

Upper Captiva Planning Panel  
Minutes of the October 29, 2010 Meeting

Meeting called to order at 12:30pm

Present: Panel Members Kristie Anders, Chair; Dave Tompkins, Vice-Chair; Rick Fox, Treasurer; Zeke MacDonald, Secretary; Dr. Margaret Banyan, FGCU Planning Consultant; Kathie Ebaugh, Lee County Department of Community Development; and members of the public. Panel member Peter Aldrian was absent.

Panel members and consultants introduced themselves.

Minutes of the August 27, 2010 Upper Captiva Planning Panel were amended to correct the spelling of Kathie Ebaugh's name and Zeke McDonald nominated Peter Aldrian for the position of Secretary. Zeke McDonald moved to approve the minutes as amended. Minutes were adopted by a unanimous vote.

Rick Fox opened a discussion item regarding Attorney Bob Pritt's attendance at meeting; expressing concern that attending every meeting would be expensive. Chairwoman Anders clarified that she works closely with Atty. Pritt to determine which meetings are most crucial for his attendance. Secretary McDonald also clarified that Atty. Pritt is often available to attend meetings by phone. Chairwoman Anders stated that Atty. Pritt was slated to be intimately involved in the code writing process and his expertise is most important. Chairwoman Anders mentioned that the panel should address his bill at the next upcoming meeting.

Dave Tompkins introduced an agenda item for the panel to consider adopting an attendance policy. Discussion ensued related to the status of the panel's by-laws and the need to adopt by-laws. There was general agreement that new by-laws were not necessary, but that the panel could add an attendance policy.

**Rick Fox Moved:** The panel will adopt an attendance policy stating that a panel member may be removed after two (2) consecutive absences in a row.

**Second:** Zeke McDonald

**Discussion:** It was clarified that an excused absence was notification to the Panel Chair and excused by the Panel Chair. The policy will take effect beginning at the next meeting of the Upper Captiva Planning Panel.

**Motion:** passed by a unanimous vote.

Role of Codes in Community Planning. Dr. Banyan with the assistance of Kathie Ebaugh, gave a brief summary of the role of code in community planning. Sue Ann Cousar, member of the public asked whether the community needed new standards, or whether enforcement was needed. There was general agreement that on many issues, existing codes need to be enforced, rather than drafting new restrictive codes.

Richard Pepper, Fire Chief, brought up that the fire district was requesting that a 12' by 12' right of way for all pathways to accomplish proper access for fire safety. Discussion ensued and it was reported that the fire district maintains its right to clear pathways for fire access.

Review Existing Codes. Dr. Banyan went through the codes that the panel has thus far identified to be important for review and possible revision. To narrow the codes that may be revised, the panel indicated whether or not the listed codes should be considered for revision and/or additional research. It

was generally agreed that many of the codes were adequate as written. That a code, or set of codes, remained on the list for further study could be due to a need for additional information or the need for additional consideration by the community. Finally, it was noted that the codes that were presented should be retained as a source of information for the community.

- Development Regulations. Height limitations - Retain for further study
- Site location and design standards. Street / Building Setback – Retain for further study
- Coastal Construction – No need for further study
- Water Body Setback – No need for further study
- Residential Fire Sprinklers - Retain for further study
- Exterior / Interior Ingress & Egress Fire Code - Retain for further study
- Pathway Maintenance for Fire Access - Retain for further study
- Exterior lighting / Outdoor Lighting Standards - Retain for further study
- Exterior lighting / Sea Turtle Lighting - No need for further study\*
- Additional Regulations for Sea Turtles – No need for further study\*
- Water & Wastewater FL Septic in FL Statues and/ or Health Department - Retain for further study
- Solid Waste and Garbage Disposal (MSTU) - Retain for further study
- Rental Standards - Retain for further study
- Vehicular Traffic on Beaches – No need for further study\*
- Landscape Standards - Retain for further study (removal of existing invasive exotics)\
- Water or surface runoff – No need for further study
- Beach renourishment - No need for further study
- Shoreline erosion - No need for further study
- Manatee protection – No need for further study
- No wake zone / Manatee zone signage regulations (conflicting signage on resume speeds) - Retain for further study
- Roads and Private Roads Standards – Retain for review by UCCA / Atty. Pritt – N/A for Planning Panel
- Solar Power & Energy Systems - Retain for further study (potentially allow for more relaxed regulations)

\*Additional enforcement practices may be needed and considered

**Rick Fox Moved** to go forward with additional research on the items noted above.

**Dave Tompkins Seconded** the Motion.

**Motion:** Passed by a unanimous vote.

Review Planning Timeline. The Planning Panel identified two additional meeting dates that allow for time to develop, revise, and implement a preliminary community survey. These meeting dates are Saturday, January 15<sup>th</sup> at 10am and Friday February 18<sup>th</sup> at 10am.

Meeting Adjourned at 2:15pm.

Note: After the panel meeting adjourned, community members heard a presentation by Jerry Murphy and Kathie Ebaugh regarding the Lee County Evaluation and Review process. Community members in attendance and the Planning Panel were interested in an investigation of incentives for conservation easements or other methods of preservation of vacant lots.