Gasparilla Island Water Association (GIWA) to ensure the continued provision of potable water and sanitary sewer service to the community of Boca Grande. Lee County will continue to support the Wellhead Protection regulations adopted by the GIWA

and Charlotte County to protect and preserve the sources upon which the community of Boca Grande relies for its potable water. (Added by Ordinance No. 05-19)

POLICY 22.6.4: Lee County will facilitate and cooperate with the applicable mosquito control district to control the health risk that mosquitoes represent. Lee County will continue to support the utilization of safe, effective, and environmentally responsible measures for mosquito control, recognizing the need to preserve local flora and fauna, including marine life. (Added by Ordinance No. 05-19)

POLICY 22.6.5: Lee County will work with the applicable mosquito control district to facilitate the dissemination of aerial spraying schedules, as well as any threat to the public health, to the community of Boca Grande, the Boca Grande Health Clinic, and the newspapers that serve the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.6: Lee County will support the operation and enhancement of a reference library facility, including the provision and improvement of adequate electronic based equipment, internet access, and software, in cooperation with local community organizations. Professionally trained library personnel will manage and operate the facility. (Added by Ordinance No. 05-19)

POLICY 22.6.8: Lee County will cooperate with the Boca Grande Fire Control District (BGFCD) in the provision of fire protection services to the community of Boca Grande. Such cooperation will include, but will not be limited to, recognition that the Fire Chief of the BGFCD has the authority for interpretation and enforcement of fire codes in the community of Boca Grande. All homes will be required to have the address clearly posted on the property. (Added by Ordinance No. 05-19)

POLICY 22.6.9: Lee County will provide the necessary communications infrastructure as required to manage and dispatch all 911 calls affecting the community of Boca Grande, entering into agreements as necessary with the BGFCD and Charlotte County. (Added by Ordinance No. 05-19)

POLICY 22.6.10: Lee County will cooperate in the establishment of inter-local agreements between and among all necessary parties to provide for: 1) the appropriate handling of hazardous materials incidents; 2) mutual aid agreements with the Englewood Fire Control District and Charlotte County Fire and EMS; 3) advanced life support emergency medical services; and 4) back-up EMS response as may be required by the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.11: Lee County will cooperate as necessary in the provision of communications, information distribution, public service meetings, educational efforts, and a local liaison for emergency situations affecting the community of Boca Grande. Lee County will maintain an up-to-date list of first-in team contacts, cooperate as necessary with applicable jurisdictions and service providers for communication of evacuation status, shelter locations, and re-entry information in the event of an emergency situation. The issuance of evacuation notices will be coordinated with Charlotte County. Lee County will work with other local, State, and Federal authorities as necessary to assist in the provision of adequate means by which the community of Boca Grande can be evacuated through the Cape Haze Peninsula in the event of an emergency situation. It is acknowledged that the appropriate Emergency Operations Center (EOC) is determined by the Boca Grande Fire Control District. (Added by Ordinance No. 05-19)

POLICY 22.6.12: Lee County Emergency Medical Services will provide land or air transportation to the most appropriate facility based on the patients medical history and will maintain a liaison with the Boca Grande Health Clinic to keep the clinic fully informed of all Emergency Medical protocols and procedures for operations and any changes that may be implemented whether temporary or permanent.

The Boca Grande Health Clinic will be informed relating to any public health issues or public county health problems. (Added by Ordinance No. 05-19)

POLICY 22.6.13: Lee County will promote and assist as necessary in the provision of a fulltime police and law enforcement presence for the community of Boca Grande. Cooperative arrangements in the form of inter-local agreements, or other mechanisms as may be applicable, between Lee and Charlotte County will be supported if necessary. (Added by Ordinance No. 05-19)

POLICY 22.6.14: The Lee County Department of Transportation will continue to provide the necessary maintenance and improvements on all public rights-of-way to ensure the continued safety and efficiency of roadways, paths, and surface water management systems. (Added by Ordinance No. 05-19)

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OBJECTIVE 25.7: PUBLIC SAFETY. Preserve the character of North Captiva by providing for a law enforcement presence on North Captiva island. (Added by Ordinance No. 09-09)

POLICY 25.7.1: The North Captiva Community will encourage the Lee County Sheriff's Office to be present during special events and during periods of high occupancy on North Captiva. The North Captiva community will work to identify housing and other resources as necessary in support of enforcement activities. (Added by Ordinance No. 09-09)

POLICY 25.7.2: Lee County will continue to ensure viable hurricane evacuation for hurricanes and other emergencies as well as emergency communication options for the residents and other affected persons. (Added by Ordinance No. 09-09)

"Dark Skies" and light emissions

POLICY 25.1.4: The location of North Captiva provides a view of the night sky that is virtually unparalleled in Lee County. By the end of 2013, the North Captiva community will develop land development regulations for the County to review and consider that are applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible. (Added by Ordinance No. 09-09)

Other policies

POLICY 12.2.3: Recreation areas must have a minimum of impervious surfaces. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)

POLICY 26.6.3: Alva will work with Lee County to identify areas suitable for passive water dependent/ water-related recreational uses and activities, such as canoe and kayak launch areas, boardwalks, jogging paths, fishing platforms, and waterside parks. (Added by Ordinance No. 11-21)

POLICY 28.2.11: Floor Area Ratio (FAR) maximums in the Commercial Future Land Use Category described in Lee Plan Policy 1.1.10, located south of Pine Island Road between Orchid Road and Barrett Road will be 0.26. (Added by Ordinance No. 10-34)

Captiva Plan update

June 4, 2014

Based on the feedback from the May 13 panel meeting, I've provided some starting points for discussion of the Captiva Plan update over the next 2-3 meetings. Since this is a lot of material to digest, I plan to introduce it at the June 10 meeting (where about half the panel will be in attendance) in order that it can be reviewed and discussed at more length at the July 8 meeting (where eight panel members are planning to attend, although I will not be there) and the Aug. 12 meeting as necessary. Of course, you'll also want input from Max during these meetings or otherwise. New language or my comments are underlined. – ***Ken Gooderham***

Encourage alternate transportation options

POLICY 13.1.??: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage connectivity and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

Dark Skies language? Lighting language in general

POLICY 13.1.??: The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

Rentals vs. residents – overload and intensity of use – extend 7-day limit?

Do you want to codify a seven-day rental minimum on all non-hotel/motel dwelling units? Do you want to state support for low-intensity non-commercial use of existing residential properties in consideration of neighbors, the community and the overall island ambience?

Revise vegetation policy: invasive vs. non-invasive, native vs. non-native

(Existing) POLICY 13.1.3: 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.

(Existing) POLICY 13.1.14: 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.

RATHER THAN REQUIRING CODES THAT PROBABLY WILL NEVER BE WRITTEN, WOULD IT BE BETTER TO INCLUDE A GENERAL STATEMENT OF SUPPORT FOR NATIVE/NON-INVASIVE VEGETATION AND ADEQUATE BUFFERING FOLLOWED BY A COUPLE OF POLICIES THAT GO INTO MORE SPECIFIC DETAIL?

OBJECTIVE 13.3: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.3.1: Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.3.2: The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.3.3: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.3.4: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

POLICY 13.3.5: County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

Clarify building heights language?

Based on feedback, not necessary

Blind Pass maintenance?

POLICY 13.1.??: Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open and navigable pass due to its benefits to the hear-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

Look at current policies:

POLICY 13.1.7: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one publicly advertised informational session on Captiva open to the general public where the owner or 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. Whenever feasible, this informational session should be held in conjunction with the regularly scheduled meeting of the Captiva Community Panel. 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.

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. DO YOU WANT TO INCLUDE ANYTHING ABOUT BUFFERING REQUIREMENTS BETWEEN PROPERTIES AND/OR SITES WITH DIFFERING USES (COMMERCIAL VS/ RESIDENTIAL)?

POLICY 13.1.13: Mangroves on Captiva Island will be protected to the greatest extent possible. THIS STILL MAY BE THE STRONGEST LANGUAGE YOU CAN HAVE… AGREED?

Community character

JUST SOME RANDOM THOUGHTS AS A STARTING POINT, BASED ON WORKSHOP DISCUSSIONS AND OTHER COMMUNITY POLICIES:

Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with building standards.

One important aspect of the Captiva Community Plan goal is to retain its barrier island character and low-intensity land use where it currently exists. Therefore no land use map amendments to Captiva Island will be permitted after Dec. 31, 2014?, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

In order to maintain the traditional scale and historic patterns of development on Captiva Island, particular in the island's Village core area, the Captiva community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage "mega houses" or the further "mansionization" of Captiva. New development or redevelopment will recognize that

traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed development or redevelopment on Captiva Island, should be maintained.

Lawfully existing businesses and commercial buildings in the Captiva Village (commercial zoned) areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary.

Lee County will enforce the existing leash laws on Captiva's beaches to the greatest extent possible.

Within two years of the adoption of this policy, Lee County will establish policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events.

Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events.

Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Captiva Island through measures to control the risk of harm attributable to human impact.

Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Pine Island Sound, Charlotte Harbor and the near shore waters of the Gulf of Mexico.

Community services

Do you want to codify support for the Captiva Fire District? For cooperation with the City of Sanibel in issues related to hurricane evacuation and return? LCSO coverage? Maintaining a county public library on the island? Anything else?

Existing Captiva Community Plan Goal, Objectives, and Policies

☞This version shows the change between existing Lee Plan language related to Captiva Island and proposed language which is shown in ~~strikethrough~~ and <u>underline</u> format.

GOAL 13: ~~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)~~

<u>CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.</u>

<u>Through its efforts and support, the Captiva community has shown that it values the following:</u>

- <u>A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.</u>
- <u>The island's history as an informal resort destination.</u>
- <u>The island's future as a community that maintains high aesthetic and environmental standards.</u>
- <u>The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a</u>

respect for the privacy and property rights of the island's permanent and seasonal residents.

- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.
- Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.
- Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Prevention District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources*. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels*. No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building height*. Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: ~~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)~~ [Intentionally left blank.]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Consistent siting of structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

POLICY 13.1.11: *Criteria for variance approval*. 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)

POLICY 13.1.12: ~~Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)~~ [Policy intentionally left blank.]

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)~~ [Policy intentionally left blank.]

POLICY 13.1.14: *Telecommunications tower*. 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)

POLICY 13.1.15: *Dark skies*. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass*. Lee County will support through advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities*. Underground utilities will continue to be considered if supported by the affected property owners.

OBJECTIVE 13.2: 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)

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development. (Added by Ordinance No. 07-09)

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island.

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

POLICY 13.4.1: *Short-term rental of residential units*. Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive*. Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and

vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2: *Invasive vegetation and nuisance pests.* The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest Plant Council of Florida or its successor bodies. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage trees*. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New land developments*. New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible.

Captiva Community Plan Workshop

Design

March 6, 2014

10:00 AM ■ South Seas Resort

Captiva Community Panel

DESIGN

- Aesthetics
- Community appearance
- Landscaping
- Captiva Drive
- Quality of life

What Captiva Plan Says

- **Goal 13**: "… low density residential use…"
- **Policy 13.1.2**: Limitations on building heights, appearance and slope of roofs. Policy applies island-wide.
- **Policy 13.1.3**: "… strengthen existing vegetation ordinances to establish a **landscaping code**… promote, and enhance the existing native vegetation…"

What Captiva Plan Says

- **Policy 13.1.4**: "… support the effort of the Captiva Erosion Prevention District…to maintain Captiva's beaches…"

- **Policy 13.1.9**: "… Encourage the siting of buildings and structures consistent with the historical character of the island."

- **Policy 13.1.10**: "New requests for residential re-zoning that would increase density on said property above current zoning will not be permitted."

What Captiva Plan Says

- **Policy 13.1.13**: Mangrove protection
- **Policy 13.1.14**: "Indigenous or native trees will be replanted and maintained along Captiva Drive [between Blind Pass and Captiva Drive]…."
- **Policy 13.1.15**: Telecommunication tower
- **Policy 13.2.1**: Mixed-use developments

What Captiva Survey Told Us: Landscape

1. A public education campaign will convince owners [of private property] of the benefits of new rules — **53.6 % agreed**.
2. If we offer landscaping guidelines, private owners will mostly follow them — **53.1% agreed**.
3. We will need greater enforcement to achieve any impact — **28.6% agreed.**
4. People will plant what they want, regardless of what county rules say — **25.0% agreed**.

What Captiva Survey Told Us: A landscaping plan should …

- 1. Encourage use of native or low-water species — **65.5% favored**
- 2. Use vegetation to enhance beach management — **64.7% favored**
- 3. Restore the canopy along Captiva Drive where possible — **58.3% favored**
- 4. Remove non-native, invasive species — **52.9% favored**
- 5. Keep low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive — **45.6% favored**
- 6. Create a vegetative buffer between homes where possible — **37.3% favored**

Questions for workshop:
Landscape issues

- Is a landscaping plan needed, or are we better off without one?
- If a landscaping plan were made for Captiva, should it focus primarily on Captiva Drive?
- Can a landscaping plan that is mostly educational and descriptive — as opposed to regulatory — be effective on the island?

Questions for workshop:
Aesthetic issues

- Since the Captiva Plan was first adopted in 2002, have the aesthetics of new construction been in harmony with the natural environment?
- Are there any regulatory changes that can improve the balance between the human-built environment and the natural setting?

After the Workshops
RESOURCE INVENTORY

- Economic/Demographic Data Review
- Captiva Village Inventory
- Historic Survey
- Summary Report

After the Workshops
DRAFT PLAN AMENDMENTS

- Initial Draft Lee Plan Amendment
- Revised Draft Lee Plan Amendment
- FINAL Draft Lee Plan Amendment

After the Workshops
PLAN AMENDMENT ADOPTION

- Local Planning Agency (LPA) hearings
- Board of County Commissioners (BoCC) **transmittal** hearings
- Florida DEO transmittal
- BoCC **adoption** hearing

End of Presentation
SEE YOU NEXT WEEK!

Tuesday March 11th @ 10:00 AM TRANSPORTATION

Captiva Community Plan Workshop

Transportation

March 11th, 2014

Captiva Community Panel

Transportation

- Pedestrian pathways
- Bikeways
- Vehicular access
- Transit circulation
- Captiva Drive

What Captiva Plan (2002) says

- **Goal 13**: "… limited commercial development and traffic…"
- **No other policies**

What Captiva Survey (2013) told us

SAFETY

Do you feel safe walking or biking on Captiva streets?

#1 Yes. (**60.6% favored; N=134)**

#2 No. **(35.7% favored; N=79)**

#3 I have no opinion on this issue. **(9.6% agreed; N=20)**

#4 Not sure, I need more information. **(2.9% agreed; N=6)**

What Captiva Survey (2013) told us
WALKING AND BIKING

Would you like to do more biking or walking on Captiva?

#1 No, I'm happy with the current situation. **(49.0% agreed; N=102)**

#2 Yes, but I won't because [lack of bike paths, street layout, not enough rentals]. **(38.5% agreed; N=80)**

#3 I have no opinion on this issue. **(9.6% agreed; N=20)**

#4 Not sure, I need more information. **(2.9% agreed; N=6)**

What Captiva Survey (2013) told us
WALKING AND BIKING

Which of the following issues should be a part of a community discussion about walking and biking on the island?

Top 4 in order of positive response:

#1 Wider bike/walk shoulders in the Village (61.1%; N=132)

#2 Separated bike/walk paths away from traffic (51.4%; N=111)

#3 Other alternative to driving for on-island transport—e.g. trolleys, pedicabs, shuttles (27.8%; N=60)

#4 Slower traffic speeds in selected zones (24.5%; N=53)

Small Table Discussion Topic #1
OVERALL MOBILITY

- Ease of getting around the island
- Safety
- Connectivity

Small Table Discussion Topic #2
PEDESTRIAN PATHWAYS

- Walkability
- Where are pathways most important?
- Pedestrian safety
- How to expand access?
- …improve safety?
- …encourage walkability?

Small Table Discussion Topic #3

BIKEWAYS

- Places where bikeways are important?
- Places where safety concerns should outweigh bikeway needs?
- Ways to expand bikeway access?
- …improve safety?
- …encourage biking?

Small Table Discussion Topic #4
VEHICULAR ACCESS

- Reliance on cars
- Cars, pedestrians, and cyclists occupying same space on small island
- Vehicular and pedestrian safety
- Connectivity
- Impact on infrastructure

Small Table Discussion Topic #5
TRANSIT CIRCULATION

- Island trolley system — good idea?
- Specific places/routes where it might work?

Small Table Discussion Topic #5

CIRCULATION ON- AND OFF-ISLAND

- Connectivity to services off-island?
- Specific need for off-island connectivity?
- Can existing systems be improved?

End of today's conversation

LEE COUNTY & CAPTIVA COMMUNITY PANEL THANK YOU FOR YOUR HELP!

Next workshop:

ECONOMIC DEVELOPMENT

Thursday March 27th @10 AM

Cone Rooms , South Seas Resort

Captiva Community Plan Workshop
Economic Development
Thursday March 27, 2014
South Seas Resort @10:00 AM

Ken's Table

- Residences run as a business
- Zoning vs Use→residential with commerce core
- Maintain mix over time
- Replacements, not new businesses
    - More renters/rentals with more turnovers
- Renewals-→enforcement
- Encourage resident owners or longer rentals for ownership in community
- Rentals→Economic reality
    - Homes designed for multi-family rentals
    - No ownership necessary→stake in community
    - Septic impact & solid waste overload
    - Noise issues
- Rental vs Business
- 7-Day Code enforcement. Codify [islandwide] and make it longer?
- How to enforce?
- Change in market? Could they get younger and louder?
- Ambiguity in rental practices
- Marketing Captiva:
    - Agents→Sell as businesses, not residences
- Encourage owners not to rent
- Mixed uses:
    - Contain mixed use to commercial zoning
    - Rentals tied to business
        - Employees
        - Not Multi-Units
    - No incentives necessary
- Structures:
    - Wightman Ave→House Mass Issue
    - Look at Floor Area Ratio (FAR) enforcement
    - Height→Design for max business use/rental space
        - Flat roofs
    - How many rules are needed?
    - How are rules enforced?
    - Clarify building heights (and revisit?)
    - Legal issues with platted lands

        - Bert Harris [Act] – How solid is it?
        - Vested Units
        - Septic Issues & permitting; # of people allowed
- Biz Climate
    - [There are] issues, [but there is] no conflict between business [and residents]
        - Garbage
        - Parking biggest issue
            - Cannot build enough
            - Seasonal maximum
            - No off island shuttles
            - Do not expand golf cart area
- Lower impact area an asset
- Preserve Captiva→Keep it attractive to all!
- Enforcement →How much of it is needed?
    - Formal vs informal action
- How to pressure existing businesses?
- Can rental homes be considered commercial use?
- Better understanding laws & zoning overlay

Max's Table (Mike M, Paul, Dave J)

- [Business and residential]—It's a mix
- Mostly residential
- Agree with 80% [of survey respondents]—it's a good mix
- A bit shabby
- New house-50' possible [frontage] on Wightman—People get jammed
- Regs—setbacks; make it more more European, with vertical intergrating, more exciting foot traffic
- Don't want regulations to push it either way
- Can be more restrictive
- Building heights restriction –island wide or RSC-2? [Max confirmed—it is only specified by ordinance in RSC-2, although County appears to regard it as applying countywide as a standard.]
- Need to go street by street
    - Rosse different from Wightman & Laika & Chapin
- 75' on Chapin; 50' on Laika & Wightman
- Deed restrictions in Village—must allow walking
- 10 Years from now—Rental rules should apply county wide
- Infrastructure
    - Delivery trucks too big
        - Not likely to change
    - Need sewer—septic systems overloaded
- Rentals & Intensity
    - Gold Coast rules [re short term rentals] should apply islandwide
    - 1 person can sign lease
    - As always, who will enforce?
    - At 1-2 acre density [ie RSC-2] , there is buffer
    - Restrict number **of people**

    - Too many people in multifamily units
    - Easy to regulate→2 families rent 2 units on same property
    - Enforce **through realtors**!
- Ideal renters—ones who spend lots of money
    - Family oriented

Mixed Use

- Post Office
    - could do home delivery—3 days a week
    - Interaction good [with USPS; good meeting place for community]
    - Would do better if centrally located
- Goals, incentives work; Cannot restrict or mandate business types
- Some community expansion likely especially in vicinity of the Boyle property
- Like Village walkability
- Turn CBD lot into valet parking
- Noise—too many kids [in large family groups; not referring to small family groups]
- 4-5 families [on one property] not good
- Kind of commercial
    - Not a many dining choices
- What would stop DQ, P. Hut? [Two things—design standards; economics-- Not profitable enough doesn't match business model.]
- Awnings, signage, walkability, aesthetics important
- Want high-end retail with high-end residences
- [If you have] kids want [dining to be] cheap
- European village with liner buildings [at SSR entrance]
- [It would be] nice to have a town center

Tourism, the 'Captiva brand'

- What about Raushenberg property?
- Take what we have, make it nicer.
- Go after a [non-rowdy] audience---not [looking for the] wet T-shirt experience
- **Don't** need large groups
- We have a brand
    - Don't [let it] get trashy
- Restaurants not as good as old days
- Doesn't have to be Ritz Carlton [kind of clientele]
- Character
- Rental rules are diminishing crowds?
- Ideal
    - People who used to own 2nd homes
    - 50 to 60 years old with 2-3 kids, no pets
    - Six figure income
- Target—off season
- From major urban centers
- [Looking for] quality experience and good meals

- Exclusivity which results from pricing
- Not rowdy
- **Creative, fun, friendly, natural**
- [Looking for their own] Paradise
- Some come from Sanibel [for quieter experience]
- Caribbean Island on mainland with emergency services
- Some fall in love with village
- Escape
- Quality vs Quantity
- Better 10 good than 100 lousy visitors
- 1 week with family
- 1 month with old folks
- They fly in and rent cars
- Special time with kids
- Memories
- With other families
- Compete on quality
- Where New England Village meets Caribbean
- Sanibel island may be better for biking
- Captiva better for walking
- Not crowded, mostly
- It is getting that way at Christmas, though
- **High retention! Return business, year after year**
- **Tweak, protect!**
- 7-11 would kill it
- **One week on Captiva is a Reward! You've earned it.**

- Some people don't know that they have building height options, so they choose the boxy option.

Sharon's Table

Village—located between Jensen's and South Seas Resort

- More residential than commercial
- Acreage measurement?
    - Mucky duck
    - Galleries
    - Dress shops
    - Real Estate offices
    - Key lime
    - La-Te-Ca Coffee and ice cream shop
    - Etc..
- Would like zoning map to identify which areas are zoned commercial
- Rentals—commercial-like, but do not want [to be considered] that way

- Do not want to be a bedroom community for Fort Myers
- Keep and protect commercial zoning
    - Mixed use maybe OK
        - Was not an option at the time (had to live there—not rental)
- Only way to have residential in village is to have mixed-use
- S Car Go—brings business awareness
- Hard to make living retail here (come and go)
- South Seas Subsidizes
- Parking issue-would like-pay to park (night); use parking from businesses that are closed at night
- Some like balance as is; another wants more retail and to retain what we have now.
- Want more retail or maintain what we have now
- Future example Mucky Duck could be mixed use

Rentals & Intensity

- American Realty—140-plus rentals on Captiva
- Condo docs restriction to weekly rental
- Some 2 week min
- South Seas—daily
    - No to daily throughout Captiva
- Becoming a rental island
- Impact different
- Air BNB—mini B&Bs (Google it) airbnb.com
    - No meals
    - International trend
    - Rent bed and bath
- State license and restriction
- Charging $2000 without paying bed tax
- Density issue if you rent
    - 1-2 rooms of home
    - Impact
    - B & B happening now without paying taxes, etc.
- Appeal to families
    - Important to keep
- Tighten up rental restrictions
    - Start out as 3 bedroom and then cut them into more
- Infrastructural demands
    - Sewer etc
- Mixed use Development
    - Devise control—protect and maintain commercial use kept for commercial
    - Use residential as part of development
    - Maintain existing commercial
        - No additional commercial unless mixed use
    - Future: Make it mixed use

    - The residential should be allowed to be rental in mixed use or even vacant

Residential

- Yes limits to house size
- Height limit important
- Too boxy—shadows cast by larger buildings
    - Need set back increased?
- Some height aesthetics—one thing to allow for nice roofline
- Vegetation buffer
- Existing Zoning & Property Rights
    - 10' setback required---20' better
    - Village flood restrictions inconsistent
    - # of stories vs # height
    - Intent was to preserve 2 stories of living—but now not happy with height
    - Keypoints: Setbacks, shadows, replacing vegetation, septic limitations

Business Climate

- Brand that is Captiva
    - Exclusive
    - Happy
    - Family-oriented
    - Beach community
    - Nature/beach
    - Quaint
    - Family friendly
    - Small
    - Limited new things (no big development)
    - Not a place you go for a day
    - Come for a week/not day trip
    - Unlikely to change
    - Want to see "same"

Conflict Residents/Business

- Residents peaceful but accepting of tourist season
- "holiday Village" work together
- Chapel-historic/business help
- Historic-tourism attracts/distractors
- Should be tax benefit for historic building
- Store is historic designated

Tourism

- Historic structures
- Activities
- Boats/marina at South Seas/Tween Waters

- Kayaks
- Holiday Village
- Kayak & nature symposium etc.
- Natural beauty
- Eco tourism
- Trams
- Negative
    - Parking
    - Access for bikes and pedestrians
    - “Tight”
    - More beach parking
    - Potholes

Captiva Community Plan Workshop
Water Quality
Tuesday April 8, 2014
South Seas Resort @10:00 AM

TABLE 1 (Tony)

Water Quality

- Any Proof? (Septics?)
- The Cape Coral sewer system model is a good way to fund sewer expansion
- SCSF→Excess water; Sanibel has capacity; can create incentive
- SCSF→Sewer vs Septic
- New sewers are expensive
- Majority would or might accept sewer
- Bubble Room has install aeration system and has had outstanding success.
- What are we supposed to do? Public ignorance
- Absentee owners—that's sometime true. Communicate.
- Not sure whether there is a water quality problem

- Issue #1
    - Bay/Beaches (closure?)
    - Algae Bloom/Red Tide
    - Lake Discharge
    - Storm Runoff→Off Island
    - Bad Septic?—need proof
- Is it over-rated?
- Not functions—testing Package Plant
- ID Problem→Odor Pollution
- Solution
    - Sewer = Growth? At a Cost
    - Better Septic Incentives
- Sewer/Septic (not sewer)
    - Incentives to upgrade septic?
    - More Inspection?
    - We don't know [what the direct impacts of Greywater
    - Need more information about costs
    - Need some group to explain
    - Economics of sewers—need workshop
    - They must know the costs—how to mitigate? What is it?
    - How to assure no overdevelopment as a result of sewer building

    - Alternative issues—identify the nuisances [and get them fixed]

- Enforce new & old septic [rules]
- Will Incentives work? Or education info?
- For sewer or Package Plant
- Landscape/fertilizer standards
    - Give landscapers 5-star ratings, and do the same for rental agents
    - Flora/fauna—no Braz pepper!
    - Exotics in general
    - Need rule re maximally invasive species
- Political influence when we choose to exercise it. So use it!
- Inter-local cooperation
    - OK with Sanibel
    - Get costs for sewer study
    - "Study Group" (sewer issue)—costs, how to.
    - Smart Growth Commission
    - Lift stations in Cape Coral are a big issue (outside)

- Rental Rep on Package Panel

- Stormwater
    - Poor/Flooding/Pollution
    - Roads Flood/What system?
    - It has to go somewhere
    - There are drains—partial system, not consistent
    - Do they fill up? Yes
    - Bridge higher than road
    - Catch basins

- Ad Hoc
    - County Needs System (roads)
    - Quantity/Quality
    - Rate Landscapers→fertilizer standard
        - What regs to use?
- Environment
    - Don't forget exotics
    - Invasive species i.e. Brazilian Pepper
    - Turtles (OK)

- Highly populated beach, but no authority
    - Could be CEPD
    - Possible use for bed tax funds
    - Beach maintenance

    - Shouldn't be law enforcement responsibility
    - Pets—no dogs on beach!
    - [Want higher standards than FM Beach]
    - No containers

- Wrap up
    - Incentives
    - Enforceability
    - Role of rental agencies—rent consistent with # of rooms
    - Drains don't accept sufficient water

Table 2 (Julia's)

- Need Data; need "proof" in order to make decision
- Septic Study was done 2-3 years ago
- Water Quality
    - Language in code and change to ownership→ then septic system evaluation, function & size
- Lake O is biggest issue that is generated off the island
    - What can be done—discuss, awareness
    - Nothing can be done in our lifetime
    - Lady notes that there is signage at the Lighthouse, advising that the discoloration of water is caused by runoff from Sugar; that is educational and helpful
    - Maybe there are individual steps at Lake O.
    - Incremental, small steps
        - "don't buy Sugar"
- Water Quality
    - Different waters [are impacted], not just Lake O, but [Caloosahatchee] River, Gulf, & Bay/[Charlotte Harbor]
    - Fertilizer (use less)
    - More education [is needed] here
    - Residents (snowbirds vs year rounders) overloading septic
    - Septic need to be sized to building and use (they get pumped out often)
    - This is something we can fix
    - Is this a State or county issue?
    - It's a State issue
- On the Island
    - Septic should fit development
    - In St Louis County [MO] they have mandatory inspection and pumpage.
    - At my lake house in Minnesota, there's inspection, even if you're only adding a stairway; any change to building sets off a new permit.

- Tie into development/building permit (no sewer problem?)
- Sewers can be worse that septic. [If one septic tank overflows, that's bad, but it can be fixed; if a sewer is breached, that is really bad.]
- "It's stupid to live here on a sandbar, which nature tries to convert [to something else] on a daily basis, but we do." ☺
- Re Treatment Plants-- would love to have sewers rather than septics & pumping trucks on the road every day
- By the way where are they dumping the sludge and where does it go when it rains?
- Questions [effectiveness of] South Seas package plant
- [Sewers require] tearing up R.O.W. to install
- Sewer plant works for Sanibel but is costly
- Prove that septics harm the environment!
- Is it too late to hook up to Sanibel Wulfert Plant?
- "Sewer in the answer" for the management of waste, but what cost?
- It costs more than Beach Renourishment→this is an ongoing project
- Tearing up ROW will be [complicated]
- Tear up road once & you are done
- Argument—Sewer facilitates development [and higher densities, which is what we are trying to avoid]
- Mayor Kevin liked idea of sewer study—can talk to John Manning. What will it cost?

- Most Over-rated issue→ that "water quality is poor" [Is it really?]
- When Blind Pass is closed, it reduces water quality
  - Try keeping it open
- Misunderstanding with investors—that the changes they make have an impact to island as whole
- Wastewater:
  - Greywater/water reuse—on South Seas use other people use irrig wells
    - To do this islandwide, it would be part of sewer upgrade
  - But Captiva does not have "water shortage." Water comes fresh comes from **Aquifers**
- Encourage native landscape
  - Reduce lawns, sell your lawnmower
- But people want to be left alone-- don't regulate me!
- Yet, we could educate people
- People move here and love the island look then they miss lawns and 'Spring'
- **Inter-local Cooperation**
  - Do Sanibel & Captiva work well together on various issues?
  - There is no cooperation
  - We could talk to them about what they are doing
    - Sanibel has a mayor and Captiva is incorporated

        - SCCF is a common resource
        - Captiva is part of unincorporated County,
    - We (C) don't know what (S) is doing and they don't know what (C) is doing
    - COI—Committee of Islands---nongovernmental, They deal with issues
        - eg. Fireworks ok on Captiva, but not on Sanibel
        - Very interested in Dark Skies
        - Captiva could implement what Sanibel is doing
    - S & C do work together on Big Water issues SCCF
    - Planting & vegetation: SCCF helps Captiva with this, nursery
    - There is informal cooperation on Water Quality issues (not working on it, formally")
- **Biggest problem** is Blind Pass & re-nourishment (Captiva sand runs down to Sanibel and only comes back is trucks)
- They should at least let Captiva to hookup to Sanibel treatment plant for all the sand
- Plenty of organizations In place
- Not enough of year-rounders to keep momentum going
- Sanibel does more than Captiva does on fertilizer reduction
- Captiva does it without rules-- Sanibel is very restrictive
- People move to Captiva because lack of rules/reg
- People from Captiva move to Sanibel because Captiva is changing—too much like FM Beach)
- How long will the island look stay?
    - As long as the little cottages stay.

    - Because when they go away, Big Development (lots of units) will come in its place
- It is only three months out of the year
- Ferry to Cape Coral?—Facetiously—they **do not** want this!
- More people are finding out about Captiva
- Storm Water Management?
    - Minimally, "French Drain" in Village→to Bay
    - No way to treat that mostly-rainwater but fertilizer
    - Now a lot of lawns in those areas
    - **Swales—best way to slow Stormwater; and more native landscape and less grass**
    - If your neighbors build "hills up", you can request that they add swales
    - Permeable membranes?
    - Less grass, too. Where to put swales in Village?
- Environment
    - Sea Turtles, Mangroves, Birds all equally important
    - "Landscape" important to have natural landscape
    - Dark Skies important

- Why do they come here? **Because it is beautiful, but that is hard to maintain**. Good things:
    - Native vegetation
    - Water quality
    - Nice beach
    - Birdlife
    - Fish, dolphins
    - To see the night sky; downlighting helps
- They don't want to see--invasives
    - Coyotes
    - Burmese pythons (not sure about bobcats)
- Those cottages—how many are left in the Villages
    - When they go away, they get converted to cubes of condos
- Rauschenberg….. did it nice; we need another Rauschenberg
- Art communities are wonderful, low impact business
- Captiva should do all it can to support this-to help artists help Captiva
- Rauschenberg estate & how it looks
- Jungle Road…..
- "The Good Old Days" How Captiva used to be. Come down here & **CHANGE IT!**

Lee Plan – existing policies

June 2014

As an example of what other communities have been able to include in their portions of the Lee Plan and as a potential model for language Captiva could consider, below are current Lee Plan policies roughly organized by topics with some notes for discussion – ***Ken Gooderham***

Bike/ped policies

- *Often, alternate transportation is lumped in with other community character or design policies, but there are a few broken out into their own entity:*

POLICY 12.2.4: Sidewalks, bike paths and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)

POLICY 22.2.7: Lee County will support improvement of pedestrian safety by establishing and marking crosswalks throughout the community, and by improving pedestrian circulation within the Historic District. (Added by Ordinance No. 05-19)

POLICY 28.3.4: Standards for Walkable Urban Thoroughfares. The Department of Public Works is encouraged to develop alternative design standards for arterials and collectors serving areas designated in the North Fort Myers Community Plan as a Town Center or Neighborhood Center. (Added by Ordinance No. 09-11)

Environmental protection

- *Some communities have given environmental concerns a separate section with its own overriding objective and various concerns addressed in individual policies. As you'll see, often they just direct some action be taken or contemplated, or express support for preservation efforts by another entity.*

OBJECTIVE 14.1: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.1.6: The county will continue to purchase environmentally sensitive areas, rare and unique uplands, eagle nesting areas, and archaeological and historic sites on Greater Pine Island in accordance with the priorities set out in this plan. (Amended by Ordinance No. 94-30, 00-22)

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OBJECTIVE 22.4: CONSERVATION AND COASTAL MANAGEMENT. Lee County will preserve, protect, and, where possible, enhance the physical integrity, village character, ecological values, and natural beauty of Boca Grande and Gasparilla Island, focusing upon the diverse and healthy native vegetation, the clear offshore waters, and the varied and abundant native marine and wildlife resources in

a manner compatible with the Gasparilla Island Conservation District Act, the promotion and preservation of the historic Boca Grande village as a thriving community, and preservation of Gasparilla Island's historic heritage. Lee County will support the efforts of the Federal and State authorities, and the Boca Grande community to preserve, protect, and enhance the positive environmental qualities of Gasparilla Island. Lee County will involve local community organizations in the planning process and will enforce these community plan policies through implementation in the land development regulations. (Added by Ordinance No. 05-19)

POLICY 22.4.2: Lee County will support the State's efforts to protect and preserve mangroves both on private properties as well as within public lands and easements. Not later than December 31, 2005, Lee County will review the State regulations regarding mangrove trimming and removal and determine whether additional protections need to be enacted on Gasparilla Island to protect its fragile environment. (Added by Ordinance No. 05-19)

POLICY 22.4.3: Lee County will strictly enforce its own policies related to the preservation of the beach dune system, beach dune vegetation, and beach dune wildlife, by discouraging any construction seaward of the 1979 Coastal Construction Control Line. This policy will not apply to the placement of raised walkways intended to cross over the dune system from adjoining properties, nor will it apply to bona fide beach renourishment and shoreline protection efforts. Lee County will support the State's efforts to protect the beach dune system, beach dune vegetation, and beach dune wildlife communities on Gasparilla Island. (Added by Ordinance No. 05-19)

POLICY 22.4.4: The Beach renourishment efforts of Lee County will include the reestablishment of a beach dune system, beach dune vegetation, and beach dune wildlife communities, including nesting birds and turtles, to the greatest extent practicable. Lee County will monitor and enforce its policies and regulations protecting dunes, dune vegetation, and dune wildlife communities on Gasparilla Island. Any rock or hard revetment will be covered with sand and planted with salt resistant native plants. (Added by Ordinance No. 05-19)

POLICY 22.4.6: Lee County will use regulatory powers to preserve, protect, and enhance the marine habitat surrounding Gasparilla Island, including sea grass beds, manatee habitat, estuarine habitat, and near shore waters of Gasparilla Island. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Added by Ordinance No. 05-19)

POLICY 22.4.7: Lee County will review and enforce all permits for new dock construction to assure the protection of sea grass beds, manatee habitat, tarpon fishing grounds, and other environmental values intrinsic to Charlotte Harbor. Copies of dock and shoreline permits will be sent to the Document Clearing House as established pursuant to Policy 22.1.4. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Added by Ordinance No. 05-19)

POLICY 22.4.9: Within two years of the adoption of this Policy, Lee County will establish policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events. (Added by Ordinance No. 05-19)

POLICY 22.4.10: Within two years of the adoption of this Policy, Lee County will establish a program to restore the plant diversity on County owned lands on Gasparilla Island through the removal of exotic vegetation and its replacement with native species. Such a program will be phased so that the general character of the community will be maintained during the maturation process. Exotic species which are killed in place will be removed as appropriate so as not to create a negative impact or create a hazard to the community. (Added by Ordinance No. 05-19)

POLICY 22.4.11: Lee County will support programs that provide periodic clean-up activities in aquatic preserves, on the beaches of Gasparilla Island, and at beach access points on Gasparilla Island. (Added by Ordinance No. 05-19)

POLICY 22.4.13: Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events. (Added by Ordinance No. 05-19)

OBJECTIVE 22.5: Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Gasparilla Island through measures to control the risk of harm attributable to human impact. (Added by Ordinance No. 05-19)

POLICY 22.5.1: Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Charlotte Harbor and the near shore waters of the Gulf of Mexico. (Added by Ordinance No. 05-19)

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OBJECTIVE 25.3: CONSERVATION AND COASTAL MANAGEMENT. Preserve, protect and enhance the natural resources, wildlife habitat, and natural beauty of North Captiva, by maintaining diverse and healthy native vegetation, clear offshore waters, diverse and abundant native marine life, wildlife resources, and by minimizing harm resulting from human activity. (Added by Ordinance No. 09-09)

POLICY 25.3.1: The North Captiva community will work with Lee County to support the efforts of the Federal, State and County authorities to preserve, protect, and enhance its positive environmental qualities. Lee County will involve the North Captiva community organizations in the planning process. (Added by Ordinance No. 09-09)

POLICY 25.3.2: The North Captiva community and Lee County will support the State of Florida and Lee County's efforts to protect and preserve the distinct environmental resources on North Captiva to the greatest extent possible, while addressing the other defined needs and objectives of the community. These resources include but are not limited to:
• mangroves
• the beach dune system, beach dune vegetation, and beach dune wildlife
• coastal dunes, beaches, and coastal scrub vegetation
• beach dune wildlife, including shorebird nesting habitat and sea turtle habitat
• the marine habitat, including sea grass beds and fisheries
(Added by Ordinance No. 09-09)

POLICY 25.3.3: It is the intent of the North Captiva community that, except for emergency events, public purposes, and human powered vehicles, vehicular traffic be banned from all beaches on North Captiva. (Added by Ordinance No. 09-09)

POLICY 25.3.4: The North Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy. (Added by Ordinance No. 09-09)

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OBJECTIVE 26.5: NATURAL RESOURCES AND ENVIRONMENTAL SYSTEMS. Enhance, preserve, protect, and restore the physical integrity, ecological standards, and natural beauty of Alva. (Added by Ordinance No. 11-21)

POLICY 26.5.1: By 2014, Alva will work with Lee County to establish planning policies and development standards that:
1. Promote developments that protect the integrity, stability, and beauty of the natural environment.
2. Maintain wildlife habitat and habitat travel corridors.
3. Require new development and redevelopment to be designed and operated to conserve critical habitats of protected, endangered, and threatened species, and species of special concern.
4. Increase development setbacks from natural areas and surface waters.
5. Establish requirements for natural buffers from parcel lines to development areas.
6. Prohibit developments that would harm protected, endangered, and threatened species, or species of special concern.
7. Enhance connectivity to maintain uninterrupted wildlife corridors among, between, and within parcels.
8. Develop surface water management system design standards that incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural surface waters.
9. Evaluate the feasibility and opportunities for an overall surface water management plan.
(Added by Ordinance No. 11-21)

POLICY 26.5.2: Alva will work with Lee County to identify and evaluate land conservation funding opportunities and acquisition priorities to protect vital natural resources, ecosystems, and habitats from the impacts of clear cutting for residential or agricultural purposes. (Added by Ordinance No. 11-21)

POLICY 26.5.3: As a minimum standard, Lee County will require all new development and redevelopment to comply with State of Florida mandated Total Maximum Daily Load (TMDL) requirement for designated water bodies. (Added by Ordinance No. 11-21)

POLICY 26.5.4: New development and redevelopment in or near existing and potential wellfields must:
1. Be designed to minimize the possibility of contaminating groundwater during construction and operation.
2. Comply with the Lee County Wellfield Protection Ordinance.
(Added by Ordinance No. 11-21)

Landscaping

- *Since Captiva already has landscaping policies, it's more a matter of updating that language. However, note 29.1.11 on "heritage trees" and 29.1.14 on underground utilities as an interesting approach undertaken in Olga*

POLICY 17.4.5: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, or signage guidelines. (Added by Ordinance No. 10-15)

POLICY 17.5.3: The removal of invasive exotic plants, as defined by the state or county, is required for all new development within the Rural Community Preserve. (Added by Ordinance No. 10-15)

POLICY 22.2.5: Lee County will support efforts of the Boca Grande community to beautify road right-of-ways and enhance the public realm of Boca Grande by including provisions for streetscaping in Historic Downtown Villages in the Lee Scape Master Plan. In order to maintain low traffic volumes, operating speeds, and noise levels, improvements will emphasize traffic calming techniques, and the need

to preserve the aesthetic values of the community. Particular emphasis will be placed in the Historic District. Enhancements may include village streetscaping such as additional street trees, trash receptacles, benches and burying utilities underground. (Added by Ordinance No. 05-19)

POLICY 29.1.11: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space. (Added by Ordinance No. 09-10)

POLICY 29.1.13: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design. (Added by Ordinance No. 09-10)

POLICY 29.1.14: When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities. (Added by Ordinance No. 09-10)

Traffic and roadways

- *Also addressed under Community Character*

POLICY 20.2.2: Road capacity improvements needed within the Bayshore Community to serve demands generated outside the community will be designed to minimize the impacts on the community and its rural character. (Added by Ordinance No. 03-02)

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OBJECTIVE 25.2 TRANSPORTATION AND PATHWAYS. Ensure that the character of North Captiva is retained while providing adequate facilities for ingress, egress, and intra-island transportation consistent with property rights. (Added by Ordinance No. 09-09)

POLICY 25.2.1: Lee County will cooperate with the North Captiva community in the location and provision of public boat ramps, access facilities, and parking for the purpose of providing access to North Captiva. (Added by Ordinance No. 09-09)

POLICY 25.2.2: The North Captiva community may collaborate with and seek technical advice from Lee County from time to time on procedures necessary to accomplish pathway maintenance and safety. (Added by Ordinance No. 09-09)

POLICY 25.2.3: Except for emergency events, public purposes, approved community needs, and permitted heavy construction equipment, internal combustion powered vehicles are banned from all pathways on North Captiva. (Added by Ordinance No. 09-09)

Community character

- *As you read through these, note how each area strives to protect its own character, using very similar approaches to very different communities.*

OBJECTIVE 19.1: COMMUNITY CHARACTER. The Estero Community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of Estero

for Lee County to adopt and enforce to help create a visually attractive community. (Added by Ordinance No. 02-05)

POLICY 19.1.2: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards. (Added by Ordinance No. 02-05)

POLICY 19.1.3: Lee County will work, through the permitting process, with private property owners to establish incentives for voluntarily bringing older projects into compliance with the regulations adopted as a result of the Estero Community Plan. (Added by Ordinance No. 02-05)

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POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)

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OBJECTIVE 21.3: RESIDENTIAL USES: Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space. (Added by Ordinance No. 03-21)

POLICY 21.3.1: By the end of 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)

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POLICY 22.1.7: In order to maintain the traditional scale and historic patterns of development on Gasparilla Island, including areas outside the Boca Grande Historic District, the Boca Grande community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage "mega houses" or "mansionization" of Boca Grande. New development or redevelopment will recognize that traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed neighborhoods on Gasparilla Island, should be maintained. (Added by Ordinance No. 05-19)

POLICY 22.1.8: Lawfully existing businesses and commercial buildings in the Boca Grande commercial areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary. (Added by Ordinance No. 05-19)

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OBJECTIVE 23.3: RESIDENTIAL USES. Lee County must protect and enhance the residential character of the Palm Beach Boulevard Community by strictly evaluating adjacent uses, natural resources,

access, and recreational or open space, and requiring compliance with enhanced buffering requirements. (Added by Ordinance No. 07-09)

POLICY 23.3.1: By the end of 2007, The Palm Beach Boulevard community will draft and submit regulations and policies for Lee County to review, amend, or adopt as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 07-09)

POLICY 23.3.2: Mixed Use developments that provide for an integration of commercial and residential uses with pedestrian linkages are encouraged. (Added by Ordinance No. 07-09)

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POLICY 26.4.1: Alva will work with Lee County to utilize the Compact Communities Code, Land Development Code Chapter 32, to establish a walkable mixed-use rural village center that provides for the needs of pedestrians, cyclists, equestrian riders, and drivers. Through this code, Alva will describe the form, function, layout, streetscape, and public spaces of roadways and pathways within the historic core and sub-areas 1 through 4 (including Charleston Park) of the rural village. (Added by Ordinance No. 11-21)

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- *I've included the entire Lehigh section as an example of how they approached it as a whole under the aegis of "sustainability," even though much of what they address is not pertinent to Captiva.*

OBJECTIVE 32.1: ESTABLISH A SUSTAINABLE COMMUNITY OF CHOICE. To ensure that development and redevelopment within the Lehigh Acres Planning Community evolves into a sustainable community containing a broad mix of residential types and non-residential uses served by efficient infrastructure. (Added by Ordinance No. 10-16)

POLICY 32.1.1: The County will incentivize the development of specialized mixed use nodes within the Lehigh Acres Planning Community in a sustainable pattern that will provide opportunities for employment, housing, recreation, goods, and services. Incentives may include, but not be limited to, transfer of development rights, expedited reviews, special land development regulations within the Lehigh Acres Planning Community, and public private partnerships to utilize alternative funding methods including Municipal Service Taxing Units (MSTU) and Municipal Service Benefit Units (MSBU). (Added by Ordinance No. 10-16)

POLICY 32.1.2: Establish a series of specialized mixed use nodes throughout the Lehigh Acres Community to provide opportunities to diversify employment, vary housing types, reduce the need for future roadway expansions, and reduce the need for commuting. (Added by Ordinance No. 10-16)

POLICY 32.1.3: The Lee County Board of Commissioners acknowledges that there is an over-abundance of single-family home sites available to construct detached single-family homes. (Added by Ordinance No. 10-16)

POLICY 32.1.4: Encourage a wide range of housing options within the Lehigh Acres Planning Community by supporting the development of a variety of housing types. (Added by Ordinance No. 10-16)

POLICY 32.1.5: Identify, preserve, protect, and, where possible, restore the remaining natural resources of the community. (Added by Ordinance No. 10-16)

POLICY 32.1.6: Encourage pedestrian friendly development with an emphasis on human scale design. (Added by Ordinance No. 10-16)

POLICY 32.1.7: Encourage connectivity between all land uses through an efficient multi-modal transportation network. (Added by Ordinance No. 10-16)

POLICY 32.1.8: Lee County will work with Lee Tran to improve the mass transit system within the Lehigh Acres Planning Community. (Added by Ordinance No. 10-16)

POLICY 32.1.9: Developers are encouraged to utilize Sustainable Development Design, as outlined in Goal 4. (Added by Ordinance No. 10-16)

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OBJECTIVE 35.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands. (Added by Ordinance No. 11-14)

Community services and coordination with other jurisdictions

- *Boca Grande in particular included some basic community service issues in its policies that might be worth Captiva discuss and consider… for many of the same reasons. They specified local districts or service providers that the county should support and coordinate with, much as Captiva did with CEPD.*

POLICY 22.2.6: Lee County will continue to ensure viable hurricane evacuation options for the residents and stakeholders of Boca Grande. (Added by Ordinance No. 05-19)

OBJECTIVE 22.6: COMMUNITY FACILITIES AND SERVICES. Lee County will seek to ensure the continued delivery of high quality, accessible community facilities and services that meet the educational, recreational, informational, and public safety, health and welfare needs of the residents, visitors and stakeholders of Boca Grande. Through the administration of county services, the Land Development and Administrative Codes, and the cooperative efforts of interagency and intergovernmental agreements, Lee County will continue to provide utilities and infrastructure; emergency, law enforcement and fire protection services; education, information resource and recreation services; and mosquito and animal control services, in a safe and efficient manner. (Added by Ordinance No. 05-19)

POLICY 22.6.1: Lee County will seek to maintain and enhance the public/ private partnership for the operation and enhancement of the Boca Grande Community Center and other County operated facilities open to the public in the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.2: Lee County will cooperate with the Gasparilla Island Water Association (GIWA) to ensure the continued provision of potable water and sanitary sewer service to the community of Boca Grande. Lee County will continue to support the Wellhead Protection regulations adopted by the GIWA

and Charlotte County to protect and preserve the sources upon which the community of Boca Grande relies for its potable water. (Added by Ordinance No. 05-19)

POLICY 22.6.4: Lee County will facilitate and cooperate with the applicable mosquito control district to control the health risk that mosquitoes represent. Lee County will continue to support the utilization of safe, effective, and environmentally responsible measures for mosquito control, recognizing the need to preserve local flora and fauna, including marine life. (Added by Ordinance No. 05-19)

POLICY 22.6.5: Lee County will work with the applicable mosquito control district to facilitate the dissemination of aerial spraying schedules, as well as any threat to the public health, to the community of Boca Grande, the Boca Grande Health Clinic, and the newspapers that serve the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.6: Lee County will support the operation and enhancement of a reference library facility, including the provision and improvement of adequate electronic based equipment, internet access, and software, in cooperation with local community organizations. Professionally trained library personnel will manage and operate the facility. (Added by Ordinance No. 05-19)

POLICY 22.6.8: Lee County will cooperate with the Boca Grande Fire Control District (BGFCD) in the provision of fire protection services to the community of Boca Grande. Such cooperation will include, but will not be limited to, recognition that the Fire Chief of the BGFCD has the authority for interpretation and enforcement of fire codes in the community of Boca Grande. All homes will be required to have the address clearly posted on the property. (Added by Ordinance No. 05-19)

POLICY 22.6.9: Lee County will provide the necessary communications infrastructure as required to manage and dispatch all 911 calls affecting the community of Boca Grande, entering into agreements as necessary with the BGFCD and Charlotte County. (Added by Ordinance No. 05-19)

POLICY 22.6.10: Lee County will cooperate in the establishment of inter-local agreements between and among all necessary parties to provide for: 1) the appropriate handling of hazardous materials incidents; 2) mutual aid agreements with the Englewood Fire Control District and Charlotte County Fire and EMS; 3) advanced life support emergency medical services; and 4) back-up EMS response as may be required by the community of Boca Grande. (Added by Ordinance No. 05-19)

POLICY 22.6.11: Lee County will cooperate as necessary in the provision of communications, information distribution, public service meetings, educational efforts, and a local liaison for emergency situations affecting the community of Boca Grande. Lee County will maintain an up-to-date list of first-in team contacts, cooperate as necessary with applicable jurisdictions and service providers for communication of evacuation status, shelter locations, and re-entry information in the event of an emergency situation. The issuance of evacuation notices will be coordinated with Charlotte County. Lee County will work with other local, State, and Federal authorities as necessary to assist in the provision of adequate means by which the community of Boca Grande can be evacuated through the Cape Haze Peninsula in the event of an emergency situation. It is acknowledged that the appropriate Emergency Operations Center (EOC) is determined by the Boca Grande Fire Control District. (Added by Ordinance No. 05-19)

POLICY 22.6.12: Lee County Emergency Medical Services will provide land or air transportation to the most appropriate facility based on the patients medical history and will maintain a liaison with the Boca Grande Health Clinic to keep the clinic fully informed of all Emergency Medical protocols and procedures for operations and any changes that may be implemented whether temporary or permanent.

The Boca Grande Health Clinic will be informed relating to any public health issues or public county health problems. (Added by Ordinance No. 05-19)

POLICY 22.6.13: Lee County will promote and assist as necessary in the provision of a fulltime police and law enforcement presence for the community of Boca Grande. Cooperative arrangements in the form of inter-local agreements, or other mechanisms as may be applicable, between Lee and Charlotte County will be supported if necessary. (Added by Ordinance No. 05-19)

POLICY 22.6.14: The Lee County Department of Transportation will continue to provide the necessary maintenance and improvements on all public rights-of-way to ensure the continued safety and efficiency of roadways, paths, and surface water management systems. (Added by Ordinance No. 05-19)

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OBJECTIVE 25.7: PUBLIC SAFETY. Preserve the character of North Captiva by providing for a law enforcement presence on North Captiva island. (Added by Ordinance No. 09-09)

POLICY 25.7.1: The North Captiva Community will encourage the Lee County Sheriff's Office to be present during special events and during periods of high occupancy on North Captiva. The North Captiva community will work to identify housing and other resources as necessary in support of enforcement activities. (Added by Ordinance No. 09-09)

POLICY 25.7.2: Lee County will continue to ensure viable hurricane evacuation for hurricanes and other emergencies as well as emergency communication options for the residents and other affected persons. (Added by Ordinance No. 09-09)

"Dark Skies" and light emissions

POLICY 25.1.4: The location of North Captiva provides a view of the night sky that is virtually unparalleled in Lee County. By the end of 2013, the North Captiva community will develop land development regulations for the County to review and consider that are applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible. (Added by Ordinance No. 09-09)

Other policies

POLICY 12.2.3: Recreation areas must have a minimum of impervious surfaces. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)

POLICY 26.6.3: Alva will work with Lee County to identify areas suitable for passive water dependent/ water-related recreational uses and activities, such as canoe and kayak launch areas, boardwalks, jogging paths, fishing platforms, and waterside parks. (Added by Ordinance No. 11-21)

POLICY 28.2.11: Floor Area Ratio (FAR) maximums in the Commercial Future Land Use Category described in Lee Plan Policy 1.1.10, located south of Pine Island Road between Orchid Road and Barrett Road will be 0.26. (Added by Ordinance No. 10-34)

Captiva Plan update

June 4, 2014

Based on the feedback from the May 13 panel meeting, I've provided some starting points for discussion of the Captiva Plan update over the next 2-3 meetings. Since this is a lot of material to digest, I plan to introduce it at the June 10 meeting (where about half the panel will be in attendance) in order that it can be reviewed and discussed at more length at the July 8 meeting (where eight panel members are planning to attend, although I will not be there) and the Aug. 12 meeting as necessary. Of course, you'll also want input from Max during these meetings or otherwise. New language or my comments are underlined. – ***Ken Gooderham***

Encourage alternate transportation options

POLICY 13.1.??: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage connectivity and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

Dark Skies language? Lighting language in general

POLICY 13.1.??: The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

Rentals vs. residents – overload and intensity of use – extend 7-day limit?

Do you want to codify a seven-day rental minimum on all non-hotel/motel dwelling units? Do you want to state support for low-intensity non-commercial use of existing residential properties in consideration of neighbors, the community and the overall island ambience?

Revise vegetation policy: invasive vs. non-invasive, native vs. non-native

(Existing) POLICY 13.1.3: 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.

(Existing) POLICY 13.1.14: 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.

RATHER THAN REQUIRING CODES THAT PROBABLY WILL NEVER BE WRITTEN, WOULD IT BE BETTER TO INCLUDE A GENERAL STATEMENT OF SUPPORT FOR NATIVE/NON-INVASIVE VEGETATION AND ADEQUATE BUFFERING FOLLOWED BY A COUPLE OF POLICIES THAT GO INTO MORE SPECIFIC DETAIL?

OBJECTIVE 13.3: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.3.1: Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.3.2: The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.3.3: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.3.4: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

POLICY 13.3.5: County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

Clarify building heights language?

Based on feedback, not necessary

Blind Pass maintenance?

POLICY 13.1.??: Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open and navigable pass due to its benefits to the hear-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

Look at current policies:

POLICY 13.1.7: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one publicly advertised informational session on Captiva open to the general public where the owner or 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. Whenever feasible, this informational session should be held in conjunction with the regularly scheduled meeting of the Captiva Community Panel. 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.

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. DO YOU WANT TO INCLUDE ANYTHING ABOUT BUFFERING REQUIREMENTS BETWEEN PROPERTIES AND/OR SITES WITH DIFFERING USES (COMMERCIAL VS/ RESIDENTIAL)?

POLICY 13.1.13: Mangroves on Captiva Island will be protected to the greatest extent possible. THIS STILL MAY BE THE STRONGEST LANGUAGE YOU CAN HAVE… AGREED?

Community character

JUST SOME RANDOM THOUGHTS AS A STARTING POINT, BASED ON WORKSHOP DISCUSSIONS AND OTHER COMMUNITY POLICIES:

Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with building standards.

One important aspect of the Captiva Community Plan goal is to retain its barrier island character and low-intensity land use where it currently exists. Therefore no land use map amendments to Captiva Island will be permitted after Dec. 31, 2014?, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

In order to maintain the traditional scale and historic patterns of development on Captiva Island, particular in the island's Village core area, the Captiva community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage "mega houses" or the further "mansionization" of Captiva. New development or redevelopment will recognize that

traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed development or redevelopment on Captiva Island, should be maintained.

Lawfully existing businesses and commercial buildings in the Captiva Village (commercial zoned) areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary.

Lee County will enforce the existing leash laws on Captiva's beaches to the greatest extent possible.

Within two years of the adoption of this policy, Lee County will establish policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events.

Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events.

Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Captiva Island through measures to control the risk of harm attributable to human impact.

Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Pine Island Sound, Charlotte Harbor and the near shore waters of the Gulf of Mexico.

Community services

Do you want to codify support for the Captiva Fire District? For cooperation with the City of Sanibel in issues related to hurricane evacuation and return? LCSO coverage? Maintaining a county public library on the island? Anything else?

Existing Captiva Community Plan Goal, Objectives, and Policies

☞This version shows the change between existing Lee Plan language related to Captiva Island and proposed language which is shown in ~~strikethrough~~ and <u>underline</u> format.

GOAL 13: ~~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)~~

<u>CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.</u>

<u>Through its efforts and support, the Captiva community has shown that it values the following:</u>

- <u>A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.</u>
- <u>The island's history as an informal resort destination.</u>
- <u>The island's future as a community that maintains high aesthetic and environmental standards.</u>
- <u>The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a</u>

respect for the privacy and property rights of the island's permanent and seasonal residents.

- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.
- Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.
- Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Prevention District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources*. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels*. No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: *Building height*. Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: ~~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)~~ [Intentionally left blank.]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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)

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: *County information clearinghouse.* 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)

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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)

POLICY 13.1.8: *Public participation.* 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).

POLICY 13.1.9: *Consistent siting of structures and historical character.* 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).

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

POLICY 13.1.11: *Criteria for variance approval*. 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)

POLICY 13.1.12: ~~Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)~~ [Policy intentionally left blank.]

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)~~ [Policy intentionally left blank.]

POLICY 13.1.14: *Telecommunications tower*. 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)

POLICY 13.1.15: *Dark skies*. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass*. Lee County will support through advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities*. Underground utilities will continue to be considered if supported by the affected property owners.

OBJECTIVE 13.2: 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)

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development. (Added by Ordinance No. 07-09)

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island.

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

POLICY 13.4.1: *Short-term rental of residential units*. Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive*. Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and

vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2: *Invasive vegetation and nuisance pests.* The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest Plant Council of Florida or its successor bodies. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage trees*. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New land developments*. New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible.

Captiva Community Plan Workshop

Design

March 6, 2014

10:00 AM ■ South Seas Resort

Captiva Community Panel

DESIGN

- Aesthetics
- Community appearance
- Landscaping
- Captiva Drive
- Quality of life

What Captiva Plan Says

- **Goal 13**: "… low density residential use…"
- **Policy 13.1.2**: Limitations on building heights, appearance and slope of roofs. Policy applies island-wide.
- **Policy 13.1.3**: "… strengthen existing vegetation ordinances to establish a **landscaping code**… promote, and enhance the existing native vegetation…"

What Captiva Plan Says

- **Policy 13.1.4**: "… support the effort of the Captiva Erosion Prevention District…to maintain Captiva's beaches…"

- **Policy 13.1.9**: "… Encourage the siting of buildings and structures consistent with the historical character of the island."

- **Policy 13.1.10**: "New requests for residential re-zoning that would increase density on said property above current zoning will not be permitted."

What Captiva Plan Says

- **Policy 13.1.13**: Mangrove protection
- **Policy 13.1.14**: "Indigenous or native trees will be replanted and maintained along Captiva Drive [between Blind Pass and Captiva Drive]…."
- **Policy 13.1.15**: Telecommunication tower
- **Policy 13.2.1**: Mixed-use developments

What Captiva Survey Told Us: Landscape

1. A public education campaign will convince owners [of private property] of the benefits of new rules — **53.6 % agreed**.
2. If we offer landscaping guidelines, private owners will mostly follow them — **53.1% agreed**.
3. We will need greater enforcement to achieve any impact — **28.6% agreed.**
4. People will plant what they want, regardless of what county rules say — **25.0% agreed**.

What Captiva Survey Told Us: A landscaping plan should …

- 1. Encourage use of native or low-water species — **65.5% favored**
- 2. Use vegetation to enhance beach management — **64.7% favored**
- 3. Restore the canopy along Captiva Drive where possible — **58.3% favored**
- 4. Remove non-native, invasive species — **52.9% favored**
- 5. Keep low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive — **45.6% favored**
- 6. Create a vegetative buffer between homes where possible — **37.3% favored**

Questions for workshop:
Landscape issues

- Is a landscaping plan needed, or are we better off without one?
- If a landscaping plan were made for Captiva, should it focus primarily on Captiva Drive?
- Can a landscaping plan that is mostly educational and descriptive — as opposed to regulatory — be effective on the island?

Questions for workshop:
Aesthetic issues

- Since the Captiva Plan was first adopted in 2002, have the aesthetics of new construction been in harmony with the natural environment?
- Are there any regulatory changes that can improve the balance between the human-built environment and the natural setting?

After the Workshops
RESOURCE INVENTORY

- Economic/Demographic Data Review
- Captiva Village Inventory
- Historic Survey
- Summary Report

After the Workshops
DRAFT PLAN AMENDMENTS

- Initial Draft Lee Plan Amendment
- Revised Draft Lee Plan Amendment
- FINAL Draft Lee Plan Amendment

After the Workshops
PLAN AMENDMENT ADOPTION

- Local Planning Agency (LPA) hearings
- Board of County Commissioners (BoCC) **transmittal** hearings
- Florida DEO transmittal
- BoCC **adoption** hearing

End of Presentation
SEE YOU NEXT WEEK!

Tuesday March 11th @ 10:00 AM TRANSPORTATION

Captiva Community Plan Workshop

Transportation

March 11th, 2014

Captiva Community Panel

Transportation

- Pedestrian pathways
- Bikeways
- Vehicular access
- Transit circulation
- Captiva Drive

What Captiva Plan (2002) says

- **Goal 13**: "… limited commercial development and traffic…"
- **No other policies**

What Captiva Survey (2013) told us

SAFETY

Do you feel safe walking or biking on Captiva streets?

#1 Yes. (**60.6% favored; N=134)**

#2 No. **(35.7% favored; N=79)**

#3 I have no opinion on this issue. **(9.6% agreed; N=20)**

#4 Not sure, I need more information. **(2.9% agreed; N=6)**

What Captiva Survey (2013) told us
WALKING AND BIKING

Would you like to do more biking or walking on Captiva?

#1 No, I'm happy with the current situation. **(49.0% agreed; N=102)**

#2 Yes, but I won't because [lack of bike paths, street layout, not enough rentals]. **(38.5% agreed; N=80)**

#3 I have no opinion on this issue. **(9.6% agreed; N=20)**

#4 Not sure, I need more information. **(2.9% agreed; N=6)**

What Captiva Survey (2013) told us
WALKING AND BIKING

Which of the following issues should be a part of a community discussion about walking and biking on the island?

Top 4 in order of positive response:

#1 Wider bike/walk shoulders in the Village (61.1%; N=132)

#2 Separated bike/walk paths away from traffic (51.4%; N=111)

#3 Other alternative to driving for on-island transport—e.g. trolleys, pedicabs, shuttles (27.8%; N=60)

#4 Slower traffic speeds in selected zones (24.5%; N=53)

Small Table Discussion Topic #1
OVERALL MOBILITY

- Ease of getting around the island
- Safety
- Connectivity

Small Table Discussion Topic #2
PEDESTRIAN PATHWAYS

- Walkability
- Where are pathways most important?
- Pedestrian safety
- How to expand access?
- …improve safety?
- …encourage walkability?

Small Table Discussion Topic #3

BIKEWAYS

- Places where bikeways are important?
- Places where safety concerns should outweigh bikeway needs?
- Ways to expand bikeway access?
- …improve safety?
- …encourage biking?

Small Table Discussion Topic #4
VEHICULAR ACCESS

- Reliance on cars
- Cars, pedestrians, and cyclists occupying same space on small island
- Vehicular and pedestrian safety
- Connectivity
- Impact on infrastructure

Small Table Discussion Topic #5
TRANSIT CIRCULATION

- Island trolley system — good idea?
- Specific places/routes where it might work?

Small Table Discussion Topic #5

CIRCULATION ON- AND OFF-ISLAND

- Connectivity to services off-island?
- Specific need for off-island connectivity?
- Can existing systems be improved?

End of today's conversation

LEE COUNTY & CAPTIVA COMMUNITY PANEL THANK YOU FOR YOUR HELP!

Next workshop:

ECONOMIC DEVELOPMENT

Thursday March 27th @10 AM

Cone Rooms , South Seas Resort

Captiva Community Plan Workshop

Water Quality

April 8th, 2014

~10:00 AM

South Seas Resort

Captiva Community Panel

Water Quality

- Wastewater
- Stormwater Management
- Environment

What Captiva Plan Says

- Goal 13: "… unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation… and limited commercial development and traffic."
- Policy 13.1.4: "… to preserve, protect and maintain Captiva's beaches…"
- Policy 13.1.5: "… investigate and recommend measures that will improve water quality…"

What Captiva Plan Says

- Policy 13.1.13: “mangroves on Captiva Island will be protected…”
- Policy 84.1.4: “… require development designs that address the interface of fill areas with existing mangroves…”

Water Quality

What is:

- … the biggest issue affecting Captiva's water quality?
- … the biggest issue/problem that is generated ***on*** the island?
- … the biggest issue/problem that is generated ***off*** the island?
- … the most over-rated issue?
- … the most misunderstood issue?

Wastewater

- Is a gray-water re-use system needed on the island?
- Will a sanitary sewer system ever be installed on the island?
- What is the most pressing reason for a sewer system, and the most compelling reason not to pursue one?
- Would a partial-island sewer system—serving the higher density areas in the Village and South Seas only-- address most water quality issues?

Interlocal Cooperation

- Do Sanibel and Captiva work well together on water quality issues? What additional work could they do?
- Are the right agencies/organizations in place to assure good future water quality, stormwater runoff, and environmental protection?
- If not, what new organization is needed, and what would be its mission?

Stormwater Management

- Is Stormwater well managed on Captiva and is there anything that should be done to improve it?
- Do current fertilizer rules help water quality? If no, what needs to be changed?
- On an island with limited land, what's the best way to slow stormwater runoff to allow more time for water to filter or percolate?

Environment

When you think about Captiva's natural environment, which are really important? Which are relatively unimportant?

- Sea turtles
- Mangrove protection
- Birdlife
- Landscape
- Other?

Questions?

Thanks for Your Participation!

Next Panel Meeting:

Tuesday May 13th @ 9:00 AM
South Seas Resort

Captiva Community Plan Workshop

Economic Development

March 27th, 2014 ■ 10:00 AM
South Seas Island Resort

Captiva Community Panel

Economic Development

- The Village as the island's commercial core
- Rentals and intensity of use
- Mixed-use development
- Residential development… house size, setbacks, heights
- Business climate and needs

What Captiva Plan Says

- **Objective 13.2:** "… reasonable access to basic goods and services without leaving the island…"

- **Policy 13.2.1**: "… mix use developments containing both commercial and residential uses within the same structure, are strongly encouraged…"

What Captiva Survey Told Us: The Village/Commercial Core

Are you concerned about maintaining the commercial core of the island in the Village?

- Yes, we need to keep essential businesses in the Village. **(Ranked #1; 57.0% agreed)**

- Yes, but the commercial core will survive without regulatory intervention. **(#2; 32.7% agreed)**

What Captiva Survey Told Us: The Village/Commercial Core

- No, there are too many businesses there now. **(#3; 5.4%)**
- Not sure, need more information**. (#4; 3.1%)**
- I have no opinion on this issue. **(#5; 1.8%)**
- I don't care about the business community on the island. **(#6; 0%!)**

What Captiva Survey Told Us: The Village

Which of the following statements do you agree with?

- I like the current mix of commercial and residential uses in the Village. **(Ranked #1; 70.1% agreed)**
- The Village needs more parking to make it easier to drive there. **(#2; 22.6%)**
- The Village needs less parking to encourage people to walk or bike. **(#3; 16.7%)**

What Captiva Survey Told Us: The Village

- I think there should be more businesses and fewer residences in the Village. **(#4; 12.7%)**
- There needs to be more of a buffer between businesses and residences in the Village. **(#5; 11.8%)**
- I think there should be more residences and fewer businesses in the Village. **(#6; 5.4%)**
- I have no opinion on this issue. **(#7)**

What Captiva Survey Told Us Residents or Tourists?

Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- A combination of the two. **(#1; 88.1% agreed)**
- Residents. **(Ranked #2; 6.8%)**
- Tourists and other businesses. **(#3; 5.0%)**

Questions:
The Village

- Is The Village a commercial area with some residential uses, or is it a residential neighborhood with intense commercial activity?
- Given current trends, what do you think the Village will look like in 2024?
- Does existing infrastructure support the businesses that we already have?
- Is there any single thing (regulatory or not) that can be done to reduce conflicts between the Village and island residents?

Rentals and intensity of use

- Is there a fundamental difference between rentals in the Village from rentals in South Seas or Tween Waters or the Gold Coast? If so, what is it?
- Is the rental business generally positive for the island?
- What traits distinguish the most desirable renters? What can be done to encourage them?
- Is the 7-day minimum working? Should it be expanded islandwide?

Mixed-use development

- How do you view mixed-use development… good for the island, bad for the island or neutral?
- Should current mixed-use rules be expanded or left as is?
- Do mixed-use projects need incentives to get started?

Residential development

- Due to the smaller lot sizes in the Village, should there be limits on how big houses can be? If so, what limits are needed?
- Are the new building height rules working?
- Are current setbacks sufficient? Too much? Not enough?
- What would make the Village a better place to live?

Business climate & needs

- What are the biggest causes of conflict between island residents and businesses, and what can be done to improve the situation?
- What brings tourists to Captiva? What turns them off?
- What are the biggest opportunities for Captiva businesses to embrace in the next ten years?
- What are the biggest threats to our business climate?
- What do you think island businesses need?

Thanks for participating!

See you on Tuesday, April 8, at 10:00 AM
for the Panel's workshop on:

WATER QUALITY

DRAFT LEE PLAN LANGUAGE

CAPTIVA COMMUNITY PANEL
TUESDAY DECEMBER 9 2014 9:00 AM

THE DOCUMENT

- ~~Strikethrough~~ language = Language in existing Community Plan text that is proposed for deletion
- Underlined language = Proposed new language
- Short titles are new. They are non-regulatory, but are meant to facilitate readership.
- No ~~strikethrough,~~ No underline = No changes to existing language

GOAL 13: 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)

Unchanged since 2003.

VISION STATEMENT FROM EXISTING LEE PLAN

- **Captiva.** This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Costa Island, Useppa Island, Buck Key, and Cabbage Key and the surrounding islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major industrial and commercial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2030. Furthermore, the are look much as it does today in the absence of a major hurricane or other natural disaster. (Added by Ordinance No. 99-15. Amended by Ordinance No. 07-12)

GOAL 13(A): CAPTIVA COMMUNITY VISION

☞ *The language below was generated by the Panel 2011-2, with substantial public input, as a supplement to the existing Goal 13:*

- Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and soil as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

- *Continued….*

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of architecture, landscape, and tourism-oriented commercial activities with a respect for private property rights.
- Levels of services that reflect and acknowledge the transitory nature of tourism use, non-resident property ownership, partial-year occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

Continued….

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.
- Structural siting and standards that acknowledge the unique natural setting and hazards – overwash, erosion, vegetation, outdated lot sizes, pressure for lot-by-lot redevelopment, upgrading public infrastructure in limited public spaces.
- Limited density, height restrictions and lower intensity of uses through land use and zoning practices.
- *Continued…*

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

End of proposed Goal 13(A)

OBJECTIVE 13.1:
RESOURCE PROTECTION

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

Unchanged since 2003. NOTES: (1) Not all policies under Objective 13.1 are about the 'protection of environmental resources. Some rearrangements may be helpful. (2) Short title has been changed from "Protection of Natural Resources" in November 2014 draft in order to be more encompassing.

POLICY 13.1.1:
SUBDIVISION OF EXISTING RSC-2 PARCELS

No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

Unchanged since 2003.

POLICY 13.1.2:
BUILDING HEIGHTS ON CAPTIVA ISLAND

Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

Continued…

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

End of Policy 13.1.2

Unchanged since Sept. 11, 2012—the most recent amendment to the Lee Plan related to Captiva.

- ~~**POLICY 13.1.3:** 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)~~

☞ **To see amended successor language, go to Objective 13.5 below.**

POLICY 13.1.4:
BEACH AND SHORE PRESERVATION

Lee County will 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)

POLICY 13.1.5:
QUALITY OF ADJACENT WATERS

Lee County will encourage and 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)

☞ **"Encourage and support" language appears in existing Policies 13.1.3, 13.1.5, 13.1.8, and 13.1.9. "[W]ill continue to support" appears in Policy 13.1.4, because Lee County staff has advised that the County is attempting to remove 'encourage' and 'discourage' from Lee Plan policies.**

POLICY 13.1.6:
LAND USE INFORMATION CLEARINGHOUSE

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)

☞ **Note italicized sentence. Can Lee County, by comprehensive plan policy, forgive its own errors of notice in advance?**

POLICY 13.1.7: PUBLIC INFORMATIONAL SESSIONS; STAFF PARTICIPATION

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)

☞ **Should this be the responsibility of the applicant, who has an understandable bias, or should it be the responsibility of County staff to provide a record of the proceedings?**

POLICY 13.1.8:
PUBLIC PARTICIPATION

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).

POLICY 13.1.9:
HISTORICAL BUILDINGS AND STRUCTURES

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).

POLICY 13.1.10: DENSITY INCREASES PROHIBITED

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)

POLICY 13.1.11:
VARIANCES; CRITERIA FOR APPROVAL

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)

~~**POLICY 13.1.12:** Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)~~

☞ **Comments:**

- **Policy 13.1.12 has been relocated and renumbered Policy 13.5.5.**
- **Policy 13.1.13 has been modified and replaced by Policy 13.5.1.**

POLICY 13.1.14: TELECOMMUNICATION TOWER AT SOUTH SEAS RESORT

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. 15-19)

POLICY 13.1.15: DARK SKIES

The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. When those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16:
ESTUARINE AND WETLAND RESOURCES

County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

☞**In the November 2014 draft, the short title appeared as "No degradation of wetland resources."**

POLICY 13.1.17: BLIND PASS

Lee County will **support through active advocacy at the federal, state, and regional level,** efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

☞ **The boldface language above has been amended from the November 2014 version which began as: "Lee County will encourage and support efforts…"**

OBJECTIVE 13.2: 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).

POLICY 13.2.1: MIXED USE DEVELOPMENTS

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

OBJECTIVE 13.3: TRANSPORTATION

Proposed language as it appeared in the November 2014 draft:

- There will be no net increase in traffic on Captiva above 2014 standards.

Modified version which might be closer to Lee County standards:

- Increases in automotive traffic demand on the island will be offset by alternative transportation modes.

POLICY 13.3.1: ENCOURAGE ALTERNATIVE TRANSPORTATION OPTIONS

On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on **design that harmonizes with the low building heights, low densities, vernacular architecture, and natural aesthetics of the island.** The county will also encourage inter-island connectivity facilitating greater flexibility of travel to and from Sanibel, and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors, and commercial interests. Specifically, Lee County will consider and evaluate such tools as private trolley service, tiered bridge tolls, alternative transportation and parking modes, shared parking, and park and ride. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

☞ **(1) Language in boldface replaces the words "human scale design" which appeared in the November 2014 draft. (2) Panel might want to consider breaking this into two or more policies, addressing the different modes in greater detail.**

OBJECTIVE 13.4: TOURISM

Tourism is vital to the economic health of Captiva, but must be conducted in a low-impact manner that results in a very low level of conflict between permanent residents and visitors, such that dwelling units occupied by tourists generate no more impact on infrastructure or services, and cause no more noise, light pollution, or other problems than permanent residents.

☞ **Not every Captiva resident agrees that tourism is vital to economic health. Should it be encouraged, accommodated, or tolerated?**

POLICY 13.4.1: SHORT-TERM RENTAL OF RESIDENTIAL UNITS

Residential units on Captiva Island may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY

Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

☞ **This is a modified version of Policy 13.1.3, which has been relocated to a new objective.**

POLICY 13.5.1: TREES ALONG CAPTIVA DRIVE

Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2:
INVASIVE VEGETATION AND NUISANCE PESTS

The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: HERITAGE TREES

Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or, when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: NEW LAND DEVELOPMENTS

New land developments on Captiva Island will be designed to maintain the integrity of the natural environment, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

POLICY 13.5.5: MANGROVES

Mangroves on Captiva Island will be protected to the greatest extent possible.

(Added by Ordinance No. 05-19)

NEXT STEPS

1. Incorporate changes recommended by Panel at December 9th meeting.
2. Post text on Captiva Community website.
3. Schedule public workshops January through March 2015.
4. Determine strategy for encouraging and processing public comment.
5. Transmit proposed amendments to Lee County for review and comment

LEE COUNTY REVIEW

1. Staff review
2. Local Planning Agency
3. Board of County Commissioners Transmittal Hearing
4. Florida Department of Economic Opportunity (DEO) leads interagency review.
5. Board of County Commissioners Adoption Hearing

END OF PRESENTATION

CAPTIVA PLAN UPDATE SUMMARY

Captiva Plan Provisions To Which Max Has Proposed No Changes

Goal 13	Captiva	No Change Proposed
Objective 13.1	Protection of Environmental Resources	No Change Proposed
Policy 13.1.1	Subdivision of Existing RSC-2 Parcels	No Change Proposed
Policy 13.1.2	Building Heights on Captiva Island	No Change Proposed**
Policy 13.1.3	Vegetation	Replaced by Objective 13.5
Policy 13.1.4	Beach & Shore Preservation	No Change Proposed
Policy 13.1.5	Quality of Adjacent Waters	No Change Proposed**
Policy 13.1.6	Land Use Information Clearinghouse	No Change Proposed
Policy 13.1.7	Public Informational Session	No Change Proposed**
Policy 13.1.8	Public Participation	No Change Proposed
Policy 13.1.9	Historical Buildings and Structures	No Change Proposed**
Policy 13.1.10	Density Increases Prohibited	No Change Proposed**
Policy 13.1.11	Variance; Criterial for Approval	No Change Proposed
Policy 13.1.12	Mangroves [Renumbered to Policy 13.5.5]	No Change Proposed**
Policy 13.1.13	Hurricane Charlie-Canopy Replanting	Replaced by New Objective 13.5 and New Policy 13.5.1
Policy 13.1.14	Telecommunications Tower at SS	No Change Proposed**
Objective 13.2	Mixed Use Development	No Change Proposed
Policy 13.2.1	Mixed Use Developments	No Change Proposed**

New Plan Goals or Objectives That Max Has Proposed

New Goal 13(A)	Captiva Community Vision**
New Policy 13.1.15	Dark Skies
New Policy 13.1.16	Estuarine & Wetland Resources
New Policy 13.1.17	Blind Pass
New Policy 13.3	Transportation**
New Policy 13.3.1	Encourage Alternative Transportation Options**
New Objective 13.4	Tourism
New Policy 13.4.1	Short-Term Rental of Residential Units
New Objective 13.5	Native Vegetation & Tree Canopy**
New Policy 13.5.1	Trees Along Captiva Drive
New Policy 13.5.2	Invasive Vegetation & Nuisance
New Policy 13.5.3	Heritage Trees
New Policy 13.5.4	New Land Developments**

**The asterisks refer to those provisions in the current or proposed Plan about which Jay or David raised questions or made suggestions that were contained in documents provided to the Panel by Ken before the December meeting. Jay also raised issues in his document that were not directly related to language in the Plan, but were more general in nature and might implicate the Plan indirectly.

DRAFT AMENDMENTS TO

THE LEE PLAN AND

LEE COUNTY LAND DEVELOPMENT CODE

FOR CAPTIVA ISLAND

A REPORT TO THE

CAPTIVA COMMUNITY PANEL

August 2015

Max Forgey, AICP

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Cecil Pendergrass, District 2
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Dave Loveland, AICP; Acting Director Community Development
Sharon Jenkins-Owens, AICP; Principal Planner & Liaison to Captiva Community

2015 CAPTIVA COMMUNITY PANEL

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David Mintz
Bob Walter

Ken Gooderham, Administrator

2015 CAPTIVA COMMUNITY PANEL

Forgey Planning Services

Max Forgey, AICP
Julia B. Davis, AICP
Patrick C. White

Contents

Section 1:	Overview of Captiva Plan Update	Page 3
Section 2:	Draft Amendments to Lee Plan	Page 7
Appendix 1:	Existing Captiva Community Plan Goal, Objectives, and Policies	Page 13
Appendix 2:	Existing Land Development Code 33 (Captiva Specific)	Page 16
Appendix 3:	Survey Document 2013	Page 27
Appendix 4:	Survey Results	Page 42
Appendix 5:	Table Notes from Public Workshops	Page 62
Appendix 5-1:	Character, Design, and Quality of Life	Page 63
Appendix 5-2:	Transportation	Page 68
Appendix 5-3:	Economic Development	Page 75
Appendix 5-4:	Water Quality	Page 82

I. Overview of Captiva Plan Update

The Lee Plan, Lee County's **Comprehensive Plan**, was first adopted by the Board of County Commissioners in 1984. It was the first plan in Lee County to feature a Future Land Use Map (FLUM) and Levels of Service (LOS) standards for infrastructure and services, and was a precursor of Florida's 1985 Growth Management Act. The Lee Plan, which was adopted following an unprecedented series of public meetings an hearings, featured an Urban Service Area and set aside large areas for agriculture and conservation. The Lee Plan has been amended several times since 1984 through the Evaluation and Appraisal Report (EAR) process mandated by the Growth Management Act, expanding the text of the Lee Plan and enlarging the Urban Services Area.

The most recent EAR amendment cycle is the **New Horizon** 2035 Plan which was launched in April and May 2012 with a series of twelve public visioning sessions, including one in Captiva, which focused on five topics: ***Livability, Strengthening Connections, Community Character,* and *Sustainability.*** After the workshops were completed, County staff forwarded a set of proposed revised elements to the County's Local Planning Agency (LPA) for consideration. The last of these elements, the Future Land Use Element (FLUE) was reviewed by the LPA on Aug. 25, 2014, although some maps were sent to the LPA in January 2015. At this time, it is uncertain when the Lee County Administration and BCC will take up the plan EAR again.

The Captiva Plan is a **Community Plan**, which was also adopted as a part of the Lee Plan in 2003. It contains one goal and a set of objectives and policies to guide future development on Captiva Island. In Lee County, community plans are adopted by ordinance as amendments to the Lee Plan.

The Captiva Plan was prepared under the auspices of the **Captiva Community Panel**, which was established by the Captiva Property Owners' Association (CPOA), a 501(c)3 corporation. The Panel contracts with the Board of County Commissioners to update and maintain the Captiva Plan. Over the years, the Panel has conducted more than 100 public meetings and workshops, which address planning and other community issues, such as public safety and environmental protection.

☞The Captiva Community Panel maintains a website that contains past agendas, minutes, and documents detailing the history of the Captiva Community Plan. To access these documents, go to:

http://www.captivacommunitypanel.com/captiva_plan.html

Amendments to the Community Plan. Since 2003, the **Community Plan has been amended three times**—there were several amendments to the text in 2005, an amendment addressing mixed use development in 2007 and one amendment—concerning building height—in 2011.

The Building Height Amendment of 2011. The building height amendment was particularly significant because it came at the end of several years of controversy concerning building heights on the island. Although there was a strong consensus against high-rise and mid-rise development on Captiva—roughly defined as two habitable floors above a lower level for parking—changing conditions

had made the old standard ("35 feet above the average grade of the lot or 42 feet above mean sea level measured to the peak of the roof") difficult to implement for property owners seeking to build or rebuild on an existing lot.

These conditions included the State of Florida's Coastal Construction Control Line (CCL), which had shifted inward, forcing residents to begin their measurements from an increasingly higher elevation, without relief from the regulations in force. Homebuilders also found that the peak of the roof standard encouraged the construction of flat topped roofs that clashed with the island aesthetic that most Captivans wished to continue. By adopting revised Policy 13.1.2 of the Lee County Comprehensive Plan in CPA 2010-15 on Sept,28, 2011, the Board of County Commissioners affirmed the Panel's recommendation that residents be permitted to choose the old standard or a new standard—"28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs."

Land Development Code (LDC) amendments. On Sept.11, 2012, the Board of County Commissioners adopted a set of major amendments to Section 33 of the Lee County Land Development Code, based upon the testimony received by the Panel over the previous three years. (See Appendix 2) In addition to the building height language in Policy 13.1.2 which restated CPA 2010-15 verbatim, the LDC amendments addressed major changes to signage regulation, short term rental of residential property, and other issues.

Contract with Lee County. On Sept.3, 2013, the Board of County Commissioners approved a new contract with the Panel to explore possible revisions to the Captiva Plan and the Land Development Code, but with emphasis on the former.

Visioning Exercise. In early 2012, the Captiva Community Panel conducted a series of informal visioning sessions to engage the public in expressing community directions and values. At that time, the Panel and its advisers Ken Gooderham and Max Forgey hoped to propose the vision statements for amendment to the Lee Plan as a part of the County's New Horizon 2035 initiative, which has subsequently become stalled. The 2012 visioning language was reconsidered by the Panel in the spring of 2015 and is proposed for incorporation into the Lee County Comprehensive Plan as a part of this report. The Panel, after lengthy deliberation, identified a community vision that is contained in the revised Goal 13, placing strong emphasis upon the island's natural environment, its tranquil ambience and unhurried lifestyle, and the balance of economic and environmental needs.

The proposed Goal 13 contains six value statements (e.g. valuing "the island's history as an informal resort destination" and "recognition of its fragility as a coastal high hazard area") and seven items for cooperation with Lee County (e.g. "[s]horeline and natural resources management" and "[b]uilding standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.")

Community Survey. In the fall of 2013, Ken Gooderham conducted a detailed survey of attitudes and preferences on Captiva to prepare for the Workshops. The topics included:

- Landscaping Historic Preservation
- Lighting
- Economic Development
- Pedestrian Connectivity & Safety
- Parking
- Future Direction of Captiva Community Panel

For a detailed summary of the survey, see Appendix 3 to this report.

A survey was drafted, reviewed and revised over the course of four panel meetings in summer/fall 2013. The final survey was compiled and presented online through an electronic survey website. A link to this survey was mailed to every property owner and voter on the island; owners of multiple properties received a single mailed link, but owners who were also registered voters received two links. (Owners who requested a printed version were given appropriate contact information and a paper survey was mailed to them.) Results (including text answers to open-ended questions and requests for comments) were compiled and presented to the panel and public at a public meeting, and these results were also posted online at the panel's website.

Summary of results of Visioning Exercise, Community Survey, Workshops, and Public Meetings Conducted by the Captiva Community Panel.

Historic Preservation—

Survey respondents expressed strong support for historic preservation, particularly for historic houses, but differed as to whether voluntary compliance or regulatory action would be more effective.

Lighting—

Survey respondents value dark skies and are generally satisfied with existing levels of lighting on the island, although there is substantial support for regulation which discourages the upward lighting. They advocate continued enforcement of existing regulations.

Commercial Core/ The Village—

Survey respondents are generally satisfied with the existing mix of commercial and residential uses on the island, although they find that traffic continues to be a source of conflict. While many residents would like to see a better variety of shopping opportunities, most respondents regard this as unlikely. At the workshops, the Commercial Core/ Andy Rosse Lane/ pedestrian/ cyclist interface was a major topic of discussion.

Bicycle/ Pedestrian Safety—

Among survey respondents there was a sharp division between those who were satisfied with cycling and pedestrian opportunities on the island and those who found these activities dangerous. Again, this was a topic of lengthy and animated discussion at the Workshops.

II. Draft Amendments to Lee Plan

Proposed Lee Plan Language

Transmitted to Lee County by Captiva Community Panel April 14, 2015

☞For existing Captiva Community Plan Goal, Objectives & Policies, see Appendix 1

GOAL 13: CAPTIVA COMMUNITY VISION. Captiva Island is a coastal barrier island with a low-density residential lifestyle and economic base, augmented by commercial activities which serve residents and tourists who are drawn toward a tranquil, unhurried experience in a natural setting. As an island community, Captiva's natural environment -- beaches, wildlife and flora -- is its most important attraction, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, its residents, owners and the business community must work together, with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

Through its efforts and support, the Captiva community has shown that it values the following:

- A lifestyle which is mindful of the land and sea environments surrounding the island; commercial sustainability to allow residents access to basic needs without undue travel and encouraging services and facilities that support a community of individuals living together.
- The island's history as an informal resort destination.
- The island's future as a community that maintains high aesthetic and environmental standards.
- The sense of the island as a coastal community, balancing diversity of coastal community architecture, landscape, and tourism-oriented commercial activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- Levels of services that reflect and acknowledge the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency.
- Recognition of its fragility as a coastal high hazard area.

To achieve these ends, Captivans must work together and with Lee County for:

- Environmental preservation, including enhanced water quality, encouraging the use of native vegetation, and maintaining the mangrove fringe protecting the island's shores, while limiting noise, light, water, and air pollution.
- Shoreline and natural resources management to preserve habitat, recreation and sustainability.
- Accommodating mixed uses of traditionally commercial properties to maintain a business community sufficient to support the immediate needs of island residents and visitors.

- Development and appearance standards that acknowledge the unique natural setting and hazards, which include overwash, erosion, invasive vegetation, and outdated lot sizes.
- Creative responses to the economic pressure which encourages lot-by-lot redevelopment that maximizes building footprints and envelopes to the detriment of community appearance.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island needs and goals, and work in unison with Lee County, the Captiva Erosion Prevention District, the state and its agencies, and nongovernmental organizations serving the island to ensure those goals are realized.

OBJECTIVE 13.1: *Protection of community resources.* Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

POLICY 13.1.1: *Subdivision of existing RSC-2 parcels.* No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district.

POLICY 13.1.2: *Building heights***.** Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

If the Village, Gold Coast, Tween Waters or South Seas neighborhoods wish to establish building height standards to fit the unique characteristics of those neighborhoods, such standards can be set forth in the Land

Development Code, as long as building heights in these neighborhoods cannot exceed those allowed by this policy and any such modifications are supported by a clear majority of the affected property owners.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area.

POLICY 13.1.3: [Intentionally left blank]

POLICY 13.1.4: *Beach and shore preservation.* Lee County will 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.

POLICY 13.1.5: *Quality of adjacent waters.* Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include regulation of septic systems and sewers only if sized to limit development to that permitted by this plan.

POLICY 13.1.6: *County information clearinghouse.* 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.

POLICY 13.1.7: *Public informational session for land use changes.* 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. The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.

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.

POLICY 13.1.8: *Public participation.* 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.

POLICY 13.1.9: *Consistent siting of structures and historical character.* 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.

POLICY 13.1.10: *Density increases prohibited.* 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) No further residential lot splits or lot line adjustments will be permitted in the Village if they would result in increases in density or intensity of use.

POLICY 13.1.11: *Criteria for variance approval.* 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.

[Policies 13.1.12 and 13.1.13 intentionally left blank]

POLICY 13.1.14: *Telecommunications tower***.** 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.

POLICY 13.1.15: *Dark skies.* The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will rely whenever possible upon public education and voluntary efforts to maintain dark skies on the island. If those efforts prove ineffective, Lee County will support the Captiva community's efforts to craft and codify land development

regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

POLICY 13.1.16: *Estuarine and wetland resources*. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and will promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.17: *Blind Pass***.** Lee County will support through advocacy at the federal, state, and regional level, efforts by the Captiva community to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.18: *Underground utilities.* Underground utilities will continue to be considered if supported by the affected property owners.

OBJECTIVE 13.2: 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.

POLICY 13.2.1: *Mixed use developments***.** Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development.

OBJECTIVE 13.3: TRANSPORTATION. The Captiva Community will continue its efforts to limit automotive traffic on the island.

POLICY 13.3.1: *Alternate transportation*. On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development and trolley service that does not increase automobile dependence or increased parking. The County will support steps to make the island transportation network safer for pedestrians, golf carts, and bicyclists whenever possible.

OBJECTIVE 13.4: TOURISM: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors.

POLICY 13.4.1: *Short-term rental of residential units.* Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: NATIVE VEGETATION AND TREE CANOPY: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: *Trees along Captiva Drive*. Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

POLICY 13.5.2: *Invasive vegetation and nuisance pests*. The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest Plant Council of Florida or its successor bodies. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: *Heritage trees*. Heritage trees, as defined in the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: *New land developments*. New construction on Captiva Island should be designed to maintain or be compatible with the native and indigenous natural environment, especially when significant tree canopies or unique natural habitats exist on the parcel.

POLICY 13.5.5: *Mangroves*. Mangroves on Captiva Island will be protected to the greatest extent possible.

Appendix 1: Existing Captiva Community Plan Goal, Objectives, and Policies

☞*These are the goal, objectives, and policies as they currently appear in the Lee Plan.*

GOAL 13: 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)

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

POLICY 13.1.1: No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

POLICY 13.1.2: Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the least restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: 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)

POLICY 13.1.4: Lee County will 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)

POLICY 13.1.5: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

POLICY 13.1.6: 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)

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)

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).

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).

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)

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)

POLICY 13.1.12: Mangroves on Captiva Island will be protected to the greatest extent possible. (Added by Ordinance No. 05-19)

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)

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)

OBJECTIVE 13.2: 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)

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

Appendix 2: Existing Land Development Code Section 33 (Captiva specific)

ARTICLE IX. CAPTIVA

DIVISION 1. IN GENERAL

Sec. 33-1611. Applicability.

(a) *Scope.* The provisions of article IX apply to development located on Captiva Island not specifically exempted under section 33-1613, "Existing development" below, as defined in Goal 13 of the Lee County Comprehensive Plan, but excluding Upper Captiva, Cayo Costa, Useppa, Buck Key, and Cabbage Key. This Article applies to development and redevelopment located on Captiva Island unless specifically stated otherwise.

(b) *Zoning.* This article applies to requests to rezone property on Captiva Island.

(c) *Development orders.* This article applies to development orders and limited review development orders described in sections 10-174(1), 10-174(2) and 10-174(4)a. that are requested on Captiva Island.

(d) *Demonstrating compliance.* Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required.

(e) Unless specifically provided herein, development within the area defined as South Seas Resort is exempt from this article, so long as the development complies with the Administrative Interpretation, ADD2002-00098, adopted by the Board of County Commissioners in 2002.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Sec. 33-1612. Community review.

(a) ***Applications requiring review.*** The owner or agent applying for the following county approvals must conduct at least one public information meeting on Captiva Island prior to obtaining a finding of sufficiency:

(1) Development orders.
(2) Planned development zoning actions, including administrative deviations amending the approved master concept plan or other provisions of the applicable zoning resolution.
(3) Special exception and variance requests.
(4) Conventional rezoning actions.
(5) Administrative actions.

(b) ***Meeting requirements***. The applicant submitting the application requiring review under this section must conduct at least one public informational meeting in conjunction with a publicly advertised meeting, including public notification in community-based media outlets. The applicant must provide a general overview of the project for interested citizens. The applicant is responsible for providing the meeting space

and 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 the issues raised. The meeting must be advertised no later than five days prior to the date of the meeting.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Sec. 33-1613. Existing development and planned developments.

Existing, approved master concept plans may be voluntarily brought into compliance with the Captiva Community Plan or any regulation contained in this Article through the administrative amendment process. No public hearing will be required if the sole intention is for existing planned developments to comply with these regulations. All other requests to change the zoning designation of a parcel must comply with the notice and hearing requirements under F.S. § 125.66.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1614. Definitions.

The following definitions are in addition to those set forth in other chapters of this LDC and are applicable to the provisions set forth in this article only. If, when construing the specific provisions contained in this article, these definitions conflict with definitions found elsewhere in this LDC, then the definitions set forth below will take precedence.

Caretaker: A person employed to look after a public building or a house in the owner's absence.

Cupola: A covered tower or vault, without a separate source of heating or air-conditioning, which may contain an underlying floor, which rises from a roof ridge, and is typically enclosed by opaque walls. (See "Lantern.")

Domestic employee: A person who works within the employer's household providing a variety of household services for an individual or a family.

Dormer: A projection from a sloping roof that includes a window.

Dwelling unit, accessory: A single-family dwelling unit, intended for use by guests or domestic employees, which is located on a lot or parcel containing one principal dwelling unit, and which is smaller than, and detached from, the principal dwelling unit. For purposes of this definition, guests shall mean persons staying on the property at the invitation of the property owner or lessee.

Dwelling unit, principal: The largest single-family dwelling unit, measured in square feet of enclosed living area, located on a lot or parcel containing more than one single-family dwelling unit. (See "Dwelling unit, accessory.")

Façade articulation*:* An extrusive architectural element or decorative feature which provides visual relief from an exterior wall, e.g. a buttress, pilaster, bay window, or oriel.

Family: One or more persons occupying a dwelling unit and living as a single nonprofit housekeeping unit, provided that a group of three or more adults who are not related by blood, marriage or adoption shall not be deemed to constitute a family, and further provided that domestic employees may be housed on the premises without being counted as a separate or additional family. The term "family" shall not be construed to mean a fraternity, sorority, club, monastery, convent or institutional group.

Guest: See "Dwelling unit, accessory."

Lantern: A covered tower or vault, without heating or air-conditioning, rising from a roof ridge, which may contain an underlying floor and is typically enclosed by windows to admit light in order to function as a solarium, observatory, viewing area, or similar use. (See "Cupola.")

Lessee: A person renting property under a written lease from an owner (lessor).

Lock-off accommodations: A portion of a principal or accessory dwelling unit, typically without a kitchen, that is separated from the unit and made available for long-or short-term rental or other use. Where the floor area of a dwelling unit contains lock-off accommodations that can be occupied separately from the main living unit, the lock-off accommodations will be counted as a full dwelling unit when computing the allowable density as provided in section 34-1546. To be counted as a dwelling unit, the lock-off accommodations must contain at least one bedroom with a bathroom and be accessible from a separate door, entering from outside the dwelling unit or a common foyer.

On-site Treatment and Disposal System (OSTDS): Consistent with F.S. § 381.0065(2)(j), means a system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes items placed within, or intended to be used as a part of or in conjunction with, the system. This term does not include package sewage treatment facilities and other treatment works regulated under F.S. ch. 403.

Renter: One who pays rent for the use of another's property; a tenant.

Roofline articulation: An architectural element or decorative feature that provides visual relief from a horizontal roof ridge, e.g. a parapet, widow's walk, cupola, or lantern.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1615. Deviations and variances.

(a) Variances or deviations may be requested in accordance with chapter 34. If an applicant desires to deviate from the architectural, site design or landscaping guidelines in this article, an applicant may do so at the time of development order in accordance with section 10-104(b). A rendered drawing to scale, showing

the design, and clearly demonstrating the nature of the requested deviation or variance, must be submitted as part of the application.

(b) Variances and deviations will be allowed only where unnecessary hardship would occur; i.e. where the following findings, in addition to the findings required by section 34-145, are met:

(1) The hardship cannot be corrected by other means allowed in the code;

(2) Strict compliance of the regulations allows the property owner no reasonable use of the property, building or structure;

(3) 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, building or structure;

(4) The applicant did not cause the need for the variance;

(5) The variance to be granted is the minimum variance that will make possible the reasonable use of the property, building or structure; and

(6) The variance is not specifically prohibited in this article and not otherwise contrary to the spirit of the ordinance.

(Ord. No. 12-19, § 2, 9-11-12; Ord. No. 13-10, § 9, 5-28-13)

Secs. 33-1616—33-1620. Reserved.

DIVISION 2. ENVIRONMENTAL STANDARDS

Sec. 33-1621. Water quality.

Prior to the issuance of a development order, zoning, or building permits for a new building or an addition or remodeling to convert existing space to living area, for properties that contain existing OSTDS, the applicant must provide written documentation indicating the approximate date the System was constructed and the last date the OSTDS was serviced or received a pumpout by a licensed septic contractor.

(Ord. No. 12-19, § 2, 9-11-12)

Secs. 33-1622—33-1625. Reserved.

DIVISION 3. PROPERTY DEVELOPMENT REGULATIONS

Sec. 33-1626. Residential single-family estate district.

(a) Subdivisions of parcels that were zoned RSC-2 on January 1, 2002, regardless of the zoning designation thereafter, are prohibited unless the resulting lots comply with the minimum lot size and dimensional requirements in the RSC-2 district.

(b) RSC-2 zoning includes the following standards:

(1) Lot area: 43,560 square feet minimum.[1]

[1] The numeral (1) was omitted from the Municode version of this document and has been added for sake of clarity.

(2) Lot width: 100 feet minimum.
(3) Lot depth: 200 feet minimum.
(4) Setbacks:
a. Street: 50 feet minimum. In the instance that the property is bisected by the Coastal Construction Control Line, leaving a limited area for development or redevelopment, the Director may authorize a lesser street setback, but the setback may not be less than 20 feet from the public street right-of-way, and relief must be limited to that which provides a reasonable use of the property while not adversely affecting the aesthetics of the neighboring or adjoining lots.
b. Side yard: 10 feet minimum.
c. Rear yard: 20 feet minimum.
d. Gulf of Mexico: 50 feet minimum.
e. Other water bodies: 25 feet minimum.
(5) Maximum lot coverage: 25 percent.
(6) Allowed structures:
a. Principal dwelling unit.
b. Accessory dwelling units.

(c)

Two accessory dwelling units, which may include accommodations for guests, family members, or domestic employees and their families, as well as permitted accessory structures, may be permitted on each lot zoned RSC-2, subject to the following:

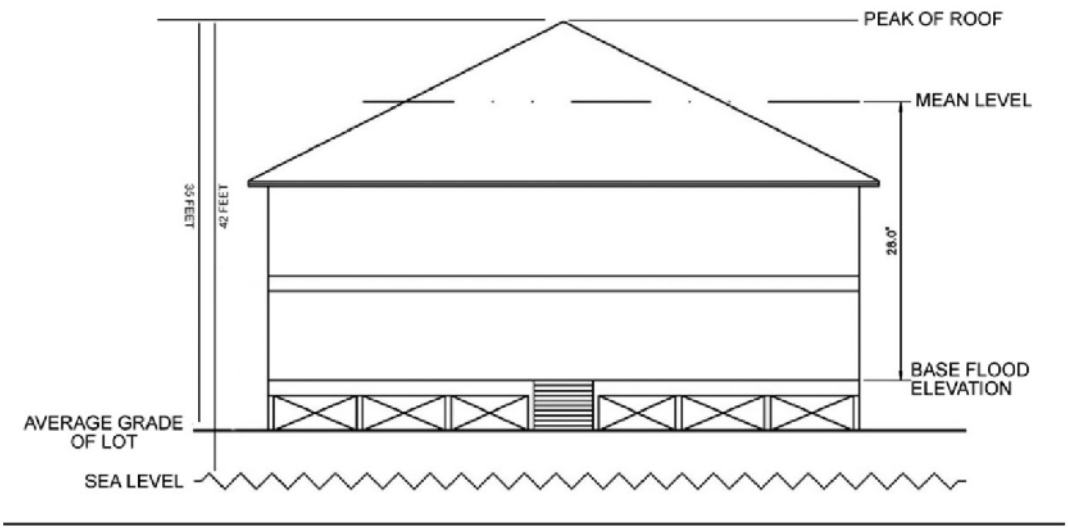
(1) The accessory units are in addition to a principal single-family detached dwelling unit.
(2) All units and accessory structures will comply with applicable setback requirements.
(3) Property owners may not rent or lease for periods of less than seven days any combination of principal or accessory dwelling units on a single RSC-2 zoned lot, and may not rent or lease units under more than one lease at a time.

(d) The use of tents, lean-tos, motor vehicles, and similar accommodations, as temporary residences for employees and other persons are prohibited. For purposes of this section, employees include temporary workers and construction and landscape crews, but do not include family members or house guests.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1627. Height restrictions on Captiva Island.

(a) Consistent with Policy 13.1.2 of the Lee Plan, the height of buildings and structures may not exceed the least restrictive of the two following options:
(1) Thirty-five feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or
(2) Twenty-eight feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.



If the lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation. Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four feet above the roof peak or eight feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20 percent or less of the total roof area.

(b) The existing telecommunications tower facility located in the maintenance and engineering area of South Seas Resort may be replaced to a height not to exceed 170 feet, provided the new facility makes space available to the county for emergency communications service coverage for Captiva, as well as co-location capability for wireless carriers desirous of serving Captiva. Destruction of mangroves to build or operate a tower or related tower facilities is prohibited. The telecommunication tower will be a monopole, unless public safety is compromised.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1628. Rezoning and density.

(a) *Conflicting provisions*. A conflict between this chapter and the balance of this Code will be resolved in accordance with Sections 33-4 and 34-1543.

(b) *Nonconforming uses*. A structure or the use of a structure where the use of the land was lawfully existing on December 13, 1982, but does not conform to the provisions of this subdivision, will be considered an existing nonconforming use. Existing nonconforming uses may be continued after December 13, 1982; provided, however, no existing nonconforming use may be expanded, changed, enlarged or altered in a way that increases its nonconformity. The redevelopment of nonconforming hotels and motels may not result in an increase in the number of rental units. The average unit size of units offered for rent in redeveloped structures may not exceed 550 square feet.

(c) *Density limitations*. Except as may be specifically permitted by the Lee Plan, no building or development permits will be issued for development on Captiva Island at a density greater than the following:

(1) Three units per acre for dwelling units, including condominiums and apartments; or

(2) Three units per acre for motels or hotels;

(3) Lock-off units will be counted as a full dwelling unit when computing the allowable density. To be counted as a dwelling unit, lock-off accommodations may contain at least one bedroom with a bathroom and be accessible from a separate door, entering from outside the dwelling unit.

(d) *Exceptions.* Zoning Resolution No. Z-70-78, adopted on June 2, 1970, remains in force and is binding on present and future property owners. Zoning maps and records will reflect that the property subject to Resolution No. Z-70-78 to be estate zoning requiring each lot or parcel to contain a minimum square footage of 43,560 square feet for the issuance of a building or development permit or order. Parcels or lots containing a minimum of 43,560 square feet and located within the RSC-2 zoning district, may also obtain a permit for no more than two accessory dwelling units in addition to the primary dwelling unit as provided in section 33-1626(c).

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1629. Temporary use permits.

(a) Temporary use permits under section 34-3042, "Carnivals, fairs, circuses and amusement devices," are prohibited on Captiva Island. This section will not be construed to prohibit civic events or not-for-profit fundraising events, sponsored by 501(c) corporations designated by the U.S. Internal Revenue Service, or registered as a not-for-profit entity with the State of Florida. Such events include bazaars, fundraising events, seasonal or holiday observances, or activities (e.g. bounce houses) for which the public may have access.

(b) Temporary use permits for temporary parking lots under section 34-2022, "Temporary parking lots," are prohibited for Captiva Island. This section will not be construed to prohibit temporary parking on a golf course or other unpaved surface when authorized by the owner or manager of a property where an event is taking place.

(Ord. No. 12-19, § 2, 9-11-12)

Secs. 33-1630—33-1634. Reserved.

DIVISION 4. DESIGN STANDARDS; SIGNS

Sec. 33-1640. Applicability.

This division is adopted as a supplement to the general sign ordinance of the County set out in articles I through IV of chapter 30. The sign ordinance remains in force as to Captiva Island. In case of conflicts between provisions of the general sign ordinance and this article, the more restrictive provision will control.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1641. Definitions.

The following words, terms and phrases, when used in this article, are in addition to the definitions appearing in section 30-2, and will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animated sign: Signs or any part thereof that revolve or moves in any fashion whatsoever, and signs that contain or use for illustration lights or lighting devices that change color, flash or alternate, show

movement or motion, or change the appearance of the sign or any part thereof automatically, including wind-operated devices. Animated signs may include flashing signs and a beacon light.

Banner sign: A sign possessing characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind, with or without frames, including awning signs.

Directional sign: Signs used for public information or directions, such as "one way," "entrance," or "exit."

Illuminated sign: See "Lighted sign" in this section.

Lighted sign: A sign with characters, letters, figures, designs or outlines illuminated by electric lights, light emitting diodes (LEDs) or luminous tubes as part of the sign proper.

Residential identification sign: A sign intended to distinguish a particular residential property or estate, using the name of the owner or owners, the street address, or some form of artwork, lettering, fanciful naming, or other device.

Tenant's wall area: The outside wall area of a renter's or lessee's unit in a multi-unit commercial complex, excluding any wall space in the complex's common areas.

Wall sign: An outdoor advertising display sign affixed to or painted on the wall of a building, where the sign projects not more than 12 inches from the building.

(Ord. No. 12-19, § 2, 9-11-12)

Cross reference— *Definitions and rules of construction generally, § 1-2.*

Sec. 33-1642. Prohibited signs.

The following types of signs are prohibited, except as exempted in section 33-1645(b), "Signs not requiring a permit":

(1) Banner signs as defined in this section, pennants, or other flying paraphernalia.
(2) Sandwich signs.
(3) Billboards.
(4) Animated signs as defined in this section.
(5) Neon signs or signs of similar effect.
(6) "Sold" signs.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1643. Removal of prohibited signs.

Prohibited signs must be removed upon direction of the County code enforcement officer and may not be replaced.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1644. Temporary signs.

Temporary sign permits for prohibited signs will not be issued.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1645. Signs not requiring a permit.

(a) *Residential identification sign.* Identification signs not exceeding 2.0 square feet in area on lots with total frontage of less than 100 feet and 4.0 square feet in area on lots with frontage of 100 feet or more. The height of identification signs may not exceed four feet above grade and may be placed in rights-of-way and subject to the following standards and restrictions:

(1) Identification signs must comply with sections 14-76 and 34-625 and may be illuminated only in accordance with the following standards:

a. The area occupied by the luminaire and its supports will not be included when calculating the square footage of the sign.

b. Sign lighting must be designed and located so as not to cause confusion with traffic control devices.

c. Full cutoff fixtures with black non-reflective interior surfaces must be used. Uplighting is prohibited. No sign may have internal illumination.

d. If exterior lighting is used to illuminate the sign, the lights must be down lights with shields and louvers to pinpoint the light.

e. Illumination must be with white light only, using fluorescent lamps or bulbs, except if visible from the beach then they must be amber LED bulbs used in properly shielded fixtures. Mercury vapor and metal halide lighting is prohibited. LED bulbs are recommended. Fluorescent fixtures must be of the enclosed type with a gasketed lens and a wet location label.

f. A maximum of one fixture is allowed per sign face.

g.The maximum wattage may not exceed 36 watts per sign face.

h. Approval for electric hookup to illuminate the sign must be obtained from the Lee County Department of Transportation.

(2) The identification sign must include the street number of the property with numerals four inches high.

(3) The sign support must be of a suitable breakaway or yielding design. Identification signs placed in an unsafe or hazardous location, as determined by the Department of Transportation, must be relocated or removed at the owner's expense.

(4) Identification signs in existence at the time of the adoption of the ordinance from which this article is derived that exceed the square footage or height requirements, but are not deemed to be located in an unsafe or hazardous location, will be considered nonconforming uses for purposes of this paragraph and may remain in place until removed or destroyed.

(b) Bulletin boards for public, charitable, or religious institutions, to be located on the same premises as the institution and not exceeding 32 square feet in area.

(c) Signs denoting the contractor, subcontractor, or design professional on the premises of work under construction and not exceeding four square feet in area; provided, however, those signs may not remain on the premises for more than 30 days after the issuance of the certificate of occupancy.
(d) Occupational signs denoting only the name, street number or occupation of an occupant in a commercial building, a public or institutional building, or a dwelling house (except dwelling houses in C-1, CS-1, and CT districts), and not exceeding four square feet in area.
(e) Memorial signs or tablets, names of buildings and dates of erection when cut into masonry surfaces or when constructed of bronze or other noncombustible materials.
(f) Traffic or other municipal, county, state or federal signs, legal notices, and other such temporary emergency or non-advertising signs.
(g) Temporary real estate signs, which for the purposes of this section include "for sale," "open house," "open for inspection," "by appointment only," "model home," and similar signs, must be located in a front yard and a minimum of two feet from the property line, parallel to the frontage and conforming to the following restrictions:

(1) They must be located only on the property advertised.

(2) In all districts not of residential character signs may not exceed four square feet in area, and may not exceed two square feet in areas zoned as RSC-2, RS-1, TFC-2 and RM-2. The bottom edge of the signs may not be greater than 12 inches above average grade of the sign's location. The signs must be limited to one sign per parcel; if the parcel includes water access, a second temporary real estate sign not exceeding two square feet in area is allowed either on a permanent dock structure or a minimum of ten feet landward of the property boundary adjacent to the water access or away from the landward edge of the mangrove fringe.

(3) Temporary real estate signs must be sturdily constructed, neat in appearance, ground signs only, with prongs not exceeding one-half inch in diameter and designed to be inserted and, removed without tools.

(4) Temporary real estate signs must be removed no more than five days after the property is no longer for sale.

(h) Signs that do not exceed 12 inches when measured vertically or horizontally, upon business premises, which are informational or directory in nature, and neither contain the name of the business nor advertise products or services.
(i) Temporary banners, sandwich signs and other temporary ground signs promoting a specific event, to be located in the vicinity of the event promoted and not exceeding 32 square feet in area for banners and ten square feet for sandwich signs and ground signs. Signs cannot be erected more than seven days prior to the event, and must be removed no later than the day following the event.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1646. Nonconforming signs.

With the exception of nonconforming identification signs as provided in section 33-1645, every lawfully existing sign of every type located on Captiva Island that does not comply with this article will be deemed nonconforming upon the effective date of the ordinance from which this article is derived.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1647. Maintenance of nonconforming signs.

(a) A nonconforming sign may be maintained in its condition as of the time it becomes nonconforming, but may not be structurally or mechanically extended or altered except to make it conform more closely to the provisions of this article.

(b) Nonconforming sign may be re-erected according to the standards articulated in section 33-1645

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1648. Permanent signs in commercial areas.

Ground-mounted or wall mounted signs located in the C-1, CS-1, CT or RM-2 zoning categories must comply with sections 14-76 and 34-625.

(a) Ground-mounted identification signs are subject to the following limitations:

(1) No signs may be erected closer than 30 feet to the boundary line dividing the zoning district of the property on which the sign is erected from a zoning district in which they are prohibited.

(2) Sign area is limited to 32 square feet.

(3) Signs cannot exceed a maximum of ten feet in height or ten feet in width.

(4) The sign must display the street number/s of the property on the face of the sign. Each numeral must measure four to six inches in height. The copy area of the street number will not be counted toward the allowable sign copy area.

(b) Wall-mounted signs: Wall signs are limited to ten percent of a tenant's wall area, with a maximum size of 32 square feet.

(c) Illuminated, ground-mounted, and wall signs: Environmental Sciences (ES) staff must review the lighting proposed to ensure compliance with sea turtle regulations in section 14-76 and the outdoor lighting standards in section 34-625 prior to the issuance of the sign permit. The sign must be inspected after dark by ES staff, with all exterior lighting turned on, to determine compliance with an approved lighting plan and this division prior to final inspection.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1649. Number of signs.

Business establishments located upon Captiva Island may not erect more than one permanent ground-mounted commercial advertising sign per driveway and point of access by water. Temporary "for sale" or "for rent" signs will not count against this limit.

(Ord. No. 12-19, § 2, 9-11-12)

Sec. 33-1650. Reserved.

Appendix 3: Survey Questions 2013

Captiva Community Panel at Workshops,
Members Discussing Issues & Public Audience

1. Captiva Community Panel Survey

1. Captiva Community Panel Community Survey

Lee County is in the process of updating its land use and zoning policies, which are a part of the county's overall plan. To launch its latest update to the Captiva Plan, the Captiva Community Panel wants to hear from you! Give us your opinion on the following topics and questions, then join us at a public meeting to discuss this survey and the next steps the panel and the island should take.

Your response is needed by Nov. 15, 2013. Results will be discussed at the Dec. 10 panel meeting and at subsequent public meetings.

The Captiva Community Panel provides a public forum where property owners and residents can discuss issues affecting land use, zoning and the community in general, to share opinions and reach consensus on ways to best protect and preserve the island. It serves as a county advisory committee on land use and zoning issues, and as a mechanism to express the wishes of island residents to county officials. You can find out more online at www.captivacommunitypanel.com.

Remember: This is not a vote, but is a chance for your input on issues that affect our island.

Thanks for your participation, and for your efforts to preserve and protect Captiva.

2. Landscaping

Policy 13.1.3 of the Lee Plan, originally adopted in 2003, says this about future landscaping regulations on Captiva:

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.

Those new landscaping requirements were never adopted, and Hurricane Charley (2004) rearranged Captiva's landscaping in a big way. Now, nine years after the hurricane, Lee County has an opportunity to reconsider the future of landscaping on the island, and the Panel would appreciate your advice.

Future landscape regulations, for example, could either target the prohibition or removal of unwanted species (such as Australian pine or Brazilian pepper) and encourage the planting of native, low-water species that would thrive in the island climate. The Panel welcomes your thoughts on what level of regulation -— if any -— is needed, and what level of enforcement is practical.

1. What should a landscaping plan for Captiva include? (Rank in the order of importance to you, with 1 being most important and 6 being least.)

- Encouraging use of native or low-water species
- Removal of non-native, invasive species
- Restoring the canopy along Captiva Drive where possible
- Creating a vegetative buffer between homes where possible
- Using vegetation to enhance beach management
- Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive
- I have no opinion on this issue

Comments

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2. Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with? (Check all that apply)

- If we offer landscaping guidelines, private owners will mostly follow them
- We will need greater enforcement to achieve any impact
- A public education campaign will convince owners of the benefits of any new rules
- People will plant what they want, regardless of what county rules say
- I have no opinion on this issue

Comments

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3. Historic preservation

Although most people don't think of Captiva Island as a famous place in U.S. history, the island has a long history, beginning with the pre-Columbian Calusa peoples, and it has been the home of several important historical characters, including artist Robert Rauschenberg, and a place of recreation for many other famous people, including Theodore Roosevelt. At present, there are two Captiva sites on the National Register of Historic Places — the Tween Waters cottages and the Chapel by the Sea (pending). (To see Lee County's National Register sites, go to http://www.nationalregisterofhistoricplaces.com/fl/lee/state.html.) The National Register carries with it a great deal of prestige, but it also places a heavy burden on property owners.

The Captiva Community Panel would like to know how important historic preservation is to Captivans. We would like to know how you define "historic," in a Captiva context, if there are any specific sites that are particularly important, and whether there are any new measures that Lee County should take to promote historic preservation on the island.

1. Do you support preserving historic buildings and other resources on the island?

- Yes.
- No.
- Not sure, I need more information.
- I have no opinion on this issue

Comments

5
6

2. What do you consider criteria for a designation as a historic property? (Check all that apply)

- Age or longevity
- Historical significance
- Cultural/social significance
- Archeological significance
- Not sure, need more information.
- I have no opinion on this issue

Comments

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3. What site(s) on the island do you think warrant preservation by a "historic" designation?

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4. Lighting

Historically, Captiva Island has shunned bright lights. The Lee County Land Development Code (LDC) has some special regulations concerning lighting on the island, and they are largely tied to the regulation of signs. Not surprisingly, they are more restrictive than the rules which apply to Lee County as a whole. Neon signs are prohibited on Captiva (Sec. 33-1642 (5)), although identification signs — popular on the island's front yards — are allowed and may be illuminated, subject to strict regulations regarding direction (no up-lighting) and intensity (maximum 36 watts per sign face). Mercury vapor and metal halide lighting are prohibited; LED bulbs are recommended. (Sec. 33-1645(A)). In crafting and adopting these regulations in 2012, the Captiva Community Panel and the Lee County Board of County Commissioners balanced the values of self-expression, the environment (protection of sea turtles), and public safety (visibility of signs and house numbers for emergency vehicles.)

The Panel welcomes your thoughts on the regulation of lighting. We would like to know if you prefer to see more or fewer restrictions on lighting on the island, and in what areas and under what conditions. It is worth noting that enforcement of lighting regulations takes place at night when code enforcement personnel are seldom, if ever, assigned to the island.

1. Which statement best matches your opinion of lighting on the island? (Check all that apply)

- We need more lighting on the roadways to make it safer and easier to see at night.
- We need more lights at individual driveways to make it easier to see house numbers.
- We need more light in the Village area only at night to make it safer and easier to see.
- We need less or better directed light on the island at night to minimize light pollution.
- The lighting we now have works pretty well for me.
- I have no opinion on this issue

Comments

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2. Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and help keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?

- Yes.
- No.
- Not sure, I need more information.
- I have no opinion on this issue

Comments

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5. The Village

The next few questions pertain to “the Village,” the area north of the Jensen S-curve and south of South Seas Island Resort.

1. Are you concerned about maintaining the commercial core of the island in the Village?

- Yes, we need to keep essential businesses in the Village
- Yes, but the commercial core will survive without regulatory intervention
- No, there are too many businesses there now
- Not sure, need more information.
- I don’t care about the business community on the island.
- I have no opinion on this issue

Comments

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2. Which of the following statements do you agree with? (Check all that apply)

- I like the current mix of commercial and residential uses in the Village.
- I think there should be more businesses and fewer residences in the Village.
- I think there should be more residences and fewer businesses in the Village.
- There needs to be more of a buffer between businesses and residences in the Village.
- The Village needs more parking to make it easier to drive there.
- The Village needs less parking to encourage people to walk or bike.
- I have no opinion on this issue

Other (please specify)

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3. What’s the one new business Captiva really needs?

5

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4. Do you believe Captiva businesses should primarily serve residents, or tourists and other businesses?

- Residents
- Tourists and other businesses
- A combination of the two

Comments

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6. Pedestrian & bicycle safety

The addition of a safety shoulder along Captiva Drive has encouraged more walking and biking on the island, but how is the interaction between walkers/bikers and motorized traffic working out?

1. Do you feel safe walking or biking on Captiva's streets?

- ☐ Yes.
- ☐ No.
- ☐ Not sure, need more information.
- ☐ I have no opinion on this issue

Comments

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2. Would you like to do more biking or walking on Captiva? If so, what's holding you back?

- ☐ Yes, but I won't because (give reason below).
- ☐ No, I'm happy with the current situation.
- ☐ Not sure, need more information.
- ☐ I have no opinion on this issue

I won't bike/walk more on Captiva because...

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3. Which of the following issues should be part of a community discussion about walking and biking on the island? (Check all that apply)

- Slower traffic speeds in selected zones
- Faster traffic speeds in selected zones
- Separated bike/walk paths away from traffic
- Wider bike/walk shoulders in the Village
- More enforcement of traffic/speed laws
- More enforcement of bike/walk laws
- More parking to help eliminate cruising traffic
- Other alternatives to driving for on-island transport (e.g. trolleys, pedicabs, van shuttles)
- I have no opinion on this issue

Comments

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7. Parking

The availability of parking and beach access has always been an issue on Captiva. For example, due to the recent loss of government funding for beach nourishment tied to beach access and parking, island property owners may have to pay more of the project costs now and in the future.

1. Which of these statements reflects your opinion?

- I support more public parking and beach access on Captiva in general.
- I support more public parking and beach access only if it would guarantee more government funding for beach management.
- I do not support more public parking and beach access on Captiva.
- I have no opinion on this issue.

Comments

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8. Other issues

1. Do you feel the panel should be looking into the following issues? (Check those issues you think the panel should pursue.)

- Establishing standards to maintain a Village "look"
- Putting island power lines underground
- Bringing sanitary sewer service to the island
- Creating wider bike/walk lanes on Captiva Drive
- Creating a bike/shared-use path separated from the road
- Having uniform rental rules for the entire island
- Enforcing leash laws on the beach
- Reducing stormwater runoff to improve water quality

Comments

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2. What other issue(s) should the Captiva Community Panel be focusing on for the future planning and land use of the island?

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3. Prior to receiving this survey, were you aware of the Captiva Community Panel?

- Yes
- No

Comments

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4. If "yes," what is your perception of the panel on a scale of 1 to 10, where 1 is very negative and 10 is very positive?

- 1 -- Very negative
- 2
- 3
- 4
- 5 -- Neutral
- 6
- 7
- 8
- 9
- 10 -- Very positive
- I have no opinion on this issue.

Comments

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5. Have you attended any meetings or workshops conducted by the Captiva Community Panel in the past year?

- Yes
- No

Comments

5

6

6. Other questions or comments?

5

6

9. Tell us about yourself

A few final questions to help us analyze the survey results.

1. Where do you live on the island?

- [ ] Gold Coast
- [ ] Tween Waters stretch
- [ ] The Village
- [ ] South Seas Island Resort

2. Where do you own property on the island? (Check all that apply)

- [ ] Gold Coast
- [ ] Tween Waters stretch
- [ ] The Village
- [ ] South Seas Island Resort

Comments

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3. Do you own multiple properties on the island?

- [ ] Yes
- [ ] No

4. Which best describes you? (Check all that apply)

- [ ] Full-time (9 months or more) resident & property owner
- [ ] Full-time (9 months or more) renter
- [ ] Part-time (3-9 months) resident & property owner
- [ ] Property owner, but on island less than 3 months per year
- [ ] Timeshare owner
- [ ] Business owner
- [ ] Employee

Comments

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5. OPTIONAL: Give us your name, mailing address and/or email if we need to follow up on your responses.

Name

Address

Email

6. If you are not currently receiving email updates from the Panel, would you like to be added to our email list? (We limit how many messages we send, and you can opt out at any time.)

Yes

No

What is your email address?

Thanks for taking the time to complete this survey, and be sure to attend an upcoming Community Panel meeting to hear the results. They will also be posted online at www.captivacommunitypanel.com.

Appendix 4: Survey Results

COMMUNITY SURVEY
CAPTIVA COMMUNITY PANEL
2013 Revisions to Community Plan

Topic: Landscape

Question: ***What should a landscaping plan for Captiva include?*** The survey offered six possible responses, plus a seventh option ("I have no opinion on this issue.") The options were:

1. Encouraging use of native or low-water species. **(Ranked #1 for positive responses 65.7% favored; 134 responses)**
2. Removal of non-native, invasive species. **(#4 ; 52.9% favored; 108 positive responses)**
3. Restoring the canopy along Captiva Drive where possible. **(#3 ; 58.3% favored; 119 positive responses)**
4. Creating a vegetative buffer between homes where possible. **(#6; 37.3% favored; 76 positive responses)**
5. Using vegetation to enhance beach management. **(#2; 64.7% favored; 132 positive responses)**
6. Keeping low-rise vegetation to allow a Gulf view along the Tween Waters portion of Captiva Drive. **(#5; 45.6% favored; 93 positive responses)**
7. I have no opinion on this issue. **(#7; 2.5% favored; 5 responses)**

Ranking of responses:

Summary of Public Comments: Of the 240 responses to the Survey, **204** answered the question. 48 respondents offered written comments. A sample of comments:

- I am interested in vegetation to enhance beach management…
- Replanted areas should strive to be "natural" in appearance so the island does not look like a giant planned community.
- Please leave existing Australian pines alone!
- Include toxic chemical control.
- As to the Tweenies' stretch, isn't a lot of that the result of improving the dune following H. Charley? That was good and should not be undone.

References to the restoration of canopy following the devastation of Hurricane Charley are numerous and sometimes make reference to the popular, but invasive, Australian palm. It appears that there is a lack of knowledge of the connection between vegetation and "beach management."

Possible *long-term* actions identified in Survey:

Options 1-6 are all long-term in nature.

Possible *short-term* actions identified in Survey

The survey proposed no short-term actions, unless 'removal of non-native, invasive species' can be considered a short-term approach. Short-term approaches could include one-time public awareness efforts (e.g. symposia) or articles in the Panel website or local media. None of these are likely to be impacted by the comprehensive planning process.

Item for further review and consideration

Why is landscaping so important on Captiva? Is privacy the main consideration, or is it species habitat, erosion control, dark skies, separation of land use, enhancement of property value? Why do Captivans take the issue so seriously?

Topic: Historic Preservation

Question #1: ***Do you support preserving historic buildings and other resources on the island?***
The survey offered four possible responses. The options were:

1. Yes**. (Ranked #1 for positive responses 69.6% agreed; N=158)**
2. No. **(#3; 9.7% agreed; N=22)**
3. Not sure, I need more information. **(#2; 19.4%% agreed; N=44)**
4. I have no opinion on this issue. **(#4; 1.3%; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **227** answered the question. 22 respondents offered written comments. Generally speaking, Captiva residents advocate some form of historic preservation, as indicated in these comments:

- They add to the charm.
- Cultural history is the only link we have to our past. Our legacies (good and bad) shouldn't be discarded or reinvented.
- The unique character, including the intimate and natural feeling of the island, is worth preserving.
- Captiva is losing itself. The older houses and buildings have something worth saving.

Some respondents question whether there are sufficient resources to preserve and whether aesthetic measures may be more effective:

- Houses north of Tween Waters are already gone, Andy Rosse houses are gone, South Seas historic cottage is now on Sanibel, so there is nothing left that is worth the effort. Island is scenic, minimally historic.
- More important to preserve the historic look of Captiva rather than specific structures.

Some respondents oppose any additional regulations aimed at historic preservation:

- I do not support this! We do not need some board or historical society telling Private Property owners what they can and cannot do with their PRIVATE property!!
- There is too much talk of restrictions which holds back the island from being a premier destination. Lack of restaurants, services, etc.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1 Do Captiva residents advocate specific regulations to preserved historic properties?
2 Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

Topic: Historic Preservation

Question #2: ***What do you consider criteria for a designation as a historic property?*** The survey offered six possible responses. Their responses were as follows:

1. Age or longevity**. (Ranked #4; 39.4% agreed; N=89)**
2. Historical significance. **(#1; 86.3% agreed; N=195)**
3. Cultural/social significance. **(#3; 49.1% agreed; N=111)**
4. Archaeological significance**. (#2; 50.0% agreed; N=113)**
5. Not sure; I need more information. **(#5; 9.3% agreed; N=21)**
6. I have no opinion on this issue. **(#6; 3.5%; N=8)**

Summary of public comments: Of the 240 responses to the Survey, **226** answered the question. 13 respondents offered written comments. Their comments tend to repeat the responses to the earlier question, but they raised some new points in response to this question as found in this sampling:

- All of these elements could represent a significant factor, but a decision would eventually rest on the specifics of the case, including the broader context of the property under construction.
- The problem with granting historic preservation to structures that do not meet flood zone requirements, will selectively allow such owners special privilege under current zoning laws. Because of our barrier island and storm surge issues, no buildings should be given historic status unless they are elevated to meet current zoning requirements.

Possible *long-term* actions identified in Survey: Long term preservation of historic properties could be accomplished through regulation or voluntary compliance.

Possible *short-term* actions identified in Survey: None specific.

Items for further review and consideration:

1. Do Captiva residents advocate specific regulations to preserved historic properties?
2. Do Captiva residents advocate voluntary preservation activities under the auspices of a non-governmental body?

Topic: Lighting

Question #1: ***Which statement best matches your opinion of lighting on the island?*** The survey offered six possible responses and respondents were allowed to check all that applied. Their responses were as follows:

1. We need more lighting on the roadways to make it safer and easier to see at night**. (Ranked #3; 14.4% agreed; N=33)**
2. We need more lights at individual driveways to make it easier to see house numbers. **(#5; 8.3% agreed; N=19)**
3. We need more light in the Village area only at night to make it safer and easier to see. **(#4; 10.5% agreed; N=24)**
4. We need less or better directed light on the island at night to minimize light pollution**. (#2; 32.8% agreed; N=75)**
5. The lighting we have now works pretty well for me. **(#1; 53.3% agreed; N=122)**
6. I have no opinion on this issue. **(#6; .9%; N=2)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 26 respondents offered written comments. Some of their themes can be characterized as follows:

New regulations are unnecessary:

- Enforce what is on the books. We don't need more regulation.
- If you are going to walk and it is dark, carry a flash light or glow stick.
- Upward directed lighting needs enforcement. The current regulations work well.
- We don't have a light problem—we have a driving problem, especially around Andy Rosse Ln and SSIR.

Existing lighting may not be enough to assure public safety:

- It is very hard at night to see people walking on the street.
- Where roads are narrow and pedestrians may be walking or bikers riding, more lighting would be beneficial.

More lighting would reduce the island's atmosphere:

- Captiva should adopt a "dark skies" policy and enforce a Sanibel-style lighting policy. No to more light in Village…
- I love the peace, quiet, and nature. 25w bulbs are all we need outside.

Take advantage of new technologies:

- Try to increase road safety, especially for pedestrians and bikers, by using directed LED lighting. Avoid overhead street lamps. Power with solar panels. The nearly universal use of GPS…makes seeing numbers almost irrelevant.

- If lighting is added it should be low glare, high efficiency fixtures. Losing the "star filled night sky" takes away from the island experience.

Items for further review and consideration:

1. Are there specific areas that need more lighting for public safety?
2. Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?
3. What lighting technologies should be considered to improve public safety on the island?

Topic: Lighting

Question #2: ***Do you believe the island needs lighting rules, such as those that exist on Sanibel, to encourage nesting sea turtles and keep the night skies darker by limiting the brightness of nighttime lighting or encouraging the use of lighting fixtures which prevent light from going up into the sky?*** The survey offered four possible responses. Their responses were as follows:

1. Yes**. (Ranked #1; 63.8% agreed; N=146)**
2. No. **(#2; 19.7% agreed; N=45)**
3. Not sure, I need more information. **(#3; 15.3% agreed; N=35)**
4. I have no opinion on this issue**. (#4; 1.3% agreed; N=3)**

Summary of public comments: Of the 240 responses to the Survey, **229** answered the question. 18 respondents offered written comments which supplement the responses to Lighting question #1. Some of their themes can be characterized as follows:

Wildlife protection should be a high priority:

- The value of the island ultimately depends on preserving its wonderful, natural character. Producing another suburb can be undertaken anywhere, but why do that to a property as unique as Captiva?
- Sanibel is a wonderful illustration of how lighting, when properly done, can provide needed illumination while preserving the nighttime skies, improving ambience and protecting sea turtles.

Wildlife protection can be overdone; additional regulations are not needed:

- The beach is dark so I don't understand how there could be too much light for the turtles, besides I think sometimes we get carried away with the preservation of animals.
- Sanibel is ruined due to all the regulations; we do not need any more for Captiva.

Existing regulations are sufficient:

- Voluntary rules now work well.
- Enforce existing rules.

Items for further review and consideration:

1. Are there specific areas that need more lighting for public safety?
2. Should Captiva be committed to the protection of dark skies? If so, should that protection be a matter of regulation or voluntary compliance and education?
3. What lighting technologies should be considered to improve public safety on the island?

Topic: Commercial Core/The Village

Question #1: ***Are you concerned about maintaining the commercial core of the island in the Village?*** The survey offered six possible responses. Their responses were as follows:

1. Yes, we need to keep essential businesses in the Village**. (Ranked #1; 57.0% agreed; N=127)**
2. Yes, but the commercial core will survive without regulatory intervention. **(#2; 32.7% agreed; N=73)**
3. No, there are too many businesses there now. **(#3; 5.4% agreed; N=12)**
4. Not sure, need more information**. (#4; 3.1% agreed; N=7)**
5. I don't care about the business community on the island. **(#6; 0% agreed; N=0)**
6. I have no opinion on this issue. **(#5; 1.8%; N=4)**

Summary of public comments: Of the 240 responses to the Survey, **223** answered the question. 26 respondents offered written comments. Some of their themes can be characterized as follows:

Businesses provide benefits:

- The Village flourished after Charley. A business needs to survive on its own to ensure quality, fairness, and longevity.
- Tax revenue for all.
- I believe we need to encourage business possibly looking at additional options with regards to mixed use.

Businesses should focus on tourists and seasonal residents:

- A few basic businesses belong on the island, others could be placed elsewhere. Biking, sailing, and kayaking rentals should not be moved. Restaurants and grocery stores should also stay. Others like clothing, gifts, and art may or may not have a place.
- We need to keep the businesses we have in the Village—no more and no less. If we lose the businesses we have in the Village people will have to leave the island to get supplies and food.
- …For me, it is a good grocery store like we have; and ATM and a variety of good restaurants. A competitively priced gas station would probably be too much to ask for.
- We need a core, but small and solid business community in the Village. Most important to keep business consistent with the look, feel, and essence of historic, old Captiva…

Existing businesses provide limited benefits:

- The businesses here are almost exclusively for the tourists and provide little benefit to residents of the island.
- I love the peace, quiet, and nature. 25w bulbs are all we need outside.

Additional regulations are not needed:

- Keep your regulations out of Captiva and let the free market work. What is wrong with you people? When has increased regulations ever helped business or reduced cost? Look at what is going on in DC, are you blind?
- …do not want the Panel to regulate commerce. It seems to be in balance.

Additional businesses are needed:

- Would like to see more businesses necessary for residents' needs, e.g. grocery, gas station, pharmacy.

None Identified

Possible long-term actions identified in the survey:

None Identified

Possible short-term actions identified in the survey:

None Identified

Items for further review and consideration:

1. What does 'mixed use' mean in the Village? (First floor parking; second floor commercial; third floor residential?)
2. Are mixed uses best fostered through conventional zoning, or are there other approaches worth considering?
3. Are there non brick-and-mortar businesses (e.g. delivery businesses) which could provide improved availability of goods and services for island residents and visitors? What impact would they have on existing businesses?

Topic: Commercial Core/The Village

Question #2: ***Which of the following statements do you agree with?*** The survey offered seven possible responses, and invited respondents to answer all that applied. Their responses were as follows:

1. I like the current mix of commercial and residential uses in the Village**. (Ranked #1; 70.1% agreed; N=155)**
2. I think there should be more businesses and fewer residences in the Village. **(#4; 12.7% agreed; N=28)**
3. I think there should be more residences and fewer businesses in the Village. **(#6; 5.4% agreed; N=12)**
4. There needs to be more of a buffer between businesses and residences in the Village**. (#5; 11.8% agreed; N=26)**
5. The Village needs more parking to make it easier to drive there. **(#2; 22.6% agreed; N=50)**
6. The Village needs less parking to encourage people to walk or bike. **(#3; 16.7%; N=37)**
7. I have no opinion on this issue. **(#7; 4.5%; N=10)**

Summary of public comments: Of the 240 responses to the Survey, **221** answered the question. 21 respondents offered written comments. Some of their themes can be characterized as follows:

It's complicated:

- Parking is a chronic, vexing issue….Not sure how to solve parking for those visiting Captiva for the day to shop and eat. Maybe some additional parking at CCA, charge small fee.
- Ah!! Therein is a big problem…Captiva is not a big island…People will just have to live with what we have….As a property owner and half year resident, I honestly feel…the rental situation is the elephant in the room. Regulate that and so many of the problems will not be there.

Alternatives to parking (and automobiles) are needed:

- Biking, walking and busing (South Seas Resort) need to be encouraged. Additional parking development should be discouraged.
- In season, the comment is we will not go to Captiva as it is grid lock, yet the businesses say they need the business. More convenient transportation, less traffic.
- Maintaining the natural environment should be the number 1 priority as opposed to attracting more businesses/traffic.

Additional parking is not needed:

- I would like the idea of less parking and more walking, but my [spouse] has [chronic illness] and therefore parking can be an issue, so more parking would be ideal.
- If you only want to serve residents and visitors who are local…then encourage only walking and biking.

Additional parking is needed:

- I would encourage businesses to develop in the Village and realize that may require a bit more parking space…
- Parking is needed. However, more bike racks and foot paths will encourage people to drive less. I support both.

More effective code enforcement (or law enforcement) are needed:

NOTE: This viewpoint has appeared in responses to other questions.

- How about actually working with Lee County to enforce parking, seating, noise, truck delivery regulations?
- The Village can serve the Captiva residents and visitors without more parking….Parking, garbage, dumpster and septic regulations should be strictly enforced in the Village….Day trippers should not be encouraged.

Additional regulations are not needed:

- Leave the Village as is? Why not leave Captiva the way it is? Why are you so anxious to change what is working?

Items for further review and consideration:

1. What could be achieved through additional regulation of rental properties?
2. Do short term renters in fact use automobiles more than other renters or residents?
3. What forms of transit and Paratransit would be acceptable for Captiva residents, their guests, and their employees?

Topic: Commercial

Question #3: ***What's the one new business Captiva really needs?*** The survey offered no specific responses.

Summary of public comments: Of the 240 responses to the Survey, **117** answered the question. Some of their themes can be characterized as follows:

Services:

- Dog kennel
- Car wash
- Medical facility/doctor's offices
- A mailing store
- Our own chamber of commerce
- An anti-regulatory business or committee. To keep the government out of our personal and business lives.
- A parking garage.
- Lee County Code Enforcement Annex

Retail businesses:

- Drug store or garage
- Grocery store (larger than existing, or open later hours)
- …gift shops/clothing
- Office and computer supplies
- Enterprises that help guests and owners to appreciate the place of Captiva Island in the ecosystem and world…
- Hardware store
- Clothing/ shoes

Restaurants, food and beverage establishments/ entertainment:

- Pizza
- A good Italian restaurant
- Bakery/deli/sandwich shop
- Sushi
- McDonald's
- Discotheque
- A discount liquor store

No new establishments are needed:

- We have a nice variety
- I believe Captiva has all that is needed!

Items for further review and consideration:

None Identified

Topic: Bicycle and pedestrian safety

Question #1: ***Do you feel safe walking or biking on Captiva's streets?*** The survey offered four possible responses. The options were:

1. Yes. **(Ranked #1; 60.6% favored; N=134)**
2. No. **(#2 ; 35.7% favored; N=79)**
3. Not sure. I need more information **(#4 ; .9% favored; N=2)**
4. I have no opinion on this issue. **(#3; 2.7% favored; 6 responses)**

Summary of Public Comments: Of the 240 responses to the Survey, **221** answered the question. 55 respondents offered written comments. A sample of comments:

Streets are generally safe:

- Walking yes; biking no.
- Yes, but sometimes the traffic is too heavy and too fast.
- I find most people drive cautiously, even at night.
- Except during the highest tourist seasons when there is a sharp increase in the number of drivers who drive too fast.

Streets are generally unsafe:

- Cars still going too fast and bikers are not always in the safety shoulder.
- Some of the curves are blind and I feel uncomfortable when biking them.
- You take your life in your hands. We really need a bike path.

Advice for improved safety:

- Time of day makes a difference. Clearly there is responsibility whether it be bikers, walkers, or drivers to be alert and focus on safety.
- The shoulder should be widened.
- …the Village would benefit from having a proper sidewalk between Andy Rosse Lane and SSIR to encourage guests of the resort to go spend money at the Village.
- Low lighting on San-Cap Road in Village area needed.
- …The island has its own limitations that regulations are not going to solve.

Not enough knowledge to say:

- Rarely do either.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic: Bicycle and pedestrian safety

Question #2: ***Would you like to do more biking or walking on Captiva? If so, what's holding you back?*** The survey offered four possible responses. The options were:

1. Yes, but I won't because [reason below.] **(Ranked #2; 38.5% agreed; N=80)**
2. No, I'm happy with the current situation. **(#1 ; 49.0% agreed; N=102)**
3. Not sure. I need more information **(#4 ; 2.9% agreed; N=6)**
4. I have no opinion on this issue. **(#3; 9.6% agreed; N=20)**

Ranking of responses:

Summary of Public Comments: Of the 240 responses to the Survey, **208** answered the question. 107 respondents offered written comments. A sample of comments:

No bike paths:

- There is not a safe path.
- Need bike paths—TOO dangerous now.

Street layout/design:

- Layout of Captiva not set up for walking (only beach)…
- Safety shoulder is inadequate.

Not enough rental opportunities:

- Bikes are somewhat difficult to rent during popular times…
- More access to affordable bike rentals.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic: Walking and Biking

Question: ***Which of the following issues should be a part of a community discussion about walking and biking on the island?*** The survey offered four possible responses. The options were:

1. Yes, but I won't because [reason below.] **(Ranked #2; 38.5% agreed; N=80)**
2. No, I'm happy with the current situation. **(#1 ; 49.0% agreed; N=102)**
3. Not sure. I need more information **(#4 ; 2.9% agreed; N=6)**
4. I have no opinion on this issue. **(#3; 9.6% agreed; N=20)**

Ranking of responses:

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Street layout/design:

- Layout of Captiva not set up for walking (only beach)…
- Safety shoulder is inadequate.

Not enough rental opportunities:

- Bikes are somewhat difficult to rent during popular times…
- More access to affordable bike rentals.

Possible *long-term* actions identified in Survey:

None Identified

Possible *short-term* actions identified in Survey

None Identified

Items for further review and consideration

None Identified

Topic: Vegetation (Question #3)

Question: ***Since public lands are very limited on Captiva, any vegetation rules must primarily focus on private property. Which of the following do you agree with?*** The survey offered four possible responses, plus a fifth option ("I have no opinion on this issue.") The options were:

1. If we offer landscaping guidelines, private owners will mostly follow them**. (Ranked #2 for positive responses 53.1% agreed; N=119)**
2. We will need greater enforcement to achieve any impact. **(#3; 28.6% agreed; N=64)**
3. A public education campaign will convince owners of the benefits of any new rules. **(#1; 53.6% agreed; N=120)**
4. People will plant what they want, regardless of what county rules say. **(#4; 25.0%; N=56)**
5. I have no opinion on this issue. **(#5; 4.9% agreed; N=11)**

Summary of public comments: Of the 240 responses to the Survey, **224** answered the question. 28 respondents offered written comments. Several themes emerged in their comments:

Regarding **individual property rights**, there was a spectrum of opinion, as demonstrated in the following comments which range from the highly *laissez faire* to pro-regulatory:

- We don't need vegetation rules.
- I am not in favor of a "Big Brother" approach.
- People should be able to plant what they want within reason.
- Panel will have to use care in deciding which landscape policies are important enough to override individual property rights.
- Educate, regulate and enforce. Stress self-interest to achieve compliance, introduce new laws only in situations where environmental damage is measurable.

Some did not advocate more regulation of landscaping/vegetation on grounds that current, **perceived lax enforcement** on the county's part is not likely to improve, or which would be too costly to implement:

- The county will not enforce regulations just as they do not enforce zoning regulations NOW.
- It will be very tough to enforce. We need the plant police, which will cost taxpayers more money.

Some advocate heavy reliance on **public education**, **voluntary compliance** with guidelines, and **working closely with landscape companies**:

- I believe that "rules" should only apply to invasive species. Freedom of choice otherwise but with an education campaign to at least inform what is recommended.
- I think working with the landscape companies who could then encourage the homeowner…
- I think guidelines, public education and enforcement are all necessary.
- …Landscapers play an important role.

When regulation is called for, it is to eliminate noxious and invasive species:

- I do not favor regulation of plant species…except to the extent of controlling noxious weeds or invasive species.
- …[i]nvasives…should be removed.

Possible *long-term* actions identified in Survey: There are two long-term actions identified in this survey—(1) drafting and implementing new regulations and (2) public education.

Possible *short-term* actions identified in Survey:

None specific.

Items for further review and consideration:

1. Is County enforcement really lax?
2. Are the voluntary bodies or non-regulatory agencies which could help Captiva improve the high quality of its vegetation?
3. Are there any events that could be repurposed to promote improved landscaping and native plants?
4. Do Captivans have a strong preference for native trees and plants vs. non-invasive exotics?

Appendix 5: Table Notes from Public Workshops

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Further public input: Public workshops were advertised and scheduled on the following dates and topics, which were gleaned from the survey results. These workshops were scheduled during the height of the winter season to ensure maximum opportunity for participation.

Date	Topic	Meeting Place
3-06-14	Character, Design & Quality of Life	South Seas Resort
3-11-14	Transportation	South Seas Resort
3-27-14	Economic Development	South Seas Resort
4-08-14	Water Quality	South Seas Resort

These workshops were held in small-group sessions, with each table of participants given the same questions for discussion and to answer in a facilitated setting. Notes of the discussions and subsequent reports were taken (See Appendix 5) and discussed by the panel at subsequent meetings as a starting point for thoughts on possible Captiva Plan new or amended policies. After numerous meeting options and directions were discussed. Panel planner Max Forgey was tasked with developing an initial draft of new or amended policies over the summer of 2014 so they would be ready for discussion in the late fall when seasonal residents were beginning to return to the island.

This draft was presented to the panel at its public meeting in November 2014, with revisions and an overview of the entice Captiva Plan, the subject of discussion at the December and January meetings (including a special workshop with the panel and public to review the entire proposed plan so that it would be in context for those who had not been engaged in the process during previous iterations). This resulted in a final draft that was presented and reviewed at public workshops in February, March and April 2015. With little revisions necessary, the final draft was approved by the panel for submittal to Lee County review and adoptions at the panel's April 14, 2015, meeting.

Discussion continues on issues that could not be appropriately addressed in Lee Plan language but were identified as of significance to a considerate percentage of the Captivians surveyed. This discussion may not result in plan amendments in the future, so is not covered under the scope of the current contract.

Appendix 5-1: Character, Design, and Quality of Life

Captiva Community Plan Workshop
Character, Design & Quality of Life
Thursday March 6, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators:

Max:	**Max Forgey, AICP**
Patrick:	**Patrick C. White**
Wayne:	**Wayne E. Daltry, FAICP**

Key Elements

Max's Table

- Great beach
- Low building height, density
- Beautiful natural vegetation
- Small, **remote—**but not isolated, community feeling
- A tranquil island environment (except during season)
- Transitioning to a more-rental community
- Getting noisier as the transition takes place
- High seasonal population—new community every Saturday
- Great weather

Patrick's Table

- Small Town
- Old Florida
- Neighborly
- Heavily landscaped
- Dark, no street lights
- LA light pollution [?]
- Similar to Island Beach Preserve
- Travel & [tourism]

Wayne's Table

- People (Corporate and Human) include:
    - Investors
    - Inhabitants
    - Transients

- Sacred spaces & Holy Sites
- Beach
- One road in; one road out; it's the same road
- Built-out village
- Dark skies
- Structures transition to and from rentals and ownership
- The 'Clean Slate' of hurricane is game changer
- Randomness of vegetation adds character because (due to the youth of the island [i.e. as a land mass] everything is invasive, but in character.)
- [If Central Park is Manhattan's sacred place] Captiva Island itself is Captiva's sacred place.

Design & Architecture

Max's Table

- The last change in building height (2011-12) was generally good
- Unfortunately, new construction is not taking advantage of the sloped-roof option.
- Insufficient attention to how a building fits on the site, especially in the Village
- People are building to the limit.
- Buildings are square and blocky on Wightman (in particular) and block the sun.
- Not enough light
- Admitting light, especially in upper stories, is key to good design
- Economics are at work here—it's too expensive to maintain a seasonal single family unit in the Village—[you have to rent it out part of the year to pay taxes and maintain the property, therefore you must build the biggest building possible to generate income.]
- SSR and Gold Coast are generally OK
- Good design on most of the island, [but Village needs some attention]
- SSR employee lots are a future concern. Anticipate management may replace them eventually
- Consider upper limits on number of bedrooms and mandatory upper story setbacks for light
- Owners try to shoehorn as much house as they can on to their lots—height, setback, all stories
- Need planning designs that fit community standards
- Bulk, façade, massing of elements, landscaped area, tree preservation on lot
- Landscape program
- Village building design and landscape
- Recess second floor [to let in the light]
- Consider designs other communities have used—Sanibel is a good example but there are others
- Homes with character
- Consider 30 day rental minimum periods in village

- Or 2-weeks
    - The above will be hard to implement
- Wightman, Rosse are the core of the village
- Building Code-Septic. [State could help us by imposing stricter rules
- Realtors advertise downstairs rooms [that shouldn't be occupied to begin with]
- Sanibel---Tougher code enforcement. [That's possible when you have your own municipality.]
- We cannot be Laissez-Faire any more
- Yes, we can
- Consider different building heights in Village
- Consider returning to **old** height standard in Village
- Village stretches to South Side of South Seas (including the Boyle property)

Patrick's Table

- Enforcement of Landscaping Code of Captiva Plan
- Intended consequence of roof height and code encouraging?
- Roof code needs graphic design, drawing explanation
- Cheaper to pay fine than relocate trees
- Nothing on regular
- 42 foot height limit
- Types of roof lines needs graphic clarification
- Potential minimum building lot width
- Oversized rental homes
- Contradiction in standards
- Multijurisdictional issues
- INDIVIDUAL RIGHTS
- Setbacks and heights
- Property appraisers (taxes)

Wayne's Table

- Individualism is encouraged, but each site should respect its setting and that of its neighbors through size [restrictions.]
- No Naples-ization!
- Achieve through influence, not (unenforced) regulation
- Promote awards for success in development and redevelopment, that exceed [the expectations of] Code Enforcement
- Promote education for encouraging **the eclectic, the creative, the native, and the natural.**
- But there is a need for a [re]source center/site for the information and point a [long?] look for the 'ties that bind' the community together through sacred spaces/holy sites.

Environmental & Landscape Practices

Max's Table

- The mangrove problem
- Septics—on the 3rd week of March, the smell can be quite ripe. Not good for business.
- Mike K: We struggled with that the last time around. When property changes hands, you can require pumpage and certification, but you can't enforce it on an annual basis
- Difficult to enforce
- Panel could make recommendations for stricter rules to state. No guarantees.
- Panel could notify Code Enforcement of the need[this time of year when it is most acute]
- Panel could speak to neighbors through realtors—that may be the most effective approach
- Sanctuary gumbo limbo trees are instructive example [Jack C]
- Tendency to finesse [enforcement] post-Charley.
- People reluctant [to pursue the 2002 comp plan commitment to have a landscape code for Captiva]
- Would be great to have a booklet [which will educate residents and newcomers about native vegetation]
    - Max advised Jack C that he will send the table from the Lee LDCs.
    - Max advised that he knows of someone who might be interested in that project and will advise Ken

Patrick's Table

- Invasive are not equal exotic
- Brazilian Pepper spreading—Big Problem
- Tropical landscaping "Recommended Plantings of Captiva"--- education issue.
- Mangrove Preservation--- not enforced
- Restrict invasive species
- People buy homes thinking suburban landscape design as oppose to Tropical or Caribbean style

Wayne's Table

- Maintain beaches as complete [?]
- Plant native species—or let natives self-start
- Vegetation is key for design
- [Issues are] indistinguishable from Environmental issues.
- Maintain screening with its covering of utilities
- Award the [cropped?] lawns

Lighting

Max's Table

- San moving to [tougher regulations]
- Safety issue—from Green Flash to SSR
- Problem Captiva Drive to Andy Rosse around to South Seas
- Danger –Don't want to hit a kid

Patrick's Table

- No lampposts, streetlights
- Down lighting on signs **not enforced**. Potential for regulation.
- Frequent deliveries, EMS, trades
- Sign regs, no big neon sign.

Wayne's Table

- To be consistent with dark skies, lower and directed lights for pedestrians rather than lighting signs.

Appendix 5-2: Transportation

Captiva Community Plan Workshop
Transportation
Tuesday March 11, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Key Elements
Overall Mobility

Facilitators

Max:	**Max Forgey, AICP**
Julia:	**Julia B. Davis, AICP**
Tony:	**Tony Palermo, AICP**
Sharon:	**Sharon Jenkins-Owen, AICP**

Max's Table

- If you try to get anywhere [this time of year, all the way to South Seas you will] encounter trucks
- Smaller delivery trucks would help
- Walking is helpful; [it's good for you]
- Bicycles, people, and motor scooters cause problems for deliveries
- Safety strips [and remember they aren't sidewalks or bikepaths; they don't meet the minimum requirements for those designations] over-run
- Don't have two lanes in reality when delivery vehicles are parked in the ROW
- Can't walk on safety strip
- Bike/Pedestrian--almost blind on bridge---issue for bikes
- Bicyclists become a threat; "spandies" don't respect rules.
- Cyclists don't stop at STOP signs
- They don't use horns or bells
- Bicycle groups—[they travel in pelotons of 20 or more cyclists and pay little heed to others on the road]
- Shared Bike/Ped on safety strip
- They freak out when they see oncoming vehicles
- It's contrary to the established rule but it may be safer to walk **with** traffic
- Driving on Rosse interferes with pedestrians
- Also motor bikes
- Rosse became a pedestrian street—sidewalks ignored
- Wightman—sometimes problem with golf carts
- 3-wheel motorbikes; no reverse—problem all over the island

Julia's Table

- Bikes, Walking, Golf Carts, Cars
- Cars=not a lot of issues getting around island, but getting on/off a problem.
- Not a lot of traffic
- One stop sign
- Table was in Agreement on this point about Cars.
- Cars in Village--intermittent parking problem. More so in high season
- Build more > more problems
- Parking enforcement issues
- Mexican Restaurant parking on street
- Not "need more parking" but people put parking wherever they choose
- How's Sandy's trolley doing?
    - To Dave's observation, it is empty in daytime but full at night
    - In operation past few weeks SSR to A Rosse
    - Do enough people know about it?
- SSR has [few] restaurants, [so visitors] go to A Rosse
    - Danger of walking down Captiva road at night
- Back to panel mission
    - Need mode [of transport] between Tween Waters and SSR
    - Support for some type of trolley
- Haphazard parking
- Mediating number of cars
- Who would fund the trolley?
    - Between Tween Waters and South Seas Resort
- Tween Waters has parking issue at peak
- SSR used to run trolley at peak times
    - Turnaround locations
    - Fumes
    - Noise

Tony's Table

- Beautiful island
- Can walk it
- Solutions
    - Pedestrian wide path
    - Cut through R. Park, A. Rosse
    - Beach path (to Andy Rosse)
    - Park & Ride
- Do it right or don't do it
- Traffic
    - 9-12 AM 3-6 PM weekly
    - Season & summer (Tarpon)

Sharon's Table

- S-Curve safety
- Golf carts
    - Allowing them to go farther—especially along Tween Waters stretch

    - Can accommodate more golf carts than cars—parking, etc.
- Connectivity
- S Car Go—expand to other businesses
- Evening vs day traffic---plus day trippers
- There are five dangerous 90°curves causing safety --- Safety issues. Cars going into pathways
- Green Flash to South Seas
    - Lighting—very dark, can't see pedestrians
- Opposed to additional lighting—some like it "dark"
    - Maybe reflective clothing or surfaces
    - Down lighting
- Balance between safety and lighting is tricky
- Rental bikes should have front/back lights

Pedestrian Pathways & Bikeways

Max's Table

- It is a concern because there are lots of people on road—kids, golf carts…
- Potential for acquisition of new ROW via eminent domain only. It may be worth it.
- [Some ROW could be acquired via] voluntary means
- Old tree cut down at Jensen's curve. DOT was not flexible
- Captiva Drive is on private property in places
- People encroaching on Captiva Drive with pavers have been tolerated [but now that they are grandfathered, their neighbors don't get the same privilege]
- Mile long strip between S-Curve—can it be moved?
- It is unusable private property
- Wider strip would be ideal
- Dune path would be costly—move boulders and riprap
- People walk in the dark [wearing dark clothing]
- Meandering pathway through dunes would be great!
- Consider lowering speed limit at night (similar to Collier County with the panthers)
- Consider allowing golf carts island wide
- Consider 25 MPH island wide all the time
- Some traffic calming options:
    - Brick strips
    - Do not want speed bumps or washboards
    - Would consider experimenting with rubber bumps
- Really important between Village and Green Flash
- On Blind Pass Bridge keep cyclists on one side
- Captiva Plan [could consider eliminate overhead electric lines]—would room to expand, esp southernmost ½ mile
- Other options:
    - Consider Intelligent bike paths
    - Consider boardwalks on beach, understanding that feral cat and rodent problems seem to go along with boardwalks
        - Meandering pathway
        - Seaward of private property to protect turtles
    - Find ways to encourage bicyclists to behave better

Julia's Table

- Where do the cars come from?
- Are most cars at restaurants going from sunsets to restaurants? From Gold Coast to town?
- Trolley would help
- Places with parking lots/shared use/Paul's Marina [Park & Ride]
- **Need traffic count**
- Jay says majority are SSR & renters
- Pedestrians
  - From SSR [southward a concern]—not much issue at SSR
  - But they need to be registered [?]
  - SSR entrance to S-curve to A. Rosse down to Green Flash
- Walking, particularly at twilight—Eyes don't see as well
- What fixes?
    - Lighting
    - Trolley
    - Solar footlights –not up lights
    - Discussions with Sanibel as to what they are doing
    - Could we consider widening ped path?
    - Is that a waste of time to try?
    - Now ROW—only side to walk due to drains on other side
    - Put structure on top of drains
    - Trim overgrown brush
    - Help from fire dept.
    - Maybe talk with Rauschenberg Property?
    - Have they been approached?
    - Panel should say "there is a pedestrian safety issue from SSR to Green Flash
    - How about white line, flap sticks, go to Rauschenberg property
    - Bikes. Same as peds/but harder for bikes
        - Bikes can use roadway
        - Can you have bike only path?
        - Gold coast
        - S-curve
        - Tween Waters. In these places you couldn't get ROW to put in bike path inland, separated by grass. We asked—was any incentive offered?
    - Vegetation is special. People put time into that.
    - Village—nothing to do, except encourage bikers to use road
    - Bikes---kids!
    - Bikes are rentals (Do they supply helmets and is use of helmets enforced?)
    - Little lights will help (downlights)
    - Approach as safety issue. 25 MPH limit
        - Remind everyone "Bikes Share Roadway"
        - 15 MPH through town
    - Bikes should use roads [not safety strip]
        - Establish safety shoulder (1 ½ ft.) each side
    - The path is wide enough for bikes, as long as cars do not drift
    - Storm drains—No accidents so far
    - People look at Sanibel—We could have a bike path

- Speed Limit—don't change it again!

Sharon's Table

- Pedestrian concerns (survey)
  - Bikeways
  - Pathways
- Pedestrian—S Curve dangerous
  - Southside
  - 1st. Curve east side
  - Bike & walkers interface
- Expanding existing path to 5 ft.
- Ideally—stand-alone bike and walk paths
- Blind Pass to South Seas (all 5 miles)—bike/walk path along side of dunes to protect shorelines
- Concerns—maintenance of path, storms, etc.
- Put path along shorelines
- Bike/walk separated by greenbelt
- Doesn't like expanded path--safety
- Cannot require bikes to use pathway
- Pathways
  - If pathway along shoreline limit lighting or buffer to protect turtles

Vehicular Access

Max's Table

- Double lines on roadway
- Allow golf carts island wide
- Consider trolleys
- Water taxi a possibility but concerns with dolphins an issue
- Pedi cab advertising a possibility
- Jitneys, but keep in mind Long Island example

Julia's Table

- **Dead issue—no more beach parking!**

Sharon's Table

- Parking—**no new parking or additional beach access**
- Post office parking lot—wanted to put in parking spaces there.
- Revisit question with owners—if it was a shared meter revenue
- Infrastructure
  - Humps/bumps resurfacing needed at Tween Waters
  - Bike safety
  - Corners need to be safer

Transit/Alternatives

Max's Table

- Valet Parking—Village and South Seas Plantation
- Shirley lot potential
- If you offer more parking, you get more people --OR--
- If you offer more parking, you may have fewer violations.
- Beach parking should accommodate golf carts—several will fit in one car space.
- *Seasonal* speed limit

Julia's Table

- Ferry boat
    - Or something that connects to buses if public would deliver
    - Car ferry from community to community
    - Where would it land?

- Back to [Sandy S's] trolley
    - How is it funded?
    - Is Sandy keeping data?
    - What happened to SSR trolley?
        - Noisy—different routing, no "jingling bells"
        - Smelly
        - Turning (annoys owners)
    - Electric—quiet
    - Quiet trolley –10 minute [length of island trip]
- Possible stops
    - SSR, Green Flash, Tween Waters
    - Educate, "Use our Trolley"
    - Bars/Tween Waters
- Walkers and Bikers—little lights
- Need to use reflective clothes
- Golf Carts
    - Need to have lights that work
    - Kids need to be using seat belts
    - 6 year old drivers?
- Highway legal GC—why is run limited? Because they are **slow**
        - People live in Villages (Ocala) —so they don't need a car
- The more folks who use non-cars, the better for all
- Why were people upset with trolley?
    - Fumes, noise, "neighborhood tours," mostly empty, resort was losing money (it could not charge for it), turnarounds
    - Not a lot of incidents because people feel it isn't safe

Sharon's Table

Alternatives

- Dedicate part of Ding Darling lot for trolley service (owned by Dept of Interior)
- (Mobility plan requires places for cars to park)

- Trolley service to Captiva
- Off-island trolley service (e.g. Punta Rassa, Summerlin Square)

Off-Island Circulation

Max's Table

- Captiva does not want day trippers
- Consider one or two buses a day
- **Here's the Big Question: Do we encourage or discourage day trippers?** [When you answer that question, a lot of subsequent questions are easy to answer.]
- Businesses, especially SSR, do OK with employee parking; some restaurants not so much.
- Don't have a free shuttle to/from outside if you don't want day trippers.

Julia's Table

- February Sanibel Day tripper Bottleneck
- Go Early; Go Late
- Does Sanibel want to control day trippers—they just turned down "Packed Van" coming over
- There was a Ding Darling study of where to drop off people

Sharon's Table

- Off Island parking & transportation
- Day trippers/vacationers---beach etc
- (if parking & congestion problems are solved it would equal more people)
- Not sure if that is what we want
- Water taxis form Punta Rassa to Mucky Duck. Need new docks
- Circulation
    - Getting where you need to go from Captiva to mainland
    - No to bus service (would not be used)
- Causeway-2 lanes in/out based on traffic needs
- Public parking for boats

Appendix 5-3: Economic Development

Captiva Community Plan Workshop
Economic Development
Thursday March 27, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators

Ken:	**Ken Gooderham**
Max:	**Max Forgey, AICP**
Sharon:	**Sharon Jenkins-Owen, AICP**

Ken's Table

- Residences run as a business
- Zoning vs Use→residential with commerce core
- Maintain mix over time
- Replacements, not new businesses
    - More renters/rentals with more turnovers
- Renewals-→enforcement
- Encourage resident owners or longer rentals for ownership in community
- Rentals→Economic reality
    - Homes designed for multi-family rentals
    - No ownership necessary→stake in community
    - Septic impact & solid waste overload
    - Noise issues
- Rental vs Business
- 7-Day Code enforcement. Codify [islandwide] and make it longer?
- How to enforce?
- Change in market? Could they get younger and louder?
- Ambiguity in rental practices
- Marketing Captiva:
    - Agents→Sell as businesses, not residences
- Encourage owners not to rent
- Mixed uses:
    - Contain mixed use to commercial zoning
    - Rentals tied to business
        - Employees

        - Not Multi-Units
    - No incentives necessary
- Structures:
    - Wightman Ave→House Mass Issue
    - Look at Floor Area Ratio (FAR) enforcement
    - Height→Design for max business use/rental space
        - Flat roofs
    - How many rules are needed?
    - How are rules enforced?
    - Clarify building heights (and revisit?)
    - Legal issues with platted lands
        - Bert Harris [Act] – How solid is it?
        - Vested Units
        - Septic Issues & permitting; # of people allowed
- Biz Climate
    - [There are] issues, [but there is] no conflict between business [and residents]
        - Garbage
        - Parking biggest issue
            - Cannot build enough
            - Seasonal maximum
            - No off island shuttles
            - Do not expand golf cart area
- Lower impact area an asset
- Preserve Captiva→Keep it attractive to all!
- Enforcement →How much of it is needed?
    - Formal vs informal action
- How to pressure existing businesses?
- Can rental homes be considered commercial use?
- Better understanding laws & zoning overlay

Max's Table (Mike M, Paul, Dave J)

- [Business and residential]—It's a mix
- Mostly residential
- Agree with 80% [of survey respondents]—it's a good mix
- A bit shabby
- New house-50' possible [frontage] on Wightman—People get jammed
- Regs—setbacks; make it more more European, with vertical intergrating, more exciting foot traffic
- Don't want regulations to push it either way
- Can be more restrictive
- Building heights restriction –island wide or RSC-2? [Max confirmed—it is only specified by ordinance in RSC-2, although County appears to regard it as applying countywide as a standard.]
- Need to go street by street
    - Rosse different from Wightman & Laika & Chapin
- 75' on Chapin; 50' on Laika & Wightman
- Deed restrictions in Village—must allow walking
- 10 Years from now—Rental rules should apply county wide

- Infrastructure
    - Delivery trucks too big
        - Not likely to change
    - Need sewer—septic systems overloaded
- Rentals & Intensity
    - Gold Coast rules [re short term rentals] should apply island wide
    - 1 person can sign lease
    - As always, who will enforce?
    - At 1-2 acre density [ie RSC-2] , there is buffer
    - Restrict number **of people**
    - Too many people in multifamily units
    - Easy to regulate→2 families rent 2 units on same property
    - Enforce **through realtors**!
- Ideal renters—ones who spend lots of money
    - Family oriented

Mixed Use

- Post Office
    - could do home delivery—3 days a week
    - Interaction good [with USPS; good meeting place for community]
    - Would do better if centrally located
- Goals, incentives work; Cannot restrict or mandate business types
- Some community expansion likely especially in vicinity of the Boyle property
- Like Village walkability
- Turn CBD lot into valet parking
- Noise—too many kids [in large family groups; not referring to small family groups]
- 4-5 families [on one property] not good
- Kind of commercial
    - Not a many dining choices
- What would stop DQ, P. Hut? [Two things—design standards; economics-- Not profitable enough doesn't match business model.]
- Awnings, signage, walkability, aesthetics important
- Want high-end retail with high-end residences
- [If you have] kids want [dining to be] cheap
- European village with liner buildings [at SSR entrance]
- [It would be] nice to have a town center

Tourism, the 'Captiva brand'

- What about Rauschenberg property?
- Take what we have, make it nicer.
- Go after a [non-rowdy] audience---not [looking for the] wet T-shirt experience
- **Don't** need large groups
- We have a brand
    - Don't [let it] get trashy
- Restaurants not as good as old days
- Doesn't have to be Ritz Carlton [kind of clientele]
- Character
- Rental rules are diminishing crowds?

- Ideal
    - People who used to own 2nd homes
    - 50 to 60 years old with 2-3 kids, no pets
    - Six figure income
- Target—off season
- From major urban centers
- [Looking for] quality experience and good meals
- Exclusivity which results from pricing
- Not rowdy
- **Creative, fun, friendly, natural**
- [Looking for their own] Paradise
- Some come from Sanibel [for quieter experience]
- Caribbean Island on mainland with emergency services
- Some fall in love with village
- Escape
- Quality vs Quantity
- Better 10 good than 100 lousy visitors
- 1 week with family
- 1 month with old folks
- They fly in and rent cars
- Special time with kids
- Memories
- With other families
- Compete on quality
- Where New England Village meets Caribbean
- Sanibel island may be better for biking
- Captiva better for walking
- Not crowded, mostly
- It is getting that way at Christmas, though
- **High retention! Return business, year after year**
- **Tweak, protect!**
- 7-11 would kill it
- **One week on Captiva is a Reward! You've earned it.**

- Some people don't know that they have building height options, so they choose the boxy option.

Sharon's Table

Village—located between Jensen's and South Seas Resort

- More residential than commercial
- Acreage measurement?
    - Mucky Duck
    - Galleries
    - Dress shops
    - Real Estate offices
    - Key lime

    - La-Te-Da Coffee and ice cream shop
    - Etc..
- Would like zoning map to identify which areas are zoned commercial
- Rentals—commercial-like, but do not want [to be considered] that way
- Do not want to be a bedroom community for Fort Myers
- Keep and protect commercial zoning
    - Mixed use maybe OK
        - Was not an option at the time (had to live there—not rental)
- Only way to have residential in village is to have mixed-use
- S Car Go—brings business awareness
- Hard to make living retail here (come and go)
- South Seas Subsidizes
- Parking issue-would like-pay to park (night); use parking from businesses that are closed at night
- Some like balance as is; another wants more retail and to retain what we have now.
- Want more retail or maintain what we have now
- Future example Mucky Duck could be mixed use

Rentals & Intensity

- American Realty—140-plus rentals on Captiva
- Condo docs restriction to weekly rental
- Some 2 week min
- South Seas—daily
    - No to daily throughout Captiva
- Becoming a rental island
- Impact different
- Air BNB—mini B&Bs (Google it) airbnb.com
    - No meals
    - International trend
    - Rent bed and bath
- State license and restriction
- Charging $2000 without paying bed tax
- Density issue if you rent
    - 1-2 rooms of home
    - Impact
    - B & B happening now without paying taxes, etc.
- Appeal to families
    - Important to keep
- Tighten up rental restrictions
    - Start out as 3 bedroom and then cut them into more
- Infrastructural demands
    - Sewer etc
- Mixed use Development
    - Devise control—protect and maintain commercial use kept for commercial
    - Use residential as part of development
    - Maintain existing commercial
        - No additional commercial unless mixed use
    - Future: Make it mixed use

- The residential should be allowed to be rental in mixed use or even vacant

Residential

- Yes limits to house size
- Height limit important
- Too boxy—shadows cast by larger buildings
  - Need set back increased?
- Some height aesthetics—one thing to allow for nice roofline
- Vegetation buffer
- Existing Zoning & Property Rights
  - 10' setback required---20' better
  - Village flood restrictions inconsistent
  - # of stories vs # height
  - Intent was to preserve 2 stories of living—but now not happy with height
  - Key points: Setbacks, shadows, replacing vegetation, septic limitations

Business Climate

- Brand that is Captiva
  - Exclusive
  - Happy
  - Family-oriented
  - Beach community
  - Nature/beach
  - Quaint
  - Family friendly
  - Small
  - Limited new things (no big development)
  - Not a place you go for a day
  - Come for a week/not day trip
  - Unlikely to change
  - Want to see "same"

Conflict Residents/Business

- Residents peaceful but accepting of tourist season
- "holiday Village" work together
- Chapel-historic/business help
- Historic-tourism attracts/distractors
- Should be tax benefit for historic building
- Store is historic designated

Tourism

- Historic structures
- Activities
- Boats/marina at South Seas/Tween Waters

- Kayaks
- Holiday Village
- Kayak & nature symposium etc.
- Natural beauty
- Eco tourism
- Trams
- Negative
    - Parking
    - Access for bikes and pedestrians
    - “Tight”
    - More beach parking
    - Potholes

Appendix 5-4: Water Quality

Captiva Community Plan Workshop
Water Quality
Tuesday April 8, 2014
South Seas Resort @10:00 AM

Edited versions of easel pad notes.
[Bracketed items were reconstituted from memory]

Facilitators

Julia: **Julia B. Davis, AICP**
Tony: **Tony Palermo, AICP**

Tony's Table

Water Quality

- Any Proof? (Septics?)
- The Cape Coral sewer system model is a good way to fund sewer expansion
- SCSF→Excess water; Sanibel has capacity; can create incentive
- SCSF→Sewer vs Septic
- New sewers are expensive
- Majority would or might accept sewer
- Bubble Room has install aeration system and has had outstanding success.
- What are we supposed to do? Public ignorance
- Absentee owners—that's sometime true. Communicate.
- Not sure whether there is a water quality problem

- Issue #1
  - Bay/Beaches (closure?)
  - Algae Bloom/Red Tide
  - Lake Discharge
  - Storm Runoff→Off Island
  - Bad Septic?—need proof
- Is it over-rated?
- Not functions—testing Package Plant
- ID Problem→Odor Pollution
- Solution
  - Sewer = Growth? At a Cost
  - Better Septic Incentives

- Sewer/Septic (not sewer)
    - Incentives to upgrade septic?
    - More Inspection?
    - We don't know [what the direct impacts of Greywater
    - Need more information about costs
    - Need some group to explain
    - Economics of sewers—need workshop
    - They must know the costs—how to mitigate? What is it?
    - How to assure no overdevelopment as a result of sewer building
    - Alternative issues—identify the nuisances [and get them fixed]

- Enforce new & old septic [rules]
- Will Incentives work? Or education info?
- For sewer or Package Plant
- Landscape/fertilizer standards
    - Give landscapers 5-star ratings, and do the same for rental agents
    - Flora/fauna—no Brazilian pepper!
    - Exotics in general
    - Need rule re maximally invasive species
- Political influence when we choose to exercise it. So use it!
- Inter-local cooperation
    - OK with Sanibel
    - Get costs for sewer study
    - "Study Group" (sewer issue)—costs, how to.
    - Smart Growth Commission
    - Lift stations in Cape Coral are a big issue (outside)

- Rental Rep on Package Panel

- Storm water
    - Poor/Flooding/Pollution
    - Roads Flood/What system?
    - It has to go somewhere
    - There are drains—partial system, not consistent
    - Do they fill up? Yes
    - Bridge higher than road
    - Catch basins

- Ad Hoc
    - County Needs System (roads)
    - Quantity/Quality
    - Rate Landscapers→fertilizer standard
        - What regs to use?
- Environment
    - Don't forget exotics
    - Invasive species i.e. Brazilian Pepper

    - Turtles (OK)
- Highly populated beach, but no authority
    - Could be CEPD
    - Possible use for bed tax funds
    - Beach maintenance
    - Shouldn't be law enforcement responsibility
    - Pets—no dogs on beach!
    - [Want higher standards than FM Beach]
    - No containers

- Wrap up
    - Incentives
    - Enforceability
    - Role of rental agencies—rent consistent with # of rooms
    - Drains don't accept sufficient water

Table 2 (Julia's)

- Need Data; need "proof" in order to make decision
- Septic Study was done 2-3 years ago
- Water Quality
    - Language in code and change to ownership→ then septic system evaluation, function & size
- Lake O is biggest issue that is generated off the island
    - What can be done—discuss, awareness
    - Nothing can be done in our lifetime
    - Lady notes that there is signage at the Lighthouse, advising that the discoloration of water is caused by runoff from Sugar; that is educational and helpful
    - Maybe there are individual steps at Lake O.
    - Incremental, small steps
        - "don't buy Sugar"
- Water Quality
    - Different waters [are impacted], not just Lake O, but [Caloosahatchee] River, Gulf, & Bay/[Charlotte Harbor]
    - Fertilizer (use less)
    - More education [is needed] here
    - Residents (snowbirds vs year-rounders) overloading septic
    - Septic need to be sized to building and use (they get pumped out often)
    - This is something we can fix
    - Is this a State or county issue?
    - It's a State issue
- On the Island
    - Septic should fit development
    - In St Louis County [MO] they have mandatory inspection and pumpage.

    - At my lake house in Minnesota, there's inspection, even if you're only adding a stairway; any change to building sets off a new permit.
    - Tie into development/building permit (no sewer problem?)
    - Sewers can be worse that septic. [If one septic tank overflows, that's bad, but it can be fixed; if a sewer is breached, that is really bad.]
    - "It's stupid to live here on a sandbar, which nature tries to convert [to something else] on a daily basis, but we do." ☺
    - Re Treatment Plants-- would love to have sewers rather than septics & pumping trucks on the road every day
    - By the way where are they dumping the sludge and where does it go when it rains?
    - Questions [effectiveness of] South Seas package plant
    - [Sewers require] tearing up R.O.W. to install
    - Sewer plant works for Sanibel but is costly
    - Prove that septics harm the environment!
    - Is it too late to hook up to Sanibel Wulfert Plant?
    - "Sewer in the answer" for the management of waste, but what cost?
    - It costs more than Beach Renourishment→this is an ongoing project
    - Tearing up ROW will be [complicated]
    - Tear up road once & you are done
    - Argument—Sewer facilitates development [and higher densities, which is what we are trying to avoid]
    - Mayor Kevin liked idea of sewer study—can talk to John Manning. What will it cost?

- Most Over-rated issue→ that "water quality is poor" [Is it really?]
- When Blind Pass is closed, it reduces water quality
    - Try keeping it open
- Misunderstanding with investors—that the changes they make have an impact to island as whole
- Wastewater:
    - Greywater/water reuse—on South Seas use other people use irrig wells
        - To do this island wide, it would be part of sewer upgrade
    - But Captiva does not have "water shortage." Water comes fresh comes from **Aquifers**
- Encourage native landscape
    - Reduce lawns, sell your lawnmower
- But people want to be left alone-- don't regulate me!
- Yet, we could educate people
- People move here and love the island look then they miss lawns and 'Spring'
- **Inter-local Cooperation**
    - Do Sanibel & Captiva work well together on various issues?
    - There is no cooperation
    - We could talk to them about what they are doing
        - Sanibel has a mayor and Captiva is incorporated
        - SCCF is a common resource

        - Captiva is part of unincorporated County,
    - We (C) don't know what (S) is doing and they don't know what (C) is doing
    - COI—Committee of Islands---nongovernmental, They deal with issues
        - eg. Fireworks ok on Captiva, but not on Sanibel
        - Very interested in Dark Skies
        - Captiva could implement what Sanibel is doing
    - S & C do work together on Big Water issues SCCF
    - Planting & vegetation: SCCF helps Captiva with this, nursery
    - There is informal cooperation on Water Quality issues (not working on it, formally")
- **Biggest problem** is Blind Pass & re-nourishment (Captiva sand runs down to Sanibel and only comes back is trucks)
- They should at least let Captiva to hookup to Sanibel treatment plant for all the sand
- Plenty of organizations In place
- Not enough of year-rounders to keep momentum going
- Sanibel does more than Captiva does on fertilizer reduction
- Captiva does it without rules-- Sanibel is very restrictive
- People move to Captiva because lack of rules/reg
- People from Captiva move to Sanibel because Captiva is changing—too much like FM Beach)
- How long will the island look stay?
    - As long as the little cottages stay.
    - Because when they go away, Big Development (lots of units) will come in its place
- It is only three months out of the year
- Ferry to Cape Coral?—facetiously—they **do not** want this!
- More people are finding out about Captiva
- Storm Water Management?
    - Minimally, "French Drain" in Village→to Bay
    - No way to treat that mostly-rainwater but fertilizer
    - Now a lot of lawns in those areas
    - **Swales—best way to slow Storm water; and more native landscape and less grass**
    - If your neighbors build "hills up", you can request that they add swales
    - Permeable membranes?
    - Less grass, too. Where to put swales in Village?
- Environment
    - Sea Turtles, Mangroves, Birds all equally important
    - "Landscape" important to have natural landscape
    - Dark Skies important
- Why do they come here? **Because it is beautiful, but that is hard to maintain**. Good things:
    - Native vegetation
    - Water quality
    - Nice beach

    - Birdlife
    - Fish, dolphins
    - To see the night sky; down lighting helps
- They don't want to see--invasive
    - Coyotes
    - Burmese pythons (not sure about bobcats)
- Those cottages—how many are left in the Villages
    - When they go away, they get converted to cubes of condos
- Rauschenberg….. did it nice; we need another Rauschenberg
- Art communities are wonderful, low impact business
- Captiva should do all it can to support this-to help artists help Captiva
- Rauschenberg estate & how it looks
- Jungle Road…..
- "The Good Old Days" How Captiva used to be. Come down here & **CHANGE IT!**

Draft Language for Captiva Community Plan July 2014
KG=Ken; MF=Max; YV=Your version

POSSIBLE NEW LANGUAGE
Encourage alternate transportation options [KG]

POLICY 13.1.??: On Captiva, Lee County will encourage pedestrian- and bicycle-friendly development with an emphasis on human scale design. The county will also encourage connectivity and any potential multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Finally, the county will undertake and encourage steps to make the island transportation network safer for pedestrians and bicyclists whenever possible.

—Or—

Encourage alternate transportation options [MF]

POLICY 13.1.??: Recognizing that Captiva Island has only one point of entry and exit, is served by only one two-lane north-south road, and is nearing the point of buildout, Lee County will actively promote public safety through the use of multi-modal transportation options to reduce reliance on motor vehicles as the sole means of transportation for the island's residents, visitors and commercial interests. Specifically, Lee County will consider and evaluate such tools as adjusted tolls, alternative transportation and parking modes, shared parking, and park and ride.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Dark Skies language Lighting language in general [KG]

POLICY 13.1.??: The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will support the Captiva community's efforts to craft and codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

—Or—

Lighting and Dark Skies [MF]

POLICY 13.1.??: Lee County acknowledges that Captiva Island's dark night skies are a benefit to residents and an attraction to tourists who enjoy the island's tranquility, and they are essential to the protection of island wildlife. Lee County will actively promote the Captiva community's efforts to limit exterior residential and commercial lighting as a means of reducing light pollution and light trespass, without compromising public safety.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE

Rentals vs. residents – overload and intensity of use – extend 7-day limit [KG]:

Do you want to codify a seven-day rental minimum on all non-hotel/motel dwelling units? Do you want to state support for low-intensity non-commercial use of existing residential properties in consideration of neighbors, the community and the overall island ambience?

—Or—

Rentals vs. residential properties [MF]

☞ It might read something like this:

POLICY 13.Y.Y. Lee County recognizes the importance of promoting low-intensity, non-commercial activity on Captiva Island in order to maintain its tranquil ambience in a natural setting. To maintain this ambience, residential units on Captiva Island may be rented for a period of less than seven (7) consecutive days.

—Or—

Your Version [YV]

☞ One option is "no such policy"

EXISTING LANGUAGE (TWO POLICIES)

Revise vegetation policy: invasive vs. non-invasive, native vs. non-native

POLICY 13.1.3: 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.

Vegetation & Landscaping

POLICY 13.1.14: 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.

☞*In the June 2014 packet to the Community Panel, Ken wrote:*
RATHER THAN REQUIRING CODES THAT PROBABLY WILL NEVER BE WRITTEN, WOULD IT BE BETTER TO INCLUDE A GENERAL STATEMENT OF SUPPORT FOR NATIVE/NON-INVASIVE VEGETATION AND ADEQUATE BUFFERING FOLLOWED BY A COUPLE OF POLICIES THAT GO INTO MORE SPECIFIC DETAIL?

POSSIBLE NEW LANGUAGE

Native Vegetation & Tree Canopy [KG]

OBJECTIVE 13.3: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Native Vegetation & Tree Canopy [MF]

Lee County will actively promote the planting and preservation of native vegetation and tree canopy on Captiva Island and will work with residents and businesses to halt further degradation of estuarine and wetland resources and to assure that no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE

Trees along Captiva Drive [KG]

POLICY 13.3.1: Indigenous or native trees should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

—Or—

Trees along Captiva Drive [MF]

POLICY 13.3.1: Lee County will actively promote the planting and maintenance of indigenous or native trees along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers, and will promote community efforts to inform the public about the benefits of indigenous or native trees and vegetation requiring minimal irrigation.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Invasive vegetation & nuisance pests [KG]
POLICY 13.3.2: The Captiva community and Lee County will cooperate to stop the proliferation of invasive exotic vegetation and nuisance pests as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations may be developed to accomplish this policy.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Heritage Trees [KG]
POLICY 13.3.3: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
Land Development Projects [KG]
POLICY 13.3.4: Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

—Or—

Land Development Projects [MF]
POLICY 13.3.4: : New land development projects on Captiva Island will be designed to maintain the integrity of the natural environment, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

—Or—

Your Version [YV]

POSSIBLE NEW LANGUAGE
No degradation of resources [KG]
POLICY 13.3.5: County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

—Or—

Your Version [YV]

Should Captiva clarify building heights language?
Based on feedback received in survey and at workshops, this does not appear to be needed.

POSSIBLE NEW LANGUAGE
Blind Pass Maintenance[KG]
POLICY 13.1.??: Lee County will encourage and support efforts by the Captiva community to maintain Blind Pass as an open and navigable pass due to its benefits to the near-shore environment, marine ecology and water quality in adjacent waters. Lee County will support efforts by the Captiva Erosion Prevention District to work with the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

—Or—

Your Version [YV]

☞Community character, existing policies, and community services will be addressed at our August meeting.

After attending the four Panel workshops, (and now after reviewing and incorporating some of the notes provided from the workshops) I felt that I owed it to the Panel to provide my thoughts since I would not be available to attend Panel meetings from May through October.

1. The Panel might investigate options and devise a strategy to have the County (or Captiva residents and businesses) fund the work of the Panel through some set aside from Captiva tax revenues. Volunteer Panel members should have the opportunity to spend their limited time on issues facing Captiva and not on fund-raising.

2. The Panel might consider a means to enforce its own Captiva Code without relying upon County enforcement. Concurrently, the Panel could develop set of meetings with Realtors and other businesses to educate them about the Captiva Plan and to obtain voluntary compliance with the Captiva Code. Also the Panel could develop and send a mailing to absentee owners of rental properties to do the same.

3. The minimum 7 day house rental period (which may or may not be the existing rule for Lee County) might be clarified and amended in the Captiva Code to apply to all rental properties on Captiva excluding South Seas, Jensen's, Tween Waters, the Captiva Inn and other hotel-like enterprises. The Panel may also wish to review the implications of airbnb.com through which some owners are renting for less than a week.

4. A long-range Master Plan might be created for the Captiva Village to maintain its "Old Captiva" ambience and to maintain an inviting quality of life in the Village. The Plan might include the following:

    A. Consistent with the results of the Panel survey, the commercial uses in the village might be maintained through zoning and/or tax incentives. Ways to eliminate the current economic incentives to replace commercial uses with residential rental uses might be considered. The Panel may also wish to consider creative regulations to discourage chain store-type businesses that would change the unique Captiva character including but not limited to design standards and wait staff requirements.

    B. Future residential construction in the Village might be more limited in size and scale. The size of new homes in the Village has been maximized by developers and may be greater than anticipated by the Panel. New building heights and other dimensions may be limited through new height restrictions, floor-area ratio regulations, revised setback rules, FEMA rule revisions and/or prohibitions against the further subdivision of lots.

        There are more than 50 remaining ground-level homes and businesses in the Village which lend the Village its special character. To the extent possible, these structures might be retained through a combination of the above-restrictions on new construction combined with tax incentives, FEMA rule revisions and historical preservation opportunities and incentives for the existing structures.

C. The Panel might consider new regulations and/or enforcement of the current Code to prohibit the construction and rental of "illegal" flood-protected ground floor units in homes that were granted extra height allowances to meet FEMA flood rules.

D. New regulations and/or enforcement of current Code to prohibit the rental of homes to individuals and/or families beyond the capacity of the septic systems associated with the rented home.

E. Walking and biking might be further encouraged over auto usage with targeted enlarged shoulders on the S-curves – along with electric trolleying which might not increase noise or pollution levels at turnaround points.

5. Waste water management on Captiva should be addressed. Many current septic systems are used beyond their rated capacity and therefore cannot function properly. Unpleasant odor is often present and the threat of water contamination exists. Greywater is often pumped into backyards. And there are no consistent rules for septic inspection or enforcement.

   Connecting to Sanibel sewers might be considered as a long-term solution so long as strict development restrictions on Captiva can be firmly and permanently put in place.

   In the interim, a plan for the inspection (and replacement of malfunctioning) current septic systems might be considered.

6. As golf carts are encouraged and proliferate on Captiva, the use and value of electric versus gasoline-powered carts might be considered. Gas golf carts create both noise pollution and many communities are making efforts to limit or restrict their use while encouraging the electric option.

   The Panel might consider a request to law enforcement officers to enforce traffic rules prohibiting underage and unlicensed drivers of golf carts by giving out warning notices or summonses, and speaking with the businesses that currently rent the golf carts (including the rental company at South Seas).

7. The Panel might consider restricting the use of gas leaf blowers to certain days. For example, the Village – Monday and Tuesday; Tween Waters stretch – Wednesday and Thursday, Gold Coast – Friday and Saturday. Many communities have sought to eliminate the noise associated with gas leaf blowers and have limited or restricted their use – replacing them with electric blowers or raking.

8. Captiva is characterized by its special "tropical feel." Efforts might be made to more systematically encourage tropical plantings on the island while eliminating the invasive species. Suburban-type lawns and landscaping might be discouraged.

9. The need and feasibility of having underground utilities on Captiva (or on the main roads of Captiva) should be again investigated.

10. The Panel might create map of beach access points on Captiva for internal Panel use and conduct study to document the large number of people that regularly access the beach via the Village streets and other access points. The data could support the survey results that question the need and value of any additional beach or Village parking on Captiva, and might be used in securing future support for beach renourishment.

    Also, the infrastructure (including the bathroom, parking and clean-up facilities) on Captiva and its beaches, as well as the single road to and from the Island, barely support the existing residential and vacationing rental population during peak seasons which is currently extending into the summer months. During peak season, the traffic through Sanibel also poses a serious challenge. At the current time and for the foreseeable future, the Panel might choose to conclude that Captiva would not be served by encouraging any increase in day trippers.

11. The Panel might consider working with Sanibel and South Seas on the algae bloom/Red Tide problems that pose a long-term threat to Captiva.

12. The number of dogs (some unleashed) on Captiva beaches may be posing a problem. The Panel may wish to clarify current Lee County rules regarding this matter, and/or prohibit pets on all Captiva beaches – not just the small Captiva beach area designated as a public beach.

Proposed Captiva Plan with Panel Comments (December 8, 2015)

~~**GOAL 13: 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).~~

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva community must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

The Captiva community values the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's coastal community architecture and landscaping that is both diverse and aesthetically pleasing.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's permanent and seasonal residents.
- A community that provides a level of commercial services that reflects the balance between tourism, non-resident property ownership, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, Captivans must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limits noise, light, water and air pollution.
- Creative mixed used development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices.

- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as Captivans (present and future) work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

COMMENT: County staff made some suggested changes, but also suggests shortening and providing as backup. CCP accepted the specific changes, and shortened the section as requested. However, the Captiva community spent many workshops developing this vision for Captiva and it cannot be removed without disenfranchising the community and disregarding its efforts.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. (Added by Ordinance No. 03-01)

No Change.

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on 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 the RSC-2 district. (Added by Ordinance No. 03-01)

No Change.

COMMENT: This policy has been in effect for many years and is not confusing to island residents. It is currently in the Captiva section of the Lee County Land Development Code with the standards for RSC-2 zoning. It should not be changed or removed.

POLICY 13.1.2: Building Heights on Captiva Island. Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these conditions, the height of buildings and structures may not exceed the ~~least~~ less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

No Change.

COMMENT: At the request of County Staff, the objectionable provision was removed in its entirety.

~~**POLICY 13.1.3:** 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)~~

POLICY 13.1.3: <u>Beach and Shore Preservation.</u> Lee County will 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)

No Change.

POLICY 13.1.4: <u>Quality of Adjacent Waters.</u> Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include <u>regulation of onsite wastewater systems, and</u> sewers only if sized to limit development to that permitted by this plan. (Added by Ordinance No. 03-01)

COMMENT: To meet County Staff concerns, "regulation of septic systems" has been changed to "regulation of onsite wastewater systems" and a comma has been placed after that phrase. Captiva's many over-taxed residential and commercial septic systems and the possibility of sewer connections have been discussed in Captiva for a long period of time. The community has voiced the short-term need for regular septic maintenance, and a concern that sewers could open the door to unbridled development. This policy properly reflects the Captiva community's current needs and future concerns.

POLICY 13.1.5: <u>County Information Clearinghouse.</u> 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)

No Change.

POLICY 13.1.6: <u>Public Informational Session for Land Use Changes.</u> 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. <u>The Captiva Community Panel will receive a minimum of two weeks' notice, along with a packet of materials for consideration, prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may request a meeting at a different time and place than the Panel's regularly scheduled meeting, but the same notice and packet requirements shall apply.</u>

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)

COMMENT: The Captiva community (much of which does not have ready access to community newspapers) depends upon the CCP for publication of important information. The policy change only requires notice to the Panel so that it can do its job. It does not require any property owner or agent to actually appear before the CCP. A property owner or agent may still choose where to hold its required public informational session.

POLICY 13.1.7: <u>Public Participation.</u> 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).

No Change.

POLICY 13.1.8: <u>Consistent Siting of Structures and Historical Character.</u> 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)

No Change.

POLICY 13.1.9: <u>Density Increases Prohibited.</u> New requests for residential re-zoning<u>, lot splits or lot-line adjustments</u> that would increase density on said property above current zoning will not be permitted. (Added by Ordinance No. 05-19).

COMMENT: This policy does not reduce the building rights of any existing property owner on any existing property. Rather it prohibits the prospective combining and then splitting of existing residential properties for the purpose of increasing density beyond the existing density of use permitted by current zoning. The CCP has attempted to respond to the concerns of County Staff.

POLICY 13.1.10: <u>Criteria for Variance Approval</u>. Variances and deviations 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, <u>building or structure,</u>
- 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, <u>building or structure,</u>
- Where the applicant did not cause the need for the variance, ~~and~~
- <u>Where the variance to be granted is the minimum variance that will make possible the reasonable use of the property, building or structure, and</u>
- Where the variance is not contrary to the spirit of the ordinance.

(Added by Ordinance No. 05-19)

COMMENT: In response to County Staff, CCP has included "deviations" and other changes where necessary to make consistent with current Captiva section of Lee County Land Development Code.

POLICY 13.1.11: <u>Telecommunications Tower</u>. 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. 15-19).

No Change.

POLICY 13.1.12: Dark Skies. The location of Captiva Island provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. Lee County will codify land development regulations applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible.

COMMENT: The CCP accepts in its entirety the above provision proposed by County Staff.

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations, policies, and discretionary actions affecting Captiva Island will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

COMMENT: The CCP amends its proposed language to meet the concern of County Staff.

POLICY 13.1.14: Blind Pass. Lee County will support through active advocacy at the federal, state, regional and local level, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, county staff and state and federal agencies toward Blind Pass maintenance.

COMMENT: The CCP accepts in its entirety the above provision proposed by County Staff.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would serve the greater Captiva community.

COMMENT: The CCP amends its proposed language to meet the concern of County Staff.

OBJECTIVE 13.2: 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)

No Change.

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed Use Planned Development. (Added by Ordinance No. 07-09)

COMMENT: The CCP amends its proposed language to meet the concern of County Staff.

OBJECTIVE 13.3: Transportation. The Captiva Community will continue its efforts to reduce automotive dependence on the Captiva Island.

COMMENT: The CCP accepts in its entirety the above change proposed by County Staff.

POLICY 13.3.1: Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

COMMENT: The CCP amends its proposed language to meet some of the concerns of County Staff.

OBJECTIVE 13.4: Tourism: Tourism is vital to the economic health of Captiva, but must not overwhelm the infrastructure, amenities or limited services on the island and should maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. The Captiva community will work with Lee County Visitor and Convention Bureau to effectuate this policy.

COMMENT: The CCP amends its proposed language to meet some of the concerns of County Staff.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** Residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

COMMENT: This matter is very important to Captiva residents and, as a policy, has been in effect on Captiva for a long period of time.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy: Lee County will encourage and support efforts by Captivans to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations, policies, and discretionary actions affecting Captiva Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat.

No Change suggested by County Staff to proposed new provision.

POLICY 13.5.1: **Trees along Captiva Drive.** Indigenous or native trees and other non-invasive species should be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on all properties on Captiva Island.

COMMENT: The Captiva community wishes to re-create the distinctive canopy and vegetation that characterized Captiva prior to Hurricane Charley, albeit with different trees and plants.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. The Captiva community and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

COMMENT: The CCP amends its proposed language to meet the concern of County Staff.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

COMMENT: County Staff suggests this provision more properly belongs in the Code. The CCP accepts County Staff's suggestion and will remove from Plan at the time the provision can be incorporated in the Code.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

COMMENT: The CCP accepts in its entirety the above change proposed by County Staff.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva Island will be protected to the greatest extent possible. A setback to be determined and defined in the Code will also be required from the mangrove fringe along Captiva Island to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13)

COMMENT: The CCP amends language to meet some of the concerns of County Staff.

Proposed Captiva Plan with Suggested County Edits (January 12, 2015)

GOAL 13: Captiva Community Vision. Captiva is a coastal barrier island with low-density residential development, augmented by limited commercial activities which serve residents and tourists drawn to a tranquil experience in a natural setting. As an island community, Captiva's natural resources -- beaches, waterways, wildlife and flora -- are its most important attractions, and Captiva residents regard the protection of its mangrove fringe, water quality, and dark skies as matters of paramount importance. Toward this end, the Captiva Community Panel and other Captiva community, civic and business organizations must work together with Lee County and other regulatory bodies to sustain the fragile and limited resources of the island.

~~The~~ Captiva residents ~~community~~ value~~s~~ the following:

- An island lifestyle which respects the fragile land, coastline and waters of Captiva.
- The island's history as an environmentally special and informal resort destination.
- The island's diverse coastal community architecture and landscaping ~~that is both diverse and aesthetically pleasing~~.
- A coastal community that balances tourism-oriented activities with a respect for the privacy and property rights of the island's ~~permanent and seasonal~~ residents.
- A community that provides a level of commercial services that reflects the balance between tourism, ~~non-resident property ownership~~, seasonal occupancy and year-round residency, and acknowledges the need to reduce automotive dependence and create more environmentally-sensitive alternative modes of transportation.

To achieve these ends, all organizations representing Captiva residents, property owners and businesses ~~Captivans~~ must work together, and with Lee County for:

- Environmental protections that preserve the shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, and limits noise, light, water and air pollution.
- Creative mixed-use development of traditionally commercial properties to maintain the island's neighborhood-style business community sufficient to support the needs of Captiva residents and visitors.
- Building standards that ~~limit density, restrict height, maintain lot sizes and reduce the intensity of uses through land use and zoning practices~~ maintain appropriate densities, building heights and development regulations designed to preserve the Captiva vision.
- Upgrading public infrastructure and enhancing the appearance and functionality of the island's rare public spaces.

The future of the island will be secured and enhanced as ~~Captivans~~ residents and organizations on Captiva (present and future) work together to reach consensus on island goals, and work with Lee County, the Captiva Erosion Control District, the state and its agencies, and nongovernmental organizations serving the island to ensure that those goals are realized.

OBJECTIVE 13.1: Protection of Community Resources. Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva ~~Island~~. (Added by Ordinance No. 03-01)

POLICY 13.1.1: Subdivision of Existing RSC-2 Parcels. ~~No subdivisions of~~ Subdividing parcels that were zoned RSC-2 (Captiva Estate) ~~on~~ as of January 1, 2002~~, regardless of their zoning at any time thereafter, may be permitted~~ are prohibited unless all ~~of the~~ resulting lots comply with ~~all of~~ the minimum lot size and dimensional requirements set forth in the Land Development Code for ~~in~~ the RSC-2 zoned lots ~~district~~ in Captiva. (Added by Ordinance No. 03-01)

POLICY 13.1.2: Building Heights on Captiva Island. ~~Due to the nature of a barrier island, the~~ The height of buildings and structures on Captiva is related to ~~dependent on~~ conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In response to these natural and regulatory forces~~conditions~~, the height of buildings and structures may not exceed the less restrictive of the two following options:

a) 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or

b) 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs.

If lowest horizontal member is set above the base flood elevation, the 28-foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19)

POLICY 13.1.3: Beach and Shore Preservation. Lee County will continue to support the efforts 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)

POLICY 13.1.4: Quality of Adjacent Waters. Lee County will encourage and support efforts by ~~the~~ Captiva ~~community~~ to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva ~~Island~~. Such measures may include regulation of the maintenance of septic systems or other onsite sewage ~~wastewater~~ treatment and disposal systems, and the introduction of sewers only if sized to limit development to that permitted by ~~this~~ the Captiva ~~plan~~ Plan and Land Development Code. (Added by Ordinance No. 03-01)

POLICY 13.1.5: County Information Clearinghouse. The Captiva ~~Island~~ Community Panel will establish a document clearing house on Captiva or publicize appropriate internet access, 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)

POLICY 13.1.6: Public Informational Session for Land Use Changes. 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. The Captiva Community Panel will receive a minimum of two weeks' notice~~, along with a packet of materials for consideration,~~ prior to its regularly scheduled meeting in order to assure that sufficient notice is provided to the public. The applicant may conduct its public informational session on Captiva ~~request a meeting~~ at a different time and place than the Panel's regularly scheduled meeting, but the same notice to the Captiva Community Panel ~~and packet requirements~~ shall apply.

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)

POLICY 13.1.7: Public Participation. 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 any ~~the~~ adopted policies. (Added by Ordinance No. 03-01).

POLICY 13.1.8: Consistent Siting of Structures and Historical Character. Lee County will encourage and support efforts by ~~Captivans~~ Captiva residents and organizations to develop and submit ordinances that will encourage the siting and design ~~building~~ of structures consistent with the historical character of the island (Added by Ordinance No. 03-01)

POLICY 13.1.9: Density Increases Prohibited. New requests for residential re-zoning, lot splits or lot-line adjustments that would ~~increase density~~ decrease minimum lot area and dimensions, decrease minimum setbacks, or increase maximum lot coverage for development on said property or properties from that required by ~~above~~ current zoning will not be permitted. (Added by Ordinance No. 05-19).

POLICY 13.1.10: Criteria for Variance Approval. Variances and deviations shall not be permitted unless they meet all of the specific requirements set forth in the Land Development Code for Captiva. ~~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, building or structure,~~
~~• 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, building or structure,~~
~~• Where the applicant did not cause the need for the variance, and~~
~~• Where the variance to be granted is the minimum variance that will make possible the reasonable use of the property, building or structure, and~~
~~• Where the variance is not contrary to the spirit of the ordinance.~~
~~(Added by Ordinance No. 05-19)~~

POLICY 13.1.11: Telecommunications Tower. 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. 15-19).

POLICY 13.1.12: Dark Skies. The location of Captiva ~~Island~~ provides a unique view of the dark night sky that should be preserved whenever possible and without sacrificing public safety. ~~Lee County will codify land~~ Land development regulations applicable to exterior residential and commercial lighting must ~~as a means to~~ limit light pollution, light trespass and protect wildlife from any ~~its potential~~ detrimental effects. ~~on wildlife to the greatest extent possible.~~

POLICY 13.1.13: Estuarine and Wetland Resources. County regulations~~,~~ and policies~~, and discretionary actions~~ affecting Captiva ~~Island~~ will encourage the protection of estuarine and wetland resources and will actively promote the preservation of native upland vegetation and wildlife habitat.

POLICY 13.1.14: Blind Pass. Lee County will support through ~~active~~ advocacy at the federal, state, regional and local level, efforts to maintain Blind Pass as an open pass due to its benefits to the near-shore environment, marine ecology and water quality. Lee County will cooperate with the Captiva Erosion Prevention District, the City of Sanibel, ~~county staff~~ and state and federal agencies toward Blind Pass maintenance.

POLICY 13.1.15: Underground Utilities. Underground utilities will continue to be considered for Captiva if they would benefit ~~serve the greater~~ Captiva residents~~community~~.

OBJECTIVE 13.2: 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 commercially-zoned areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09)

POLICY 13.2.1: Mixed-use developments as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one or more 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 Planned Development or Mixed Use Planned Development. (Added by Ordinance No. 07-09)

~~**OBJECTIVE 13.3: Transportation.** The Captiva Community will continue its efforts to reduce automotive dependence on the Captiva Island.~~

OBJECTIVE 13.3: ~~POLICY 13.3.1:~~ Alternative Transportation. Lee County will encourage new and existing development to incorporate pedestrian- and bicycle-friendly facilities to reduce automobile dependence and the need for increased parking facilities. The County will support steps to make the island transportation network safer for pedestrians, golf carts and bicyclists whenever possible.

OBJECTIVE 13.4: Tourism: Tourism is vital to the economic health of Captiva, but the increased traffic, noise, pollution and overcrowding sometimes associated with tourism must not overwhelm the infrastructure, amenities or limited services on the island. The Captiva Community Panel and other Captiva organizations ~~and~~ should work to maintain the historic sense of harmony between permanent residents, seasonal residents and shorter-term visitors. ~~The~~ Captiva ~~community~~ will work with Lee County Visitor and Convention Bureau to implement ~~effectuate~~ this policy.

POLICY 13.4.1: **Short-Term Rental of Residential Units.** In order to preserve the stability and tranquility of residential streets and communities, to prevent overwhelming usage of residential septic systems, to limit trash disposal consistent with residential use, to insure that traffic and parking demands do not exceed the capacity of residential streets and lots, and to insure the public safety of all Captiva residents, ~~R~~residential units on Captiva Island (excluding those in South Seas Island Resort) may not be rented for a period of less than seven (7) consecutive days.

OBJECTIVE 13.5: Native Vegetation and Tree Canopy: Lee County will encourage and support efforts by ~~Captivans~~ Captiva to enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. The creation of a diverse and sustainable plant community on the island is encouraged. County regulations and~~,~~ policies~~, and discretionary actions~~ affecting Captiva ~~Island~~ will permit no further degradation of estuarine and wetland resources and no ~~unnecessary~~ loss of native upland vegetation and wildlife habitat.

POLICY 13.5.1: **Trees along Captiva Drive.** Indigenous or native trees and other non-invasive species ~~should~~ must be planted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive to facilitate the restoration of the historic tree canopy and vegetation buffers. The use of indigenous or native trees and vegetation requiring minimal irrigation once established is encouraged on ~~all properties on~~ Captiva ~~Island~~.

POLICY 13.5.2: Invasive Vegetation and Nuisance Pests. ~~The~~ Captiva ~~community~~ and Lee County will cooperate to stop and reduce the proliferation of invasive exotic vegetation and nuisance pests. Incentives, disincentives and regulations may be developed to accomplish this policy.

POLICY 13.5.3: Heritage Trees. Heritage trees, as defined in Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

POLICY 13.5.4: **New Land Developments.** New construction must be designed to retain the native and indigenous natural vegetation.

POLICY 13.5.5: **Mangroves.** Mangroves on Captiva ~~Island~~ will be protected to the greatest extent possible. ~~A setback to be determined and defined in the~~ The Land Development Code will include setbacks ~~also be required~~ from the mangrove fringe along Captiva ~~Island~~ to protect the shoreline and structures. (Added by Ordinance No. 05-19) (Formerly 13.1.13)

CAPTIVA COMMUNITY PLAN WORKSHOP

March 6, 2014

Topic 1: Community Character, Design, and Quality of Life

THEMES:

- Quality of life
- Community appearance
- Captiva Drive
- Aesthetics
- Landscaping
- Lighting

SMALL TABLE DISCUSSION QUESTIONS:

- **Overall Character, Design, and Quality of Life:** Describe the key elements to the character of Captiva. Consider issues related to architecture, landscaping, streetscape, and overall character.

- **Design and architecture:** The Captiva Plan includes policies on building standards for density; building height, appearance, roof design, and siting; mixed-use developments, and telecommunications towers. How well do you think these policies work at maintaining and enhancing the community's character, design and quality of life? Are there areas the policies work particularly well or need improvement?

- **Environmental practices:** The Captiva Plan includes policies that establish environmental standards for the protection of beaches, mangroves, and indigenous and native trees. How well do you think these policies work at maintaining and enhancing the community's character, design, and quality of life? Are there areas the policies work particularly well and/or need improvement?

- **Landscape practices:** The Captiva survey indicated that additional landscaping is an essential component of Captiva's character and quality of life. Currently the Captiva Plan calls for further planning to be done about landscaping, but does not establish specific standards.
    - Please discuss how and why you value landscaping as an important feature of Captiva's design and character. Explain what you deem to be the main consideration – privacy, species habitat, erosion control, separation and connection between land use, enhancement of property value, or other considerations.
    - Are additional policies needed to provide guidance and development standards for property landscaping? If so, what types of policies would you like to see? Should the policies be more educational/directive or required standards?

- **Lighting:** In the recent Captiva community survey, while people were generally happy with the status quo there was some interest in further regulation of lighting to address loss of dark skies. There was also concern expressed about bike/ped safety in the Village due to the higher use and fewer lights along Captiva Drive there. There currently is no Plan policy on general lighting. Should there be one and, if so, what direction would you like it to take?

CAPTIVA COMMUNITY PLAN WORKSHOP
March 11, 2014
Topic 2: Walk, Bike, Vehicular, and Transit Mobility

THEMES:

- Pedestrian Pathways
- Bikeways
- Vehicular Access
- Transit/Alternatives

SMALL TABLE DISCUSSION QUESTIONS:

Instructions: Please discuss with the small group the following questions and use the maps provided on your table to identify specific areas being discussed. Be prepared to share your table's discussion with the entire group at the end of the meeting.

- **Overall Mobility:** Describe the overall mobility of Captiva and ease of getting around the island. Consider issues related to safety, ease, and connectivity.

- **Pedestrian Pathways:** The Captiva survey identified pedestrian walkability as a concern that needs to be addressed though the Captiva Plan update. Please discuss why this issue is important, what issues you think need to be addressed, and what policies are needed to address these concerns. Are there areas where pedestrian pathways are more important? Are there areas where safety for pedestrian is more of a concern? Consider issues related to how the community could expand pedestrian access, improve safety, and better encourage walkability.

- **Bikeways:** Captiva Plan includes policies that promote community pathways in order to improve bike safety. Please discuss how changes to the Captiva Plan can make these policies effective and what issues you think need to be addressed. Identify if there are places on the island where expanded bikeways and community pathways are more important and where safety for bikers is more of a concern. Consider issues related to how the community could expand bike access, improve safety, and better encourage biking.

- **Vehicular Access:** Cars are the predominant form of transportation on Captiva and as such the Captiva Plan currently addresses the need to provide for safe and well landscaped roadways. However, the community has identified that there may be safety and access concerns related to the needs for cars to use the same space as pedestrians and bikers. Also, that during season the number of cars can over tax the community's roadway and parking infrastructure system. Please discuss concerns related to vehicular safety, connectivity, and infrastructure systems. Identify specific areas where the needs and demands of cars may be of greatest concern or challenge.

- **Transit/Alternatives:** Considering the demands on the Captiva's mobility system, some community members have suggested the development of an island transit/trolley system. What do you think of this idea? What issues would need to be addressed to make it effective? Are there areas that you think such a system would be more effective than others?

- **Circulation between the Island and Needed Services Off Island:** Discuss issues related to how well people can connect to services and commercial areas off islands. Does the community have specific needs and concerns related to connectivity with areas off island? Are there ways you think such systems could be improved?