

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida, May 25, 2016

LET IT BE REMEMBERED, that the Collier County Planning Commission, in and for the County of Collier, having conducted business herein, met on this date at 5:05 p.m., in SPECIAL SESSION in Building "F" of the Government Complex, 3299 East Tamiami Trail, Naples, Florida, with the following members present:

CHAIRMAN: Mark Strain
Stan Chrzanowski
Diane Ebert
Karen Homiak
Charlette Roman
Andrew Solis
ABSENT: Wafaa F. Assaad

ALSO PRESENT:

Caroline Cilek, LDC Manager
Mike Bosi, Planning and Zoning Manager
Heidi Ashton-Cicko, Managing Assistant County Attorney

PROCEEDINGS

MR. BOSI: Chair, you have a live mike.

CHAIRMAN STRAIN: Now it's a contest between who can get to the mike first, and Mike beat me to the mike.

Welcome, everybody, to the Wednesday, May 25th meeting of the Collier County Planning Commission. This is a special meeting for a review of the Land Development Code amendments.

If everybody will please rise for Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: Will the secretary please do the roll call.

COMMISSIONER EBERT: Yes. Good evening.

Mr. Eastman is not here.

Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER EBERT: Mr. Solis?

COMMISSIONER SOLIS: Here.

COMMISSIONER EBERT: Ms. Ebert is here.

Mr. Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER EBERT: Ms. Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER EBERT: Mr. Assaad is not here.

And, Ms. Roman?

COMMISSIONER ROMAN: Here.

CHAIRMAN STRAIN: Mr. Assaad made a note that he had another item; he couldn't be here tonight, so his is excused. And let me ask the next person.

Is Charlette here?

COMMISSIONER EBERT: Ms. Roman.

CHAIRMAN STRAIN: Did I do okay? Did I say the name right?

COMMISSIONER ROMAN: You're getting there.

CHAIRMAN STRAIN: Okay.

COMMISSIONER EBERT: Perfect.

CHAIRMAN STRAIN: With that, addenda to the agenda; there are none. It's the -- just the Land Development Code amendments tonight.

Planning Commission absences. Our next regular meeting will be next Thursday. Does anybody know if they're not going to make it?

(No response.)

CHAIRMAN STRAIN: Okay. We have no minutes from the last.

Ray, we'll hold the BCC report -- Ray's not even here, so we'll hold the BCC report till next week.

No chairman's report. There's no consent. We'll move right into advertised public hearings.

The first item up and the only item up is 9A. It's the adoption of the amendments to the Land Development Code. These were sent around in a separate packet for the Planning Commission. There are summary -- it's a summary packet of the actions that have occurred over the past month or two on this issue.

And let me start out with, first of all, telling staff that their format has been very workable, so thank you. We -- and I know Andy and I would appreciate this over many. The hot tabs that you have for the sections and the index work great. They work on, I believe, Andy's computer, which is a Windows based, and mine, which is Apple based. So that's turned out to be a real good thing, and I hope that's the way staff does it from now on. That will be very helpful, not just for LDC but for all of them.

The other thing I wanted to mention, in your cover page on May 17, 2016, you provided a cover page with a formatting up on the top talking about that, and the second page you talked about the group housing amendment. One thing I noticed in Item 3, you referenced the Medicaid patients possibility.

The only thing I'd like to point out is when you contact the various facilities that are currently

existing or you have discussions in that regard, there's a big difference between those that allow Medicaid beds and those that provide Medicaid beds. And what I mean by that is generally dementia care or Alzheimer's care will get into the 5- or 6,000 price range per month, and most of the facilities that I am familiar with have indicated they'll accept Medicaid, but that means they only accept it to the value that it will offset the 6,000 a month by.

And I think the intent of this board at the time we talked about that issue was to consider Medicaid beds ones that are supported solely by Medicaid in regards to availability in the county. So that might be something you differentiate when you follow up with that comment on the last of that page there.

MS. CILEK: Thank you. Sure.

CHAIRMAN STRAIN: Okay. And with that, Caroline, I'd like to move directly into the various items tonight. We have 14 LDC amendments. The first nine -- actually, the first seven are ones that this board has already reviewed and weighed in on, and tonight was the final reading of them.

And then 8 and 9, same thing occurs for the Planning Commission, but those also require EAC review.

The last five, 10, 11, 12, 13, and 14, are ones that still have outstanding issues that would probably be more -- more items we'll end up discussing tonight.

So in order to make sure that we don't pass by something that members of the public are here for, I'm going to ask, if I can, to see by raise of hands -- and I'll try to see if everybody's here for one of the five that we're going to discuss. If they're not, we'll pull some other ones off and have those discussions.

We have a Conservation Collier action tonight concerning monetary payments that will take some discussion. Is anybody here for that one? Okay.

We have one involving designing and engineering street-lighting plans. Is anybody here for that one?

Okay. And then we have community markets on private property. That's the flea markets and resale markets like that. Is anybody here for that one?

Okay. Then the only other two, we have one concerning public school and charter schools in outlying -- in the various zoning districts of the county. Anybody here for that?

And the last one we would be discussing, or the other one we will be discussing is the -- and I'm trying to figure out where it is -- mobile home parks. Mobile home parks, how many are here for that one? Okay. That's the majority. So we're going to do that one first, and that is actually one of the ones that we were going -- I'm glad we asked. That was one of the ones that would have been approved under a blanket approval.

Then the last one we're going to discuss is the administrative minor after-the-fact encroachments. Anybody here for that?

Okay. For those of you that are here tonight, members of the public, are all of you here for something that we've just asked about? Is anything I haven't -- is there anybody here for something I have not asked.

(No response.)

CHAIRMAN STRAIN: Gary, which one are you here for?

MR. BEYRENT: I actually came here because I thought they were going to discuss --

CHAIRMAN STRAIN: Could you use the microphone? I'm sorry. I should have asked you that first. Sorry.

MR. BEYRENT: For the record, I'm Garrett Beyrent. I was here, actually, because I was told you guys were going to discuss 3.05.07 on preservation standards, and that's what I had. And then I looked at it --

CHAIRMAN STRAIN: We are. That's the Conservation Collier one.

MR. BEYRENT: Oh, that's Conservation Collier.

CHAIRMAN STRAIN: No?

MR. BEYRENT: No?

MS. CILEK: There are multiple -- yeah, there are multiple amendments that address this section, 3.05.07, and he's actually looking at No. 9 on the list.

MR. BEYRENT: Oh, okay.

CHAIRMAN STRAIN: Okay. So we've got two 3.05.07s.

MR. BEYRENT: Then I'm not in the right place. That's four times in 45 years I didn't do that. That's amazing.

CHAIRMAN STRAIN: Okay. We were going to move the ones that members of the public are here up first. But since you're one person for that one, we're going to take where the majority is here.

MR. BEYRENT: Very good. Thank you.

CHAIRMAN STRAIN: Thank you, Gary.

Okay. With that, then Caroline.

MS. CILEK: Yes, sir.

CHAIRMAN STRAIN: What's Michelle want to mess up?

MS. ARNOLD: For the record, Michelle Arnold. I was inquiring about the overlay zoning district in Immokalee, whether or not you guys were going to be talking about that.

CHAIRMAN STRAIN: We are now. Which one is that, Caroline?

MS. CILEK: Number 7.

CHAIRMAN STRAIN: Okay. So we're going to pull 6, 7, and 9 from the ones that would have been just -- at the beginning didn't appear to have further conversation needed, and we'll end up discussing those.

So with that in mind, I think what we'll do is we'll take the mobile home one first since the majority of people here are for the mobile home, and then we'll go after that to the quantity of members of the public that are here for each one.

So with that in mind, let's move to No. 6, which will provide the new application process for nonconforming mobile homes.

Caroline, do you want take us into that?

MS. CILEK: Sure, absolutely. If -- that is on page --

COMMISSIONER SOLIS: Forty-seven.

MS. CILEK: Thank you very much.

CHAIRMAN STRAIN: Andy, do you know how those new hot buttons work? You just click on the number on the index, and it takes you right to it. Okay.

COMMISSIONER SOLIS: Very nice. Thank you for doing that.

CHAIRMAN STRAIN: Yeah. I thought that was --

COMMISSIONER SOLIS: That's very helpful.

MS. CILEK: So following the Planning Commission's last review of this amendment, staff has made no changes; however, we do have several public comments that have been submitted to staff, and we have several people who would like to speak on the amendment, if needed. There have been no changes to the actual amendment.

CHAIRMAN STRAIN: This is an amendment the Planning Commission heard probably a couple, two or three weeks ago, and it was coming in for final reading tonight. It's the after-five meeting for it. So if there's any -- is there new questions from the Planning Commission on that one?

COMMISSIONER ROMAN: I just have a question for Caroline.

MS. CILEK: Sure.

COMMISSIONER ROMAN: When I turn to Page 47, I'm on the attachment to that.

MS. CILEK: Yes.

COMMISSIONER ROMAN: Okay.

MS. CILEK: If you go just to Page 37, that's where it begins.

I will make a note that this amendment currently proposes to address nonconforming mobile home parks and nonconforming mobile home sites. I did want to make that very clear to the Planning Commission prior to their discussion today to make sure that is, indeed, what they are seeking to do.

CHAIRMAN STRAIN: Okay. Any members from the Planning Commission have any comments before we go and hear from our public speakers?

(No response.)

CHAIRMAN STRAIN: And, Caroline, did you have anything you wanted to add to it from a staff

perspective? If not, the first thing I'd like you to do is read the one public comment. One individual from Immokalee couldn't be here tonight, so she had submitted a request to have her issues read into the record. Since they were short, it seemed appropriate. So I'll let Caroline handle that.

MS. CILEK: Thank you.

So I received public comment from Carrie Williams, who is a mobile home park owner in Immokalee. And the following is a summary of her comments that she provided to me yesterday.

She supports mobile homes as an affordable housing option. She supports the ability for mobile home owners to be able to replace units. She wants to make it clear that this will impact all nonconforming mobile homes in Immokalee, including those outside of parks.

She does not support the relief provided to nonconforming mobile homes outside of the parks and believes this will have a major impact on the community. This -- she further believes this issue needs more time in order to be vetted with the community.

She does not agree that relief should be provided to park owners who recently purchased a nonconforming mobile home park. She supports the time frames for completing -- a time frame for completing the process.

She supports the 1993 plan process/concept to remove older mobile home units, and she has concerns that park owners don't have a process to help mobile home owners replace their units. She notes there are some health, safety, welfare issues with the older mobile homes that are owned by non-park owners.

CHAIRMAN STRAIN: Okay. Thank you, Caroline. I appreciate it.

And those are just read into the record because Ms. Williams had contacted Carline's office and was not able to be here tonight. So, as a courtesy, Caroline read it in.

With that, we will start calling public speakers. And, Mike, are you making the calls, or Caroline? You guys are going to do it. Okay.

Whenever you're called, either speaker (sic) you could please use, and we'll go from there.

MR. BOSI: The first public speakers is Max Griffin.

MR. GRIFFIN: Hello. My name is Max Griffin, and I own three mobile home parks in Immokalee, three small ones.

And I want to say my support for the Land Development Code amendment request that was worked on about a month ago, that enables park owners to replace mobile homes which would be put in according to up-to-date standards but has nothing to do with the other mobile homes that are already in there. That's it. Just to replace units.

And anything that helps the supply in Immokalee will bring prices down. The less -- the less supply, the higher prices are going to be.

CHAIRMAN STRAIN: And I notice you started out by saying you started about a month ago. I know you haven't been in all the meetings, but I know that Mr. Davenport and I, God, we must have met several years ago when this started.

So this has been in the works for quite a long time, and I just wanted to make sure everybody was aware, this hasn't been a rush-through-quick application. It's been going on for a number of years, so...

MR. GRIFFIN: All right.

CHAIRMAN STRAIN: Thank you, sir.

MR. GRIFFIN: Okay.

CHAIRMAN STRAIN: Next speaker?

MR. BOSI: Next speaker is Christy Betancourt.

MS. BETANCOURT: Hi, everybody. For the record, Christy Betancourt with the Immokalee Community Redevelopment Agency.

We had a meeting May 18th, and I presented it to the advisory board just as a -- you know, just for them to have it in front of them to review it. And I told them to come to this meeting if they had any concerns or questions, and that's why some of these people are here today.

They had questions about density, whether they're going to be allowed to have more mobile home parks at those locations, and they had questions about the mobile home parks -- a lot of the mobile home parks in Immokalee don't own the mobile homes. The mobile home park owners own the land.

So some of those mobile homes look very, very delapidated. They are not being used or not livable, and they're living in them. So that's a concern from the community.

We do want a mobile home park initiative program in place because we do have some mobile home park owners that want to improve their property, and they cannot, but we also want to make sure that those mobile homes that need to be replaced -- that are not livable need to be removed somehow.

CHAIRMAN STRAIN: And I'll let staff address the response to that. I mean, if, Caroline, you don't mind. If you don't want to, I think I can fill in some of the blanks. But how would you like to approach it?

MS. CILEK: I mean, this amendment has the goal to enable people to replace their units. It is voluntary, the way that the amendment is constructed. But without some type of process to identify their land with these units, they will not have the ability to replace them.

MS. BETANCOURT: And that's to replace them if they want to, not -- what if they can't afford to and they tell the landowner, hey, I can't put a new trailer in with new requirements. I have to live as-is. So where does that lie?

MS. CILEK: Currently the amendment doesn't address that.

CHAIRMAN STRAIN: Well -- but it may be addressed in another manner, and I guess this is where the County Attorney's Office may have to weigh in.

There's been a series -- I think there's 82 or 83 mobile home parks on a list that I've seen at Code Enforcement. And I started looking at this list three years ago with Mr. Davenport and others trying to figure out a way to get these mobile home parks in compliance.

The purpose of rewriting this amendment was to gain compliance for the park as well as the ability to replace the mobile homes.

Now, a secondary facet of that is, if this passes and there's now a relief to the mobile home owners to finally come in and get their parks corrected, one that actually fits Immokalee better than any one previously, previously issued, what happens afterwards, after this is over with? How much time before those seriously concerning mobile homes, ones that may be a threat to life, health, safety, and welfare, are addressed by new Code Enforcement actions, because that's probably the way it would have to be addressed.

And I -- my assumption would be that after this goes into effect, there would have to be some kind of time frame in which the mobile home owners would have to start responding to this, or those ones that have life, safety, health impacts would then have to be addressed --

MS. CILEK: Yes.

CHAIRMAN STRAIN: -- through other actions.

And I guess I would refer to Heidi as the County Attorney's Office to see how they would see this in a time frame or if that's something that needs to be further resolved.

MS. ASHTON-CICKO: Well, I think you're asking how would they address the dilapidated mobile home parks, and the only way it could proceed under Code Enforcement is if there's a violation of one of the county ordinances.

CHAIRMAN STRAIN: Now --

MS. ASHTON-CICKO: And as far as the threshold, at least for buildings -- and I can't tell you off the top of my head whether it would fall under if -- whether a mobile home park would fall under the definition of buildings, but they have to be unsafe to live in, essentially, to require that they come down, unless there's another code provision somewhere in the Code of Laws that they're not in compliance with.

CHAIRMAN STRAIN: Okay. And it was -- I think what the issue is, that there may be some that are currently unsafe.

MS. BETANCOURT: Yes, sir. I also attend a monthly community task force meeting, Sheriff's Department, Code Enforcement, fire department, a lot of community nonprofits, and a lot of the trailer parks -- and some of them aren't in mobile home parks. They're outside of mobile home parks. They're in the screen on a presentation that need -- that are health and safety that right now we can't do anything with them. All they do is board it up. That's it. They look terrible.

CHAIRMAN STRAIN: Okay. Well, then maybe we need to talk with -- as this meeting rolls out tonight, find out if there's some provision we can suggest or recommend to the Board that could be considered as a time frame for response to the new rules that are put in place.

MS. BETANCOURT: As a community, we have been addressing some of those as far as the Sheriff's Department will make sure there's no homeless living in it or something like that. We're trying to keep it safe, but that's only going to be a short-term solution.

CHAIRMAN STRAIN: But, see, a lot of -- a lot of what's happened is the park owners have been afraid that if they take the mobile home unit off the property without replacing it, they may not ever get that density back.

MS. BETANCOURT: Yes.

CHAIRMAN STRAIN: The density, more or less, is grandfathered in because the unit's there. So we're hoping -- at least I expect that after this got approved and finally got worked out you'd see a lot of those go away just because they can now go away, and the park owner can legally replace them and keep their density.

MS. BETANCOURT: Yes.

CHAIRMAN STRAIN: I think that's been part of the issue.

MS. BETANCOURT: Yes.

CHAIRMAN STRAIN: And maybe through discussion tonight we'll find out more and be able to respond to your concern.

MS. BETANCOURT: Thank you.

CHAIRMAN STRAIN: Thank you.

Next speaker, Mike?

MR. BOSI: The next speaker Andrea Halman.

MS. HALMAN: Hi. My name is Andrea Halman. I'm a 10-year resident of Immokalee.

I'm here because I am also concerned about the trailers in the community. It's not that we don't want trailers. We want Immokalee to look better. We are trying as a community to improve the look of Immokalee, and we can't do that with trailers falling apart.

We've tried -- I heard you say the County Attorney would be of help. We tried to get other places in Immokalee to improve, and we can't do it. We're not getting any help here. And we need your help because we can't -- we can't force people to do anything.

We want Immokalee to look better.

CHAIRMAN STRAIN: Well -- and I think the intentions with this ordinance is to open the door for that to happen, at least that's how I've been told was the -- was everything that -- the need this was needed for was that if they were to go in now to improve a mobile home, especially if it's dilapidated, and they wanted to replace it with a new one or make extensive changes, they would have problems getting it through the process, because as soon as you go in for a building permit to apply for something, all the surrounding area has to be then verified; your density, your zoning, your setbacks, your landscaping, your drainage, your parking lots, your dustproof surfaces. All that would come into play.

This amendment corrects this -- those applications for Immokalee. It gives Immokalee special exceptions to some of the rules that we have across the board in the county for particularly the urban area that would make it easier for people to come in and clean up their mobile home parks. That was the intent.

Now, we had hoped we've gotten there. And I don't know if you've read every page of this, but if you see where we've not gotten there, we need -- it would be helpful to know that.

MS. HALMAN: Well, I'm concerned about the density, how close these trailers seem to -- there -- seem to be closer than they were before. I'm kind of concerned that it didn't seem as though Immokalee was given time to look at this.

We got this on the 18th. I read through what I -- what we were given, and just regular citizens that didn't have trailer parks, I don't know if they were included in this. Because people that don't have trailer parks may have good ideas that trailer park owners may appreciate.

So I'm kind of concerned that it wasn't -- it didn't have a lot of variety of people that were involved.

CHAIRMAN STRAIN: Okay. And the CRA -- I know I just heard someone mention the CRA.

MS. HALMAN: Right.

CHAIRMAN STRAIN: You're involved with the CRA, aren't you? I thought I recognized you from those meetings.

MS. HALMAN: Yes. I'm on the board of the CRA and MSTU.

CHAIRMAN STRAIN: And you've had a representative from Land Development Code department at all your meetings recently, or most of them, haven't you? And I'm just wondering, was there discussions at some of your meetings involving the mobile home parks? Were you guys aware of what was going on?

MS. HALMAN: No, we weren't.

CHAIRMAN STRAIN: Okay.

MS. HALMAN: We would ask about the trailer parks, ask, but we were not given any information. We were told that someone would tell us sooner or later, but we didn't know what was going on.

CHAIRMAN STRAIN: Okay. Caroline, as far as staff's outreach to stakeholders, what efforts were made from your department to get that effort accomplished?

MS. CILEK: Sure. Given the timeline of the cycle, we were able to provide the amendment basically right as we provided to the Planning Commission. And so that's when it was finalized by staff and County Attorney's Office and stakeholder involvement, those that were participating.

And so it did go to the CRA for awareness on the 18th, and I always let Christy know to feel free to give me a call if they have any questions or concerns. We did not present at that meeting. We had presented at previous meetings for other amendments. That's what we were able to provide for this amendment.

CHAIRMAN STRAIN: Was the CRA ever presented in a manner in which they could have made a recommendation?

MS. CILEK: It was presented to them, and they're always welcome to make a recommendation. We didn't ask for one.

CHAIRMAN STRAIN: Okay.

MS. HALMAN: No.

CHAIRMAN STRAIN: Did your board -- your board never weighed in on it officially?

MS. HALMAN: No. We didn't have a -- we didn't know anything very much about what was going on. I attend all the meetings.

CHAIRMAN STRAIN: Okay. That's what we're trying to find out. In your reading of this, did you see this as an improvement over what we currently have in regards to the ability for these parks to move forward? Because if nothing goes through right now, it will stay like it is until something changes. This is an attempt to start to change it. We may not have hit all the right points, but I'm trying to figure out if this is better than nothing.

MS. HALMAN: Yes.

CHAIRMAN STRAIN: Okay.

MS. HALMAN: It is.

CHAIRMAN STRAIN: Okay. Well, we'll keep hearing -- I'm sure there's other -- there's going to be a lot of members of the public here tonight to speak, so we're going to keep working our way through this. Thank you very much.

You want to -- okay.

MS. BETANCOURT: About a year ago Mr. Davenport provided me a draft, but I did ask Caroline. She said that's not -- that's apples to oranges. It was totally different.

And I did give it to my board just as a pass-out and communications folder. And other than that, we -- Caroline said she would give us something as soon as she had it, which was our -- on the 18th.

CHAIRMAN STRAIN: Okay. And I would have to agree with Caroline's position on that. It has changed radically over a number of years, all trying to get to a better situation so that it could be handled specifically for Immokalee.

There has been a -- the code we have right now is more of an urban code. And when you try to apply our code across the board in Collier County, it does run into problems in the rural area, and that's what took so long to try to get this to a manner where it was something better than what we have. It still may not be perfect, and that's hopefully what we'll try to iron out tonight and as we go on in the future. So thank you.

And next speaker, Mike.

MR. BOSI: Mr. Robert Davenport.

MR. DAVENPORT: Thank you. My name is Robert Davenport, and I've been working on this

actually seven years, Mr. Strain.

CHAIRMAN STRAIN: Well, you beat me, of course. I've only been at it what, three or four years now, so...

MR. DAVENPORT: We've been working on it since it expired. And it went through Code Enforcement, and there were so many stipulations it was going to put the mobile home park owners out of business, and it was going to displace a lot of people that owned their mobile homes.

There's a serious issue. The one is cosmetics versus something that works. Every mobile home park in Immokalee is, most of them -- I say anything over five units is inspected twice a year; not inside the unit, if the people own it.

If the landlord rents to migrant labor, it's every three months, right, Max?

MR. GRIFFIN: Six weeks --

MR. DAVENPORT: Every six weeks.

MR. GRIFFIN: -- those units are inspected.

MR. DAVENPORT: But that's cosmetics, and some of the trailers just doesn't look good.

In the last year and a half I replaced two units in my park out on Miraham Terrace. There was five units there, and they were all taken out by the previous owner, and I've replaced two of the units.

So I'd like for you to consider passing the amendment as read last -- two weeks ago, I believe it was, whenever we had it read.

The other thing is, in Carrie's statement, support 93 plan process. That process did not work. And one of the main reasons it did not work is the county staff changed the rules, and they wanted to do inspections on the -- inside the mobile homes; and inside the mobile homes, if you don't own it, you can't do it.

And that comes right back to cosmetics. And a lot of them don't look good, but they're functional. And the health department's in the parks at least twice a year.

So I see the -- some of these mobile homes that are boarded up, but the majority of them are not boarded up. My people are all family parks. I don't rent to single men, don't do migrant labor. It's all -- it's all families, and some of the units look good and some of them doesn't look good, but they're functional. They don't have water leaks, the windows are in them, and that type thing.

So I would recommend that you pass it as was read last time. Thank you.

CHAIRMAN STRAIN: There is one question I've got to ask that came up and that is time frame on which we should consider these mobile home parks to comply with the new rules or then face whatever processes there are to make them comply.

Have you given -- I know the previous SDPI process had a certain number of year limitation on it, and if you didn't do it within a certain number of years you didn't get to do it. I'm not suggesting something like that. I'm just trying to figure out a way that we can make sure that everybody does something now, now that we've waited so long.

MR. DAVENPORT: Well, the problem before is it was going to be all or nothing.

CHAIRMAN STRAIN: Right.

MR. DAVENPORT: And when it come to all or nothing, most -- in fact, my sons, they spent 30-some thousand dollars for the engineering to redo theirs, and when they said they had to go in the units, they just dropped it like a hot potato.

So the -- they're right, a lot of them boarded up and a lot of them got windows boarded up, but the health department goes by there and that window's boarded up, we have to see that it gets taken out and the window goes back in.

So I think you're going to see a big change if this goes to where we can change. It's not going to be drastic. It's not going to be 30 or 40 units a day. It's going to be a unit a week or a unit every two weeks. But it don't take long before those units starts to stack up and you have a cleaner park.

CHAIRMAN STRAIN: Okay. Thank you, sir.

Next speaker, Mike?

MR. BOSI: Next speaker is Michelle Arnold.

MS. ARNOLD: Thank you for hearing me.

Just to give the Planning Commission some information, I've recently been, I guess, given additional duties, and the CRAs and the MSTU, Immokalee and Bayshore, are both under my division now, and that's, hence, my involvement --

CHAIRMAN STRAIN: So --

MS. ARNOLD: -- with this.

CHAIRMAN STRAIN: You poor thing.

MS. ARNOLD: Yes.

CHAIRMAN STRAIN: That will increase your workload. You've already had a pretty good size workload.

MS. ARNOLD: Exactly. So that's why I'm here.

And I'm trying to catch up with some of these things, but I wanted to express that the intent of the CRA within the Immokalee area as well as the MSTU is to try to, as pointed out by our members, improve the Immokalee area. And I just want to make sure that when we are making modifications to the Land Development Code, that it is moving in that direction.

And I think the fact that you guys -- you opened up the ability for nonconforming property owners to replace with like or better is a good thing. It's an improvement.

But I just needed further clarification on the requirement. How did they get there? If there is a park that exists, are they required to get a site improvement plan to get that replacement, or are we just going to do that with the building permit process?

CHAIRMAN STRAIN: That's what the purpose of this whole exercise has been is to find ways so the replacements can be done and they can be legalized, and that's what this whole thing is about. It established -- it establishes the parks as properties that can exchange their units out and build out to the densities that they're allowed to build out to by our code.

MS. ARNOLD: Within the provisions of, you know, fire codes and that type of thing.

CHAIRMAN STRAIN: That's correct. And there's a minimum separation that will have to be modified and adhered to no matter what park comes in. So if a park comes in right now, the minimum separation is not what it's supposed to be for fire, they've still got to meet that. There are things like that that were mandatory that were considered life -- health, safety, and welfare, and we can't accept those.

But in other areas, like the number of trees in the landscaping hedge or how some of that stuff was laid out, those more urbanized elements were not as strictly addressed in this particular rendition of this code exercise, so...

MS. ARNOLD: Okay. And I haven't had a chance to talk to the committees in more detail because, really, this amendment hadn't been discussed with them. But we don't want to -- we want to relax some of those standards, but we don't want to get rid of those standards, because in order to improve the appearance of Immokalee, you've got to -- I think you have to have some of those components there.

So I think that that's something that we may want to come back and try to address later on. But, again, as I pointed out, I think the fact that we're allowing some flexibility to have property owners come in and change out nonconforming structures is a good thing.

The one thing that I also wanted to point out is -- and I'm not sure that this process could help it -- is the point that was made by Ms. Williams about mobile homes that are owned by the person other than the landowner. There are some conditions out there, and I think Mr. Davenport's mobile home park's the exception because he takes good care of it and his property owners or his trailer owners are taking care of their properties as well, but there are some out there that it's more an issue of affordability. Even though this flexibility is there, they may not be able to afford to replace their units.

So as I pointed out, I don't think this process is going to help it, but that is a scenario that we have to try to somehow -- somehow try to help the community in there. Okay?

CHAIRMAN STRAIN: Okay, Michelle. Thank you. And congratulations on your new appointment. You have done a good job in all the departments that you headed in the county, so I'm looking forward to seeing a lot of positive effort come out.

MS. ARNOLD: Oh, I'll try.

CHAIRMAN STRAIN: Oh, you do. You do; you've done a great job in the past.

MS. ARNOLD: If I can split myself in several different pieces, I guess, I'll figure it out, right?

CHAIRMAN STRAIN: Yep. Thank you.

Next speaker, Mike.

MR. BOSI: And your final speaker is Steve Kirk.

MR. KIRK: I have some written comments that I could submit, if possible.

CHAIRMAN STRAIN: How many copies do you have?

MR. KIRK: Four.

CHAIRMAN STRAIN: Well, there's six of us, or five of us tonight, so -- we'll need one for the court reporter, too.

MR. KIRK: I have seven.

CHAIRMAN STRAIN: There's six? Oh, I'm sorry. Stan was hiding behind -- well, you can give her mine, because I do everything electronically, and I'll look over at somebody else's.

MR. KIRK: I think I've got six left.

CHAIRMAN STRAIN: Okay. We won't be able to read those. They'll be submitted for the record. And the court reporter has one, so that's how we'll handle it.

MR. KIRK: Okay. Good evening. My name is Steven Kirk. I'm president of Rural Neighborhoods, and we are an affordable housing developer active in the Immokalee community. We have approximately 315 units in the Eden Park and Main Street area. Our neighbors are mobile home parks.

Our goal in Immokalee is neighbor revitalization. We support a one-to-one replacement of dilapidated mobile homes, absolutely.

Clearly, a mechanism to allow mobile home park owners to replace the trailers that are dilapidated is welcome. That's where the proposed ordinance should stop. We would recommend you table the issue in the interim because we don't think that the standard goes far enough.

Let's have some straightforward talk about the real beneficiaries. The real beneficiaries, economically, are park owners. The staff comments that come along with the report say that the -- this is to help mobile home owners and park operators as well. It's not park operators as well. It's park operators chiefly.

If a mobile home owner replaces his mobile home, the park must go along with filing the plan, do the fire separation. And there's no prohibition about the lot lease then going up in price because of the improvements that the park owners made.

I don't believe that we should look at mobile homes as an affordable housing strategy. It's not an affordable housing strategy. Units in Immokalee, mobile homes rent for 600 to \$1,000 per month. For those housing unaccompanied workers, the rents are 35 to \$50 a week. Those prices are comparable to code-compliant concrete block income-restricted units built under low-income housing tax credits and built under other funding scenarios.

This is not an affordable housing strategy, and it certainly doesn't help us revitalize neighborhoods to have mobile park physical standards, not just the trailers, but the park standards themselves, not provide drainage and not provide dust free entry and exit in roadways.

The economic benefits go to the park owners. When I read the narrative that accompanies the LDC publication that was given out at the CRA meeting, the comments are that this will solve numerous Collier County Code Enforcement issues on Page 5. In essence, if we lower the standards to the current proposal, we will no longer have any violations with codes because the code will be lowered in terms of what a mobile home has to provide.

We say that it's required park owners in the past to hire engineers and attorneys and design professionals. Every one of us in Collier County who develop land incur those expenses. In Naples, in Immokalee and every point in between, this is a very difficult Land Development Code to comply with, and park owners who have a very successful business should meet those costs as well.

And, lastly, in terms of the comments within the report, we talk about being able to sell the property, being able to sell property, being able to sell property. This is not about having completely -- I mean, there's a tremendous amount of comment about a nonconforming use inhibiting sale. It's true; it does. It may even inhibit lending to be able to buy new trailers. We're open to making nonconforming uses conforming, but

there should be some cost associated with it.

Prices of parks that sell are a function of cap rate, a function of cash flow. And a nonconforming park that meets a lower standard clearly has more cash flow than a park that has to meet standards or a new owner that has to invest in them.

So this is an economic boon to the park owner who can now file nothing more than a fire separation plan, not replace a single trailer, and become a conforming use and sell it tomorrow as a conforming use. The only requirement is the fire separation plan.

So we would not recommend that be the simple standard that you basically show that the units are 10 feet apart, which they probably are today, have the fire marshal certify that there's a fire hydrant within a near distance of the site, and be approved as a conforming use.

We've negotiated a bad bargain in terms of improving Immokalee. We believe that the requirements that you're asking for increase density. A dumpster, very inexpensive request, and that there be dust free streets be the requirement for a conforming use rather than new density. It's a modest -- it's not landscaping. It's not all the buffers. It's a modest investment that would be fair compensation for the ability to get -- become a conforming use.

So we would say move that section up. We would be then willing to support the parks becoming a conforming use for a very modest investment.

Lastly, I'm not certain why we're talking about increased density. If we pass this LDC, we are picking winners and losers. An existing mobile home park can expand its density to its underlying land use; whereas, a new mobile home park or as I -- new mobile home park developer, as I read this, would have to meet the current code that's countywide.

If that's the case, we have advantaged the existing mobile home parks and disadvantaged someone trying to come in and build a new mobile home park. I don't think local government should pick winners and losers in terms of increased density.

We are not talking about a housing crisis. We're not talking about a dire need for housing for workers in Immokalee. We have several hundred vacant units at the Collier County housing authority that are not restricted to farm workers, not even restricted to citizenship requirements as they once were. So there's not a crisis today that we're going to have homeless people if this solution takes a few more weeks to find the correct solution.

So our concern is not to have a double standard for Immokalee that says that we can have a trailer park that can meet lower standards than we might in a different commission district. I don't think this would be acceptable in East Naples. I don't think it should be acceptable that we grandfather these in with no improvements. We want to see the one-to-one replacement. We want to see modest investment to make the neighborhood better, not just the mobile home unit better.

So we would ask that there be some further consideration. Again, a solution for the nonconforming use would be to make them meet the proposed standards for increased density, and we don't see any need for increasing the density at all in order to enhance those businesses.

Thank you.

MR. GRIFFIN: I have a question.

CHAIRMAN STRAIN: No, sir. Hold on. Thank you. Anybody have any questions?

(No response.)

CHAIRMAN STRAIN: Okay. Thank you.

Caroline, it's my understanding in reading this, we're not really increasing density. The density is what the zoning is, and there's only a couple parks that had a -- from what I recall, the 82 or 83 that I reviewed were involved in a density issue. What's your status -- what's your take on that?

MS. CILEK: I think it would be a good idea to walk through the language so that everyone understands the density provisions, and then everyone can be on the same page. I would really like to do that.

CHAIRMAN STRAIN: Yeah, we will, in just a minute. Let's just do it in a minute. I want to make sure -- do we have any other speakers, Mike?

MR. BOSI: No, Chair.

CHAIRMAN STRAIN: Are there any members of the public who would like to speak who have not

spoken yet? Who have not spoken yet?

(No response.)

CHAIRMAN STRAIN: Okay. And I know you would like to address something that you probably just heard, so why don't you come up here and re -- state your name for the record again, and we'll be glad to listen to you.

MR. GRIFFIN: My name is Max Griffin. I own three small mobile home parks.

Jackie Williams, when he did my plans, the density was set. I can't add any more units than what the plan calls for. Starting from Immokalee Drive, it's 13 for 1410 Carson and 19 for the other park. I can't change it. I can't add any more units.

As far as Farmworker's Village, there's a lot of empty units out there, but they're not ready for people to move into. It's not like it's ready to go. There's a lot -- they need to do a lot of work, and they're still having -- they're still doing it. They're not ready to move in yet.

CHAIRMAN STRAIN: Okay. And I -- my understanding of the language that Caroline's probably going to address is what you're reading it as. Basically the density is not an issue that we're deciding here tonight. The density is either what was grandfathered in or what could go there with new improvements. So why don't you have your seat, and we'll listen to what Caroline's going to talk about.

MS. CILEK: Sure. If everyone could look at Page 42. It's within the LDC amendment text itself, and we're looking at G.6.G.

CHAIRMAN STRAIN: Yeah, not 6, G.

MS. CILEK: G.6.

CHAIRMAN STRAIN: Bottom of Page 42 is what you're looking at, right?

MS. CILEK: Yep, density.

CHAIRMAN STRAIN: Okay.

MS. CILEK: So it says, once the existing conditions site improvement plan is approved, owners may replace mobile home units with an approved building permit at sites shown on the site plan. So that's the one-to-one replacement.

Replacement units may be larger than the removed unit so long as the minimum separation standards established within the section above are met. Because the newer ones might be slightly larger.

Okay. The next provision is G, little i. Where properties currently exceed the density allowed for by the zoning district, the approved existing conditions site plan shall establish the maximum density on the property which shall not exceed the density of the property as depicted by the property appraiser aerial maps dated before February 2016.

So if there was a property appraisal map that showed X number of units in January of 2016, that would be the most recent density available for that park. It does say before February 2016. That also means that it could be years prior in aerials showing what the density was in years prior.

We did hear from mobile home park owners that during a hurricane, mobile homes were damaged and had to be removed, and they would like to be able to replace those. So it does allow any density that had been on the unit -- on the park up till February 2016.

All lots and units shall be consistent with the approved existing condition site plan.

Then we're going to go to double i where the zoning district allows for additional density. And what this section is referring to is where the density permitted by the zoning district is greater than what is there now. They can go up to that density, as can anyone else within a residential or mobile home zoning district. So that is your very traditional provision.

CHAIRMAN STRAIN: So, in essence, you're not adding any density.

MS. CILEK: You are allowing density that was previously on the site at any point in time.

CHAIRMAN STRAIN: Right.

MS. CILEK: And can be verified that it was there.

CHAIRMAN STRAIN: And the sites have changed their development -- districts over time. What's a VR now, in the old days it might have been something different. But at one time or another the density that they had there was what we're grandfathering in.

MS. CILEK: Correct.

CHAIRMAN STRAIN: And we're not allowing them to increase it any.

MS. CILEK: Correct.

CHAIRMAN STRAIN: And the only time they can increase is if they've got less now than the code allows. Then they can go up to what the code allows.

MS. CILEK: Correct. And I will say, when they do go and establish a new lot, that if they're allowed for additional density, they do need to follow the new standards under 4.02.33.

CHAIRMAN STRAIN: Okay. Thank you, Caroline.

Sir, can you make it brief, please. Thank you.

MR. KIRK: I'm in agreement with what she --

THE COURT REPORTER: Your name?

MR. KIRK: Steven Kirk.

I'm in agreement with what she said, but to allow a park to increase its units to the current land use, to the VR, is that not an increase or expansion of the park? That's what I'm saying is the expansion of the park requires only some additional issues, which is the dust and the dumpster.

CHAIRMAN STRAIN: Okay. Well, that -- and, Caroline, can you address that?

MS. CILEK: Sure, I believe so.

So under 4.02.33, when you add a new lot, if you are able to increase your density because you have it by right then, yes, you are required to provide, on Page 44, both B and C, the dumpster and the, basically, more or less dust-free surfaces for roads.

CHAIRMAN STRAIN: Thank you, Caroline.

Okay. There are no other public speakers. Are there comments from the Planning Commission?

(No response.)

CHAIRMAN STRAIN: Okay. I have been involved in this issue for a number of years, and I heard tonight, of course, others have been involved longer than I have.

I remember it when it came around before I even started working at the county. It's been a difficult issue to address because of the standards we have that are homogenous across the board in Collier County.

This is trying to seek a compromise to take a look at Immokalee differently, as so many civic leaders in Immokalee have argued that they should not be looked at in the same manner that the urban standards are.

We have an interim set of deviations for Immokalee specifically because of issues like that.

This is no different. It may have some problems with it. It may not get to a point where it's cured every problem that we've heard about tonight, but I think it's a better beginning than doing nothing at all at this point.

And I'm suggesting that we pass this to go forward, and we always have the opportunity to review it as the future goes on and take a second look at it if things aren't working out like we thought they would.

That's exactly why we're here today is because the first plan that happened several years ago to do SDPs didn't work out like they thought they would. So now we're coming up with a different plan.

We could still do that again in the future based on what is needed to address where it -- where the deficiencies are.

So I would think that at this point we ought to move forward with it as a beginning to see some of the problems resolved and then take a look at it as time goes on.

Heidi, did you have anything you wanted to add? I saw Scott coming up with a comment.

MS. ASHTON-CICKO: No. He picked out a grammatical error, but I think Caroline is going to ask for direction to fix any grammatical errors that are found in any of the LDC amendments as we go forward.

CHAIRMAN STRAIN: Okay. So with that --

MS. ASHTON-CICKO: Correct?

MS. CILEK: As always.

CHAIRMAN STRAIN: -- anything else from the Planning Commission? Stan?

COMMISSIONER CHRZANOWSKI: We thought we had this problem solved 20 or 25 years ago under Ron Nino. I'm glad to see it's back.

CHAIRMAN STRAIN: Well -- but that's the -- that's how the process works. If -- and I've taken to heart what some of you have said, but I'm not sure this isn't going to give you some relief. And if it doesn't,

then we need to be back in here and talking about it again and modifying it again. It's been modified a number of times. I don't know a different way to do it at this point, so...

COMMISSIONER CHRZANOWSKI: No. I'm glad to see it going.

CHAIRMAN STRAIN: Okay.

COMMISSIONER EBERT: I have a question for Michelle. Michelle, when did you start doing this? Is this just something brand new for you, working with the people out --

MS. ARNOLD: With the CRA, it's only been two --

CHAIRMAN STRAIN: You'll have to use the microphone, Michelle. Sorry.

MS. ARNOLD: Just -- it's only been two weeks, actually. Yeah. But I've been helping people all my career here, and --

COMMISSIONER EBERT: I know. I know you have. I was just -- because I'm watching people's faces as we were talking about it. I see the concern that you have out there.

I think if there are suggestions, that they should be brought forward not a long time from now; maybe three months, maybe four months from now. I don't think this should linger on. If there is some other good suggestions, I would like to see that come sooner.

MS. ARNOLD: Yeah. What I -- I'll plan on doing is, you know, having this discussion with the CRA and the MSTU and invite Caroline and whomever so that they can explain exactly what it is they're concerned about, and she can hear it first hand.

COMMISSIONER EBERT: Okay. Very good. I see heads shaking yes.

CHAIRMAN STRAIN: Michelle, one problem that occurs is if there's -- if there are changes needed, this could take the whole thing off the table, and everything would sit exactly as it is today with no improvements, no delapidated mobile homes being removed because everybody's going to be afraid to remove them.

So what I'm suggesting, if there are -- as ideas come forward, let's vet them out through the process, because you know an LDC process takes time. But in the meantime, I think this -- the best thing we can do is put something in place to get as much improved as we possibly can, and this seemed to be the best fix we have available to us today.

MS. ARNOLD: Yeah. As I pointed out, I think this is moving in the right direction. I think that there's more work to do.

CHAIRMAN STRAIN: Okay. Did you have anything you wanted to add, Caroline?

MS. CILEK: Sure. And just as a sidenote, in hearing some of the concerns today, there might be opportunities outside of the LDC to address some of these issues as well, different programs, different county initiatives that are apart from the Land Development Code.

CHAIRMAN STRAIN: Thank you.

And with that, we will end the public discussion on this and move into a motion.

This is -- I'm looking for a motion for LDC sections -- and I'll read it all off so the motion maker doesn't have to -- 2.03.07, 4.02.33, and 10.02.05.

Is there a motion from the Planning Commission?

COMMISSIONER CHRZANOWSKI: Move to approve.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER ROMAN: Second.

CHAIRMAN STRAIN: Motion made by Stan, seconded by Charlette.

Discussion?

(No response.)

CHAIRMAN STRAIN: All those in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Thank you.

And the next -- this will be moved to the Board of County Commissioners with a recommendation of approval, and that will probably happen before the end of July.

Thank you-all for attending on this matter.

And let's move into our next most hot topic. And I think we -- let me move back to the beginning. The Main Street overlay. Are any of you here to talk about the Immokalee Main Street overlay?

Okay. I think we'll get that one done next. That way if anybody that's here waiting for the Immokalee issues, that will resolve the remainder of the Immokalee issues.

COMMISSIONER EBERT: They can get home before midnight.

CHAIRMAN STRAIN: That is item -- that's Item 7 on our chart. It's LDC Section 2.03.07, and this is the one involving the changing of prohibited uses to conditional uses.

And, Michelle, do you have anything you want to open with? Caroline?

MS. CILEK: No. I spoke briefly with Michelle the other day, and I think she's going to relay her concerns.

CHAIRMAN STRAIN: Okay. Would you tell us what page that's on? That's 49? Is that what it looks like?

MS. ARNOLD: I don't have the same document.

CHAIRMAN STRAIN: I don't mean you. I'm sorry. I meant Caroline, yeah. Page 49?

MS. CILEK: Yes. It's Page 49.

CHAIRMAN STRAIN: Okay. Go ahead, Michelle.

MS. ARNOLD: I was in Immokalee the other day, and one of the contractors representing an existing gas station on Main Street came into the office and expressed some concerns about the fact that, similar to the mobile home issues that we just went through, existing nonconforming -- because with these regulations, fuel pumps or gas stations on Main Street would be prohibited, so now that particular use is nonconforming.

With it being nonconforming, they're not able to improve their facility. And there's an existing property owner that would like to improve the existing gas station and convenience store. And he's being told that he can't do that. I think Caroline was going to look into whether or not that was actually the case.

But this particular property owner wants to expand the convenience side of it and wouldn't be able to with the prohibited restrictions, I believe.

CHAIRMAN STRAIN: Well, no. I'm not sure. Well, first of all, someone had asked me about that the other day, and there's two uses on that property that I understand; a convenience store and fuel pumps. He doesn't want to expand the full pumps, but he wants to expand the convenience store; is that true? Is he adding more pumps?

MS. ARNOLD: I don't think he's wanting to add more pumps. He's wanting to add the convenience store.

But he went in and spoke to someone, and they advised that he would not be able to do anything on that particular property. So I'm needing clarification.

CHAIRMAN STRAIN: Well, I think if he's expanding the convenience store -- and I'll have to look and see if there's anything involving -- I mean, the only -- the items that are prohibited would be the repair services, parking, car washes, radio, television repair shops, outdoor storage area, drive-through areas, warehousing, automobile parking, communication towers, and other heavy commercial, automotive dealers, facilities with fuel pumps.

If he's not expanding the fuel pumps, Mike, do you know why he would be told he can't expand his convenience store?

MS. ARNOLD: And can he do anything to improve the existing fuel island?

CHAIRMAN STRAIN: Well, we have a site plan with deviations process, plus he'd probably be grandfathered in under the old zoning codes for what he's already got there. So I would imagine

improvements that don't create more of an intensity of the use that's already there, like instead of 12 pumps, he puts in 14, that might be a problem.

But if he's still retaining a number of pumps and he just wants to correct, like, the canopy or things like that, we've already done some of those as site plan with deviations. They still might be applicable.

And, Mike, are you aware of anything that would stop this gentleman from expanding his convenience store as long as it's not the fuel pumps?

MR. BOSI: Well, it's -- the question would be a gas station with fuel pumps that has a convenience store. So it's two separate uses.

CHAIRMAN STRAIN: Right.

MR. BOSI: And as long as it's classified as two separate uses, as a convenience store and the gas pumps, there would -- there would be an allowance to allow for it. But the problem is is the gas station that has a convenience store isn't two separate uses. It's one use. It's a gas station that has an indoor square footage that provides convenience commercial.

CHAIRMAN STRAIN: Right. But if he's expanding the convenience commercial, which is a convenience store, and he's not expanding the gas portion of it, how would that be a problem?

Maybe he ought to -- you know, I think instead of trying to research and understand that at a public meeting, if he could come in and supply more details to -- either he can contact myself or Ray Bellows or Mike Bosi, either through your office or call us direct, that might be a way to start looking at this a little differently.

I don't know what to tell you as an answer to -- sitting here today.

MS. ARNOLD: Right. Okay.

CHAIRMAN STRAIN: But this isn't dealing -- this is only allowing prohibited uses to actually be allowed. So the worst-case scenario is, if he feels he was prohibited before, he could at least apply as a conditional use now.

MS. BETANCOURT: No, not in that area.

MS. ARNOLD: No, this is --

CHAIRMAN STRAIN: No? Oh, you're not in this area?

MS. ARNOLD: No. This is on Main Street, which strictly prohibits the uses, and that's part of the problem. And so I guess why I'm wanting to get clarification is that if we allow nonconforming uses to at least improve themselves and not expand, that would be a provision, and it would still allow or would still limit the new, you know, fuel islands on Main Street.

But this -- this language, I think, prohibits any modifications for improvements.

CHAIRMAN STRAIN: The area that's now -- on that map we're talking about, it's in the blue area; is that what they're saying?

MS. CILEK: Yes. It's along Main Street.

MS. ARNOLD: Yeah, between 1st and 9th.

MS. CILEK: In the blue area.

CHAIRMAN STRAIN: We're not changing anything in that area, are we?

MS. CILEK: No.

CHAIRMAN STRAIN: This is not going to be something that's going to be resolved with this issue at all.

MS. CILEK: Right. It really depends on what he wants to do and if he would fall into 9.03.02 and what the requirements are for nonconforming. So it's really specific to what he's looking to change.

CHAIRMAN STRAIN: I think we'd be better off having a one-on-one with him --

MS. CILEK: Okay.

CHAIRMAN STRAIN: -- and trying to find a solution. You will not find a solution at this meeting tonight. That's not what we're here about.

MR. BOSI: Chair, you are correct. It's an existing nonconforming use by the current code, so this amendment doesn't have any effect one way or another.

CHAIRMAN STRAIN: Any impact.

MS. ARNOLD: But I thought a part of what was being -- where did this amendment originate,

though? Was that a staff-initiated?

CHAIRMAN STRAIN: No. It was a CRA-initiated. Your department.

MS. ARNOLD: Yeah, I know. That's why --

CHAIRMAN STRAIN: So you're the one that's at fault, right? See, two weeks, and you get the blame.

MS. ARNOLD: Right. And my understanding, or at least what I'm being told, is that we -- initially was asking to make that modification but it didn't get modified, but --

COMMISSIONER ROMAN: Could I ask a question.

CHAIRMAN STRAIN: I'm not familiar with that.

COMMISSIONER ROMAN: I'd like to know what language Michelle is concerned about. Michelle, could you --

MS. ARNOLD: It's under prohibited use, Paragraph C. The Item No. 3 says, facilities with fuel pumps is a prohibited use.

MS. ASHTON-CICKO: Would you like me to read the definition of facility with fuel pump?

CHAIRMAN STRAIN: I think we've all experienced that way far too many times.

MS. ASHTON-CICKO: Yes.

COMMISSIONER HOMIAK: Well, they might want to hear it.

CHAIRMAN STRAIN: Okay. Go ahead.

MS. ASHTON-CICKO: Any establishment that sells, distributes, or pumps fuels for motor vehicles whether or not such facility provides automotive repair services or includes a convenience store.

CHAIRMAN STRAIN: Right. And when was that -- when was that definition established? This year, right?

MS. ASHTON-CICKO: 2015, I believe.

CHAIRMAN STRAIN: Okay. Well, when was this gas station built?

MS. BETANCOURT: Way back when.

CHAIRMAN STRAIN: Right. So maybe we better looks at ways of making this gas station work within the time frame and confines in which it was built to and defined at the time. It's a little different than what it is today, so I would hope that we're not going to fall back on trying to say that they're meeting today's standards when they're a nonconforming use that has certain abilities to go forward based on that use, so -- I don't know how to get there today, Michelle.

MS. ARNOLD: Okay.

CHAIRMAN STRAIN: It was something, if it had been brought up previously, we might have been able to fit it in, but right now it's hard for this board to do zoning on the fly, so...

MS. ARNOLD: Well -- and I guess part of my question is whether or not we originally were asking to remove that as a prohibited use, and that's why -- that's a part of the concern.

CHAIRMAN STRAIN: I don't know in the Main Street section it was ever being asked to be removed as prohibited. I know there was an area that was being removed at the time.

MS. ARNOLD: Oh, okay. So --

MS. BETANCOURT: We asked -- Christy Betancourt again. I'm sorry.

We asked -- our advisory board came to us and said, we want to make it more business friendly down Main Street. So we asked -- Mark Strain, you came to our meeting --

CHAIRMAN STRAIN: Right.

MS. BETANCOURT: -- and you suggested -- you know, we're not going to -- we pretty much, you know, are going to allow you -- not remove all the prohibited but allow you for conditional use.

CHAIRMAN STRAIN: I was suggesting you'd be better off if you turned them --

MS. BETANCOURT: Yes.

CHAIRMAN STRAIN: -- from prohibited uses to uses by right to take a baby step. Take them from prohibited to conditional and then go forward.

MS. BETANCOURT: So when Caroline and Richard did a presentation at our meeting, the Board agreed to leave that area from 1st to 9th as prohibited on Main Street. So they did originally want to change all of that area that's in black. I don't know if you can see it.

CHAIRMAN STRAIN: It's in blue on ours, but --

MS. BETANCOURT: The whole area that's in black.

CHAIRMAN STRAIN: Okay. Then they came back and modified it to only the yellow areas.

MS. BETANCOURT: Yes, sir.

CHAIRMAN STRAIN: Okay.

MS. BETANCOURT: And they left the blue alone. But we did have some community members as well as a couple advisory board members wanting to remove the prohibitive uses in that area. Because we currently have two gas stations there. We had a third gas station there that was not allowed to operate as a gas station again once it closed down. So right now if those two gas stations were to close down, they would not be able to operate, correct?

MS. CILEK: Would you mind repeating the --

CHAIRMAN STRAIN: I don't think from --

MS. BETANCOURT: On -- in Main Street. So that's where the Board decided to allow that.

CHAIRMAN STRAIN: But I don't believe that from this board's perspective -- I mean, personally, I don't care whether you want the entire area in black to go from prohibited to conditional, but the way it's been presented it's two different pieces.

MS. BETANCOURT: The advisory board --

CHAIRMAN STRAIN: But it doesn't really matter to anybody unless you guys have a -- if you -- what does the Board want to do?

MS. BETANCOURT: They wanted to prohibited (sic) that area, keep it prohibited.

CHAIRMAN STRAIN: Well, then, let's leave it like that, and if this property owner wants to come in and pursue a way to expand or deal with this nonconforming use, let's look at that separately and not completely upset the apple cart for one particular piece of property.

MS. BETANCOURT: Yes, sir.

CHAIRMAN STRAIN: I think that will be a better way to approach it, and safer for the time --

MS. BETANCOURT: And we're in the works of having communication with Ray Bellows. He is working with Chris Scott on his property right now.

CHAIRMAN STRAIN: I think that's a good move.

MS. BETANCOURT: Thank you.

CHAIRMAN STRAIN: Thank you. And if I can be of any help, please contact my office. I'll do everything I can to help you, so...

Okay. I think that gets us back to the balance of the language for this prohibited uses going to conditional uses.

Does anybody from the Planning Commission have any questions on this?

(No response.)

CHAIRMAN STRAIN: Are there any members of the public registered to speak on this?

MR. BOSI: Other than Michelle, none.

CHAIRMAN STRAIN: Are any members of the public here who would like to speak on this?

(No response.)

CHAIRMAN STRAIN: Okay. With that, we'll close that portion of the hearing and entertain a motion from the Planning Commission. And I will read the sections like I did before so it will hopefully help focus on exactly the pieces that we're talking about. And this is easy.

Is there a motion for LDC Section 2.03.07 for the overlay zoning districts for the Immokalee Main Street overlay?

COMMISSIONER SOLIS: So moved.

CHAIRMAN STRAIN: Andy? Seconded by?

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Stan. That was a motion to approve, right?

COMMISSIONER SOLIS: Yes.

CHAIRMAN STRAIN: Okay. Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Thank you. That gets us past the issues involving Immokalee tonight.

So for anybody that's remaining here, I'd like to move to what the public's interests are by quantity of members of the public here. I think, Gary and Jeff, you're each here for one unit -- one item apiece.

Conservation Collier seems to be the next one. I think there's two -- at least two for Conservation Collier.

Go ahead, Mike.

MR. BOSI: Chair, we have two for 3.05.07, preserve standards.

CHAIRMAN STRAIN: That's -- now, is that preserve standards involving the signage or preserve standards involving Conservation Collier?

MS. CILEK: One for Conservation Collier and one for the identification of preserves.

CHAIRMAN STRAIN: Well, let's do those two next. Let's take -- numerically the first one up would be what, No. 9, identification of preserves?

MS. CILEK: Correct.

CHAIRMAN STRAIN: Okay. This is one that this board's reviewed before as the Planning Commission. We need to vote on it both tonight as the EAC and the Planning Commission after discussion.

From last time around, I don't have any additional questions. That was one we had finished. Does anybody else on the Board have any additional?

(No response.)

CHAIRMAN STRAIN: Caroline, do you have anything you want to add?

MS. CILEK: I do not, but we do have a --

CHAIRMAN STRAIN: Okay.

MS. CILEK: -- speaker.

CHAIRMAN STRAIN: Okay. Let's call our speaker or speakers.

MR. BOSI: Mr. Gary Beyrent.

MR. BEYRENT: For the record, I'm Garrett Beyrent. What I planned to do was -- I had no idea how much time I had to speak. It looks like three minutes now, so...

CHAIRMAN STRAIN: No. For you, Gary, it's only a minute.

MR. BEYRENT: I know. It should be, really. It makes up for all those hours.

CHAIRMAN STRAIN: We're not -- we're pretty informal with the time, but just -- please just get to your point, and we'll be fine.

MR. BEYRENT: Okay. What it is is essentially I wanted to add language to this particular element of the Land Development Code, and I'll read you the language and explain to you why I wanted to add it.

This has to do with a -- it's actually a request to transfer required on-site preservation land to off site, and I knew there basically --

CHAIRMAN STRAIN: I think you're on the wrong one. This is the signage. Do you have anything to comment on preservation signs?

MR. BEYRENT: No. This was -- this was actually preservation mitigation is what --

CHAIRMAN STRAIN: That's not the one --

MS. CILEK: Conservation Collier.

MR. BEYRENT: Is it on the agenda at all tonight?

CHAIRMAN STRAIN: Yes, it is.

MR. BEYRENT: Okay.

CHAIRMAN STRAIN: But that was the one I thought you were here for, but I think someone told me you were here for the other one, and now you --

MR. BEYRENT: Right.

CHAIRMAN STRAIN: Why don't you resume your seat for a minute, and we'll --

MR. BEYRENT: I will. I'll gladly sit down.

CHAIRMAN STRAIN: Okay. We'll let you back up here in just a minute.

MR. BEYRENT: Thank you.

CHAIRMAN STRAIN: So that takes us past -- this is not No. 9, then, Caroline. What I think --

MS. CILEK: Let's go to No. 10.

CHAIRMAN STRAIN: -- he's for is No. 10, right?

MS. CILEK: Yep.

CHAIRMAN STRAIN: Well, let's look at 9 and -- 8 and 9 right now and get out of those since we're already in them.

COMMISSIONER EBERT: What page are we on?

CHAIRMAN STRAIN: Page -- well, Nos. 8 and 9 on are on pages --

MS. ASHTON-CICKO: Fifty-nine.

CHAIRMAN STRAIN: -- 59 and 65. Those are ones we've heard before as the Planning Commission. We discussed them, and staff has provided them to us based on our previous review.

COMMISSIONER ROMAN: We need EAC review on these.

CHAIRMAN STRAIN: Right. So we're going to have to vote twice. Make a motion two different times, but I want to make sure on those two items, LDC Sections 3.05.04 and 3.05.07, do any members of the Planning Commission have any additional comments from what we previously had reviewed?

(No response.)

CHAIRMAN STRAIN: Caroline, do you have anything you want to add?

MS. CILEK: No.

CHAIRMAN STRAIN: Mike, are there any public speakers?

MR. BOSI: None.

CHAIRMAN STRAIN: Are there any members of the public here that would like to speak on either of those two items? And these are preservation sign requirements and identification of preserves.

(No response.)

CHAIRMAN STRAIN: Okay. With that, is there a motion for LDC Section, first, 3.05.04 and 3.05.07 first as the Planning Commission?

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: Moved by Charlette.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Seconded by Karen.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Same LDC sections as the -- sitting as the Environmental Advisory Council; is there a motion?

COMMISSIONER ROMAN: So moved.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: By Charlette, seconded by Karen.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Okay. Number 9 is LDC Section 3.05.07 for identification of preserves. This is one, again, we previously reviewed.

As the Planning Commission, is there a motion for that one?

COMMISSIONER ROMAN: I'll make the motion; so moved.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: By Stan.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Same LDC section for the Environmental Advisory Council.

COMMISSIONER ROMAN: So moved.

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Charlette, by Stan.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries.

Okay. That takes us down to -- we're going with Gary, and I'm going to -- Terri, would you like a break now or after this next one?

THE COURT REPORTER: After is fine.

CHAIRMAN STRAIN: Okay. We'll move into No. 10, which is -- we have at least two people here for that, because I know that's why we're here for Alex, too.

So the LDC Section 3.05.07 is the one that's coming up, and it's concerning the monetary payment for land donations in reserve -- in consideration to offsite preservation.

There's been a lot of discussions with staff on this matter, especially after the Planning Commission's last position on it.

Before I get into that, we'll entertain our public speaker and then we'll have Alex.

Gary, if you want to come up, and we'll start you over again. Sorry about that.

MR. BEYRENT: Once again, I'm Garrett Beyrent. I'm not really positive how I'm supposed to approach this but, basically, what I intended to do was just request that language be added to the upland preserve requirements for particular PUDs.

And what I wanted to do was I wanted to have offsite mitigation, okay, of required on-site preservation of native vegetation to be permitted at a ratio of 2-to-1 acres that would be if it's adjacent to other preservation areas in or out of the urban area.

And what I was trying to do was I was trying to eliminate required on-site upland preservation that didn't function for any habitat benefit. And it was something I learned from -- when they created the Eastern Collier plan, they came up with Transfer of Development Rights.

They came up with sending areas and receiving areas and neutral areas, and they clustered the development in the form of villages so that, essentially, you'd have a tremendous amount of native vegetation remaining around. And I thought, that's a really great idea. Too bad we didn't think about that about 40 years ago.

But what I was thinking -- and this happened only recently. I walked out of a Walmart, and I saw an upland preserve in the parking lot. And I thought, well, that's interesting. Nice -- it's all trees. And I walked into it, and as I walked in, I looked, it was just littered with garbage. It had, like, beer cans and wine bottles, and it turned into a homeless camp is what it was. I thought, that's a little odd to be in Walmart a parking lot.

And then I went back several -- about a month later and they had cleaned it up, because that's part of the requirement, apparently. But it didn't function at all for the benefit of the environment. And I'm talking specifically about animals.

And I was somewhat shocked by the fact that Nancy Payton, two months ago, made a similar comment about how the upland preserves in the urban area didn't really benefit anybody, the people or the animals. And I had a PUD in particular that I've been reworking now that actually is directly on the interstate. It doesn't have a single bird on it. Twenty-four acres, there's not a single bird on it.

And Commissioner Henning made a comment about a similar area. He said, there's no animals on that property. There's nothing there. And what it is is we forget that we start preserving areas that don't function for anything other than for us to look at them, you know. And the animals don't go there. They don't like to be around people in particular.

And so my idea here was that I wanted to add language where I could provide an area adjacent to anywhere, whether it's in the urban area or out in the Eastern Collier County, where you could provide three times as much land in exchange for one piece of preserve area that you would right now have to have in a PUD, and that would be -- right now the upland requirement ranges from 15 percent to 25 percent, and it doesn't really function for the benefit of anybody or anything.

I'm mostly concerned mostly about the wildlife because I think that if we're going to start preserving areas, we ought to preserve functional habitat. So that's what I essentially was -- would be a tradeoff where you can do offsite mitigation of your required upland preserve, but you'd have to do it at a ratio of -- for every one acre you want to be able to use that would have been designated as an upland preserve in a PUD, you'd have to provide three acres of offsite upland preserve, and it could be in the urban area or out in Eastern Collier County. Wherever it was provided it was adjacent to an existing preservation area.

And that's it. Basically, I wanted to put that language in. I just didn't know how to do it because I've never done it before. I've actually done it in the real world, but not through the process of a Land Development Code.

CHAIRMAN STRAIN: Well, this particular amendment is exactly about everything you just said.

MR. BEYRENT: Oh, wow. That's really good. I just -- I read the 29 pages that Dwight Brock's office gave me. I said, this would take me about an hour to do a presentation on this, every other element of it.

But, essentially, what I just stated was what I wanted to do is amend language so that required upland preserves in the -- particularly in the urban area be transferred to a functional preservation area. That was it.

CHAIRMAN STRAIN: Okay. What this amendment does is provide a means in which to use offsite preserves in lieu of on-site preserves. The problem is, it incentivizes things in the wrong direction, and there's going to be more discussion on that in a little while.

MR. BEYRENT: Okay.

CHAIRMAN STRAIN: So it doesn't get exactly to an exchange rate because that seems to be the problem right now, what is that exchange rate. You said 2 to 1.

MR. BEYRENT: I said 3 to 1.

CHAIRMAN STRAIN: Well, 3 to 1. What would you sell Magnolia Pond for per acre?

MR. BEYRENT: Well, I have no idea because it was -- originally I intended to develop it as multifamily.

CHAIRMAN STRAIN: Okay. Well, then, say it's a hundred thousand an acre, because in a multifamily, what are you going to fit, 10 units per acre, 12 units per acre?

MR. BEYRENT: Yeah.

CHAIRMAN STRAIN: So you're going to be at least a hundred thousand per acre. So you go out in the rural area and you buy 3 to 1, so you buy -- you have one acre, and you're going to go out and buy three acres. You pay 4,000 an acre for the three acres. So you just made \$88,000. Congratulations. And that's the issue that -- that's the hole in --

MR. BEYRENT: I see.

CHAIRMAN STRAIN: That's the hole in this program that is not fixed in what we have in front of us today.

MR. BEYRENT: Oh, okay. I didn't realize that because, unfortunately, my -- I'm redoing my Magnolia Pond, now that you mention it, and I've discovered that nobody over 55 years old in their right mind wants to be between a high school and an elementary school, and I learned from reading the paper about Bonita Springs.

It's just -- it's a thing. When we get old -- I'm old. I'm 68 years old, and I can tell you something, I don't want to live right next to a high school or an elementary school, so...

CHAIRMAN STRAIN: Well, we're going to -- we're going to take a break right now, but when we come back, we're going to resume this discussion on this particular item, so stay tuned.

MR. BEYRENT: Okay. I don't have to talk anymore, right?

CHAIRMAN STRAIN: No, sir.

MR. BEYRENT: Good, okay. Thank you.

CHAIRMAN STRAIN: We heard your input and we thank you for it. And let's take a 10-minute break and come back at 6:35.

MR. BEYRENT: Very good.

(A brief recess was had.)

CHAIRMAN STRAIN: Everybody, please take their seats. We'll move forward with the one we left off on. We left off on LDC preservation standards, Conservation Collier, for 3.05.07. And we have one other speaker, Mike.

MR. BOSI: Marisa Carrozzo.

MS. CARROZZO: Very close. Marisa Carrozzo with the Conservancy of Southwest Florida.

Thanks for the opportunity to talk about the amendment tonight. The original purpose of revisiting this LDC provision was to ensure that Conservation Collier was receiving an adequate management endowment for long-term maintenance when the offsite preservation option was utilized.

And this amendment has expanded somewhat in discussions with the various committees including Conservation Collier and the Development Services Advisory Committee.

So there was a lot of discussion on these options. And I did want to point out one of the

recommendations that came out of it that the Conservancy's very supportive of was wrapping the initial exotics removal cost into the management endowment in order to streamline long-term management instead of the current practice which allows -- has the developer remove the exotics originally and then donate the parcel.

Doing it this way reduces the risk of having re-establishment of those exotic invasives on the property.

So in terms of the monetary contribution for this amendment, the Conservancy had recommended earlier in this process that if the payment in lieu option was going to be modified, that it should correlate a little bit more closely with the methodology that was used for the monetary contribution from the Landings at Bear's Paw. That approach had the per-acre monetary contribution prorated based on the actual cost of the acquisition of the land that was being developed.

For example, to use the Landings as a further example here, the 10.75 acres cost 1.5 million to acquire, and the preserve was .74 acres, and that would -- resulted in a prorated valuation of \$103,255 per acre.

So the Conservancy believes that this proration would more accurately capture the cost-benefit ratio which can be realized by developers who exercise the option to remove their on-site preserve from urban developments.

And to kind of give an example, for both the CCLAC and the DSAC recommendations, using the Landings, we would look at probably \$64,000 from the CCLAC option and from DSAC about 37,000.

So with the addition of the exotics removal cost and an increased overall management endowment, the Conservancy would like to see this prorated method further explored for the payment in lieu option. Thank you.

CHAIRMAN STRAIN: Thank you. Are there any other speakers, Mike?

MR. BOSI: No, Chair.

CHAIRMAN STRAIN: Okay. And this is one that the Planning Commission did talk about at length last time it came before us.

I've had subsequent discussions with Conservation Collier's representative, Alex Sulecki, and staff and, honestly, I think that we were approaching this completely wrong, and we have other methods -- other issues that need to be resolved. An example is the exchange rate of the acreage to the acreage that's being moved off site.

The example that I just provided when Mr. Beyrent came up and talked is a typical example. Developers -- first of all, if this number was fairly pegged and, basically, your development -- your development potential of the acreage being gained is equal to the property value, and if that was the monetary required contribution somewhere that produces an equivalent amount, they would join, they would say, simply, well, fine, we'll buy offsite land. We'll take that one acre, and we'll give you a 3-to-1 ratio or a 4-to-1 or a 2-to-1, or whatever, because -- you know why? You can buy that offsite land in a rural area real cheap. It's vacant land. And it's wetland, so it's hard to develop, so they're selling it at a discount rate.

So you pay 4-, 5-, 10,000 an acre. Your net gain is tremendous. That's not being addressed by this as it should be. It's going to force people -- it's going to incentivize people to buy environmentally sensitive land off site but not at a ratio that's equivalent to the land they're gaining.

We should -- and when Collier -- Conservation Collier was voted in by the voters of Collier County; it was done twice. It wasn't a borderline vote; it was a big vote. It was popular. People in this county wanted the green space. They wanted the preservation space.

And it's not just preservation space for species. It's green space for people. We have the healthiest, happiest, believe it or not, community in the state of Florida. It's -- we're number -- actually nation. We're number one in the nation, and we just got that rating in January/February.

We didn't get there because we're solid asphalt and concrete like the other coast is. We got there because we have plenty of open space, green space, and call it what you want, preservation interspersed with the development. That brings higher prices for our development, higher prices for our land, and developers are able to make more money because they have a character in a community that's well sought out that people want.

This should be striving for that. This should be striving to dis-incentivize people moving preservation off site so our urban area has what little remnants of green space available to it, whether you call it for species, whether you call it for wetlands, whether you call it for whatever. We need to be keeping that. We should not be incentivizing it to be leaving our area.

And then when we've got the rural areas, we've got four re-plannings going in process right now. We've got the RFMUD, we've got the Golden Gate Estates, we've got the RLSA, and then we've got Immokalee. Several of those could easily be beneficial unto themselves for creating more preservation without the little drops in the bucket that this program for offsite management would provide.

So instead of taking it out of our urban area and pushing it all out where we're going to have plenty anyway, let's try to retain as much as we can by dis-incentivizing the program. And that would mean a complete rewrite of what's being proposed here today.

And I'm not even suggesting this be passed. I think both -- however you call it, CCLAC and DSAC, they approached it like they saw the prevalent attitude from their perspective. But, you know what, I bet you if you went and talked to people, we should be dis-incentivizing the removal of these properties out to the east and keeping more of it in the urban area so we keep our values up in the urban area and the character that we've got.

And that's -- I mean, I can't say it any differently than that. That's where I'm coming from on this. And I know Alex is here, but --

COMMISSIONER SOLIS: But I have a question, and that is -- and I understand what you're saying, but that's more a function of how much green space do we want when things are being developed, right? I mean, this is preservation. And there's going to be situations where what would be preserved on site isn't -- wouldn't really be a functional preservation area. It's not contiguous to another preservation area. I mean, there are valid reasons to have someone mitigate off site.

CHAIRMAN STRAIN: That's already allowed by our code for the situation up to one acre.

COMMISSIONER SOLIS: Right.

CHAIRMAN STRAIN: And this board went so far, as the Board of County Commissioners did, is to say, well, we'll do it up to 1.39 acre. But this would be a wholesale change in that. The acreage could go to much greater than that, and we would then eliminate larger swaths of land that we may value as part of the urban area.

I mean, New York City got so bad they had to have Central Park.

And, Andy, we do currently allow offsite mitigation, but we limit the amount. This is not working in the direction I think that -- I thought at least. I'm just one member on this board.

COMMISSIONER EBERT: I'm with you 110 percent. No. I'm with you 110 percent because, you're right, there are things coming up that I know where they're just trying -- oh, we'll just go off site. Well, yeah.

And like your example of, sure, you just made \$88,000. It is not right, because they make millions more for the land that they use close in here.

CHAIRMAN STRAIN: Well -- and, Caroline, this seems to address only the monetary exchange. It doesn't address the ratio of acreage to acreage; is that a true statement?

MS. CILEK: Yes. So it does change the monetary 125 percent Provision A, and then B -- the only part that's changing about B is the long-term maintenance cost of it, not the ratio.

CHAIRMAN STRAIN: See, the problem there is by changing just one and not the other, we're going to force everybody into the other, because it's the simplest and least expensive way to go.

So unless we look at them both at the same time and balance them together, I don't think this is the right program to go forward with. And I'm just wondering, is that something that you can rewrite quickly by our next meeting or --

MS. CILEK: No. That would need to be -- we would need to work with staff, and then we would also need to vet it with CCLAC and DSAC. The Board did direct that they provide something to the Board. With the Planning Commission's recommendation, we can go back and try to do a third option to look at these and address both A and B. But we would need time to do that, and we would need to vet it with those stakeholder groups.

CHAIRMAN STRAIN: Alex is here, and I know she is in charge of Conservation Collier.

Alex, can you weigh in on this in any manner, or based on your experience with your board?

MS. SULECKI: Good evening. This is Alex Sulecki. I'm the coordinator for Conservation Collier. And I believe that a thoughtful suggestion for another way to handle this amendment would be well received.

CHAIRMAN STRAIN: Okay. Do you like the idea of addressing both of the methodologies for offsite preserves both the quantity -- the acreage ratio as well as the monetary? Because if you don't fix them both, one is then going to be utilized more than the other, and it's going to be -- and if they're not comparable in value, I'm not sure we're gaining anything out of that.

MS. SULECKI: My understanding was the amendment did address both the monetary --

MS. CILEK: Perhaps I'm mistaken.

MS. SULECKI: -- and the land donation with the endowment. There was a recommendation on both from the DSAC and CCLAC.

CHAIRMAN STRAIN: I know the endowment addressed both, but I wasn't sure that the ratio of acreage or value of the acreage acquired is equivalent to the offsetting number of the acreage gained.

MS. SULECKI: Well, there was not an exchange rate discussed other than one-to-one.

CHAIRMAN STRAIN: Okay. And that was my concern. That's exactly what I was worried about.

COMMISSIONER ROMAN: And I think at our last meeting I mentioned that multiplier as one way to go at it, and that was captured in the staff notes that -- Caroline, so that might be what you were thinking of.

The other piece of this, to add to your comment, was the fact that if there was -- if a developer decided to go off site, the amount of money that then would be required would be real money to actually, you know, complete some of these areas that we've already identified, and I think that would be --

CHAIRMAN STRAIN: Well, see, if we looked at combining the monetary payment with an alternative for acreage and we hand picked the acreages that Conservation Collier's trying to acquire, such as Winchester Head, and stuff like that, and incentivized those pointed acreages by percentages of some way, that would not only give an alternative that's more viable to the development community but it would provide a ratio that's fair for what's gained, and it would focus and incentivize where Conservation Collier wants to pinpoint.

COMMISSIONER ROMAN: And it would complete some of those contiguous parcels that we've been working on, and I think that would be a benefit.

CHAIRMAN STRAIN: I would like to see this considered in that manner, but this is just -- this is a -- I mean, I don't -- we've got -- everybody's got to weigh in on it and see what we want to do.

COMMISSIONER EBERT: Alex, would you mind bringing this back the next cycle so this can be worked on a little more thoroughly?

MS. SULECKI: I'm happy to do whatever is directed. If that's --

MS. CILEK: I'm happy to work with Alex and take it through the -- perhaps not the 2016 cycle, because that's very short time frame. It may need more time than that, but we will make sure that it is worked on diligently.

CHAIRMAN STRAIN: Well, I would rather see that than try to proceed with this with so many questions left unanswered and --

COMMISSIONER EBERT: And I'm going to agree with you. I believe the same thing, Mark.

CHAIRMAN STRAIN: Anybody have a pressing need to see this finished moving --

COMMISSIONER EBERT: No.

COMMISSIONER CHRZANOWSKI: No, but I'm agreeing with you and Diane. I just want to make a little comment.

Something Gary said kind of piqued my interest. It's come up a lot, the question of how successful gopher tortoise preserves are. He was talking about you do a preserve and you preserve animals, and they're not there anymore. And the question has been asked a lot. We had a lot of gopher tortoise preserves for a long time that were held. And, you know, they're not talking about just preserving green space. It's a gopher tortoise preserve.

I'm curious, does anybody know how successful they are after five years? Does anybody ever go

back and double-check them? Is there any program? I know it's kind of a little far afield from the subject, but is there a monitoring thing on that?

MS. SULECKI: We do monitor our gopher tortoises on Conservation Collier land.

COMMISSIONER CHRZANOWSKI: You do?

MS. SULECKI: When we have them, yes.

COMMISSIONER CHRZANOWSKI: How big are your parcels that you have them on? How do you fence the parcels in?

MS. SULECKI: We don't fence it in. It's -- in particular, I'm thinking of the Nancy Payton preserve.

COMMISSIONER CHRZANOWSKI: How big is it?

MS. SULECKI: Seventy-six acres.

COMMISSIONER CHRZANOWSKI: Okay. Yeah. But I'm talking about we have a lot of very -- that would be a good upper limit. I'm talking about, does anybody know, you know, for a couple-acre preserve, a 10-acre preserve, a 50-acre preserve? I'm just curious.

COMMISSIONER ROMAN: I could make a comment, Stan. Gopher tortoises are living among the residents on Marco Island. I mean, they live on the vacant single-family lots in some areas. And it doesn't take a large area to sustain gopher tortoises, along with our burrowing owls that are also living on vacant single-family lots in residential neighborhoods on Marco Island.

COMMISSIONER CHRZANOWSKI: You have a different type of environment out there.

COMMISSIONER ROMAN: Yeah.

COMMISSIONER CHRZANOWSKI: A lot of these preserves I know were treed areas, and these things grow, and gopher tortoises need the occasional fire to give them an understory so they have stuff that they can eat. And if you don't allow the fire to come in every now and then, they just run out of food source.

So I'm just -- I'm just curious if anybody's going into some of these older preserves and seeing if there are still any gopher tortoises in there. And if it's not holding gopher tortoises, why call it a gopher tortoise preserve?

CHAIRMAN STRAIN: To get us back on track, would you mind asking Summer to contact Stan and let him know what her department does to oversee this?

MR. BOSI: Noted.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: Thank you.

CHAIRMAN STRAIN: That will get there.

COMMISSIONER CHRZANOWSKI: Good.

CHAIRMAN STRAIN: Okay. With that, is there any other comments on this Conservation Collier one?

(No response.)

CHAIRMAN STRAIN: This is LDC Section 3.05.07, and it needs a recommendation, well, I would assume to proceed -- do you need anything other than our discussion, Caroline, or what would you --

MS. CILEK: Recommendation to vet this and look at, you know, A and B again through a different alternative would be great, and then we will take it forward into a future cycle.

CHAIRMAN STRAIN: Okay.

COMMISSIONER EBERT: I make that motion.

COMMISSIONER ROMAN: I'll second it.

CHAIRMAN STRAIN: Motion made and seconded. Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

So of the ones we've discussed so far, 10 is not going to happen.

So that takes us to, I think, the next one, and I notice Jeff has been patiently waiting.

You two ladies, are you here for anyone in particular? If you're not, that's fine. I just want to make sure we don't leave you stranded over there.

(No response.)

CHAIRMAN STRAIN: Okay. So, Jeff, we're going to move into the discussion on the electrical engineering one, and that is Item No. 11. It's LDC Section 6.06.03 and 10.02.11. The Planning Commission last time had a discussion about an electrical engineer versus a PE and then since then it's come to light there's been some other changes, and I asked Jack McKenna to attend because originally I had been very concerned about how this happened if it was an electrical engineer doing high-voltage electrical work with streetlights.

Jack had spent some time going over the processes with different departments at the county to see how the planning for streetlights was actually submitted.

And, Jack, would you mind coming up and explaining to us what you discovered from the aspect of the electrical engineering and when it's needed and how it happens?

MR. McKENNA: Sure. For the record, Jack McKenna.

Basically, the streetlight plans that are submitted with the SDPs or the PPLs are a -- more of a planning concept. They're not the detailed engineering of the electrical voltage drops, the services, the phasing. That's reviewed at the building permit stage as is the structural integrity of the poles.

And so it was staff's opinion that the need for someone with the specific electrical engineering background isn't so relevant at that submittal point for the PPL or the SDP.

CHAIRMAN STRAIN: Okay. And I -- at the time we discussed that, that wasn't relayed to us, and we were looking at just dropping the word "electrical" and leaving it as an engineer. And that raises some concerns over how dangerous this electricity is versus water, for example, and what some of the hydraulics and the loads are then how they differ.

Since then I've been contacted by Jeff Curl, who's here today, he's a landscape architect, and he says that he has been doing electrical -- or street-lighting plans in the county for quite a bit of time and that he offers that service to his clients, that surprised me.

And he did mention that recently there's been a change in the submittal process at the county, which has caused some of this to come to light.

And he -- I think he asked to be able to continue his practice like he's always had it. And I'll let Jeff speak for himself in a minute, but that came into play. And I guess the question is, from Caroline's perspective, did we look at the logistics of adding other entities to do street-lighting plans, and how fine is that line, or how clear is that line between the submittals and what is accepted and what isn't, meaning do SDPs ever get approved for streetlights and end up never needing another plan and they go ahead and try and build from that plan, things like that.

I don't know if your department's explored all those, and I certainly know you probably haven't vetted or talked about other entities besides PEs doing these plans. I'm not saying we'd even accept that or not, but our basis for understanding it would have to be your department's review of the qualifications of landscape architects as another type of professional who could do those plans and how critical that was in the stage in which they'd do them.

Have you done any of that work?

MS. CILEK: Those are all good questions. We have not looked into them through this amendment process, and we would like the opportunity to do that.

CHAIRMAN STRAIN: Okay. So out of fairness to the landscape architects that have been doing this, I don't think it's something that we want to dismiss and rush to get this approved without knowing that. And I don't know if there's any harm done leaving the status quo like it is and then just dealing with this as another add-on for you to go back and research and come back to us with.

Does anybody feel uncomfortable with that as an idea?

COMMISSIONER CHRZANOWSKI: No. I like it, because every once in a while you will see somebody put a lot of tree in front of a light.

COMMISSIONER EBERT: All the time.

COMMISSIONER CHRZANOWSKI: All the time, yeah.

Sorry, Jeff. Now, Jeff wouldn't do that, but an electrical engineer might.

COMMISSIONER ROMAN: That's right.

CHAIRMAN STRAIN: Okay. Well, then, I think -- and I think -- I think this one's gotten to a point where we probably need some more research done to make it, and however that would happen.

So, Caroline, is this one that you would, again, ask us to ask you to do further research on as a motion and then that's how it will go forward?

MS. CILEK: It is.

CHAIRMAN STRAIN: Okay. Is there such a motion by anybody for --

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: -- LDC Section 6.06.03 and 10.02.11?

COMMISSIONER HOMIAK: Second.

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: Okay. And, I'm sorry, Jeff, did you want to say anything, or are you content with the way we're heading?

COMMISSIONER ROMAN: Let him talk.

CHAIRMAN STRAIN: I know. I'm sorry. I'll interrupt the motion. The motion's on the floor. It's been seconded. We'll -- this is discussion.

MR. CURL: Very quickly. Jeff Curl, for the record.

No. I just want to compliment staff, quite honestly. I don't think they were even aware that we're out there. I'm sure there may be some architects that design lighting as well, not just landscape architects.

Lighting designers also work for lighting distribution companies, so there are other entities out there as well that do lighting design in this capacity that we're talking about. Nothing to do with loading wire amperages connecting back to a house panel.

So, again, just want to thank staff, and really appreciate the opportunity to move forward.

CHAIRMAN STRAIN: Okay. Thank you.

MS. CILEK: And we'll reach out to Jeff and to other landscape architects and -- architects to provide input.

CHAIRMAN STRAIN: If we're going to fix it, let's just fix it once and be done with it.

Okay. So we'll pull that from the LDC cycle at this point. And the motion's been made, seconded.

All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

That takes us down to No. 12. Well, first of all, let's look in our -- is anybody in the audience here for a specific item that's on -- that's remaining here tonight?

(No response.)

CHAIRMAN STRAIN: Okay. Let's go to 12, 13, and 14, in that order, and then we'll go back up and vote on the ones that we've already finished earlier, prior to No. 6.

Number 12 is amend the temporary use section to address community markets on private property. And whose is that? Jeremy's, okay.

MR. FRANTZ: So there have been a couple of -- sorry, Jeremy Frantz, for the record.

There have been a couple of changes to this amendment since you saw it on -- for the April 21st meeting. First was the removal of the termination of convenience provision. We found that that section was not really necessary, as Code of Laws Section 55-15 currently provides a set of standards for the revocation of permits. So there wasn't anything new needed in this amendment.

We also made modifications to the sections regarding federal, state, and local licenses, insurance and/or permits. We -- you can see that modification on Page -- give me one second -- 89 in proposed Section A.2.C where we have made the standard consistent with the way that temporary -- with the standards for temporary markets on county property.

So the change, essentially, requires market operators to verify that vendors obtain those licenses, permits, or whatever is required from federal, state, or local agencies.

In speaking to one farmers market operator, we found that this kind of thing is already being done at some farmers markets through their application process for vendors.

The final change to the amendment is the removal of any changes to the temporary sign section. So this means that temporary market events will simply comply with the existing standards for all other special events.

CHAIRMAN STRAIN: Okay. Anybody have any questions or comments?

(No response.)

CHAIRMAN STRAIN: We've seen it before, so I didn't expect too much.

COMMISSIONER SOLIS: Just one on the change that's on Page 89. So the intent is just to say that the market operators are going to comply with whatever other regulations they have to comply with, either federal or other state ones?

MR. FRANTZ: Yeah. The market operators would verify that the individual vendors are obtaining those permits or licenses. So the market operator that we spoke to, you know, simply in their application process, includes a check box to, you know, identify that, yes, we're aware that we need a certification for this type of activity.

COMMISSIONER SOLIS: If they're cooking food or whatever.

MR. FRANTZ: Right.

COMMISSIONER SOLIS: Whatever they need to sell food or whatever, that they're going to have that, and they provide that, then, to the market operator, and then you'd just get it from one person, whoever's operating the market, in the application process. That makes sense.

MR. FRANTZ: I don't know that the county would expect to see all of those licenses, simply to --

COMMISSIONER SOLIS: It's just a verification.

MR. FRANTZ: -- see that the market operator is verifying that.

COMMISSIONER SOLIS: Okay.

COMMISSIONER CHRZANOWSKI: And you're going to change the spelling of vendors?

MR. FRANTZ: Yes, we are.

COMMISSIONER CHRZANOWSKI: Good.

CHAIRMAN STRAIN: Now, see, that's something Scott would have picked up.

And I have one comment on 5.04.05.A.1.D -- or C, maximum of 25 percent of the vehicle use area may be occupied or otherwise rendered unusable by the placement of temporary structures, equipment and merchandise associated with a special event, unless equivalent additional offsite parking is provided. I'd like to add the word -- I think the word "equivalent" ought to be there; that way we get a one-to-one.

MS. CILEK: We can do that.

COMMISSIONER EBERT: You did see Terri smiling, didn't you, because you were reading so fast.

CHAIRMAN STRAIN: Yeah. Terri likes to type fast, I can tell.

Okay. I don't have anything else. I don't know if the rest of you do. I think we're all finished with this one.

There's no registered or -- are there any members -- there's nobody. Gary, you don't want to address this one, do you?

MR. BEYRENT: Me?

CHAIRMAN STRAIN: No. Is there a recommendation --

MR. BEYRENT: I've got a question for you.

CHAIRMAN STRAIN: -- for LDC Section 5.04.05, temporary events?

COMMISSIONER CHRZANOWSKI: Move to approve.

CHAIRMAN STRAIN: Made by Stan. Seconded by?

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Karen.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

MR. FRANTZ: Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Let's move to No. 13, which is the corrections that we had from last time for the schools, charter schools and the various zoning districts.

Caroline made the corrections we asked about from last time. I don't know if anybody has any other things they want to ask. It looked as complete as I thought it needed to be. I don't know if anybody else had anything they wanted to say about it. If not --

COMMISSIONER CHRZANOWSKI: Just -- what does that mean, this LDCA does not apply to the Collier County Public School district? Why is that there?

MR. BOSI: Mike Bosi, planning and zoning director.

The Collier County School District has an existing interlocal agreement; therefore, they were exempt from the amendments that are being proposed. These were designed for public schools that have no interlocal agreement for compatibility review existing between the county and the school district.

COMMISSIONER CHRZANOWSKI: Not a private school, a public school?

MR. BOSI: Yeah.

COMMISSIONER CHRZANOWSKI: Okay.

CHAIRMAN STRAIN: Okay. With that, do we have a --

COMMISSIONER ROMAN: I'll go ahead and move to make the motion to move this forward.

CHAIRMAN STRAIN: Okay. And the item that we're voting on is LDC Sections 2.03.01, 2.03.02, 2.03.03, and 2.0 -- I mean, and 5.05.14.

COMMISSIONER ROMAN: Right.

CHAIRMAN STRAIN: Okay. Is there a second to the motion made by Charlette?

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: By Stan, seconded.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

That takes us to the last one that needs -- scheduled for discussion, and that is the administrative minor after-the-fact encroachment provision. It's LDC Section 9.04.04.

And that starts on Page 105. It's the last couple pages of the entire packet. This actually came about to clarify issues that the staff has been finding problematic in the way the language was previously written.

MS. CILEK: Correct.

CHAIRMAN STRAIN: And I've already asked my questions of staff, so I don't have any I need to waste your time with, so -- I understand it. So with that...

MS. CILEK: I'm happy to answer any questions.

CHAIRMAN STRAIN: Anybody have any questions of staff on this matter?

(No response.)

CHAIRMAN STRAIN: No. Do you guys have anything to add, or are we fine?

MS. CILEK: No.

CHAIRMAN STRAIN: Okay. With that, is there a motion for section -- LDC Section 9.04.04 for after-the-fact encroachments?

COMMISSIONER ROMAN: So moved.

CHAIRMAN STRAIN: Made by Charlette. Seconded by?

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Stan.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Now we have to go back up to the top and talk about -- and vote on Items 1 through 5. These have been vetted already by us, the changes have been made by staff. They're noted on our sheets as ready for approval.

And I'll read them off, and if someone wants to make a motion or have a discussion -- there's no members of the public here, I believe, interested in Items 1 through 5. Is anybody in the public interested in those?

(No response.)

CHAIRMAN STRAIN: No. First LDC section is 3.02.10 and 5.03.06.

Discussion? If not, is there --

COMMISSIONER CHRZANOWSKI: Move to approve.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: There's a motion made by Stan, seconded by Karen.

All those in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.
COMMISSIONER ROMAN: Aye.
CHAIRMAN STRAIN: Anybody opposed?
(No response.)
CHAIRMAN STRAIN: Motion carries 6-0.
Second LDC section is 4.05.10. It's the required parking for residential mail delivery locations. Is there any discussion on the part of the Planning Commission?
COMMISSIONER CHRZANOWSKI: Move to approve.
COMMISSIONER EBERT: Sad.
CHAIRMAN STRAIN: Motion made by Stan.
COMMISSIONER HOMIAK: Second.
CHAIRMAN STRAIN: Seconded by Karen.
Discussion?
(No response.)
CHAIRMAN STRAIN: All in favor, signify by saying aye.
COMMISSIONER CHRZANOWSKI: Aye.
COMMISSIONER SOLIS: Aye.
COMMISSIONER EBERT: Aye.
CHAIRMAN STRAIN: Aye.
COMMISSIONER HOMIAK: Aye.
COMMISSIONER ROMAN: Aye.
CHAIRMAN STRAIN: Anybody opposed?
(No response.)
CHAIRMAN STRAIN: Motion carries 6-0.
And let Diane note that she said it was sad.
COMMISSIONER EBERT: It's sad.
CHAIRMAN STRAIN: It's sad.
COMMISSIONER EBERT: You can't have a mailbox in front of your house now.
CHAIRMAN STRAIN: Next section is LDC section --
COMMISSIONER HOMIAK: Wafaa isn't here.
CHAIRMAN STRAIN: -- 6.02.06 and 6.02.07. It's to replace the level of service language that cross-references to the GMP CIE.
Any discussion on the part of Planning Commission?
(No response.)
CHAIRMAN STRAIN: Okay. Is there a motion?
COMMISSIONER HOMIAK: Motion to approve.
CHAIRMAN STRAIN: Made by Karen.
COMMISSIONER CHRZANOWSKI: Second.
CHAIRMAN STRAIN: Seconded by Stan.
Discussion?
(No response.)
CHAIRMAN STRAIN: All in favor, signify by saying aye.
COMMISSIONER CHRZANOWSKI: Aye.
COMMISSIONER SOLIS: Aye.
COMMISSIONER EBERT: Aye.
CHAIRMAN STRAIN: Aye.
COMMISSIONER HOMIAK: Aye.
COMMISSIONER ROMAN: Aye.
CHAIRMAN STRAIN: Anybody opposed?
(No response.)
CHAIRMAN STRAIN: Motion carries 6-0.

Just so everybody that might be watching or interested, these are all items that we finalized at previous meetings, and they were just held over for votes tonight, so we are familiar with the language. We're just not simply voting on it.

Item No. 4 is LDC Section 10.02.03. It's the architectural improvements through SDPI. Any discussion from the Planning Commission?

COMMISSIONER CHRZANOWSKI: Move to approve.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Made by Stan, seconded by Karen.

All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

The last one up is LDC Section 1.08.02, 2.03.03, 2.03.06, 2.03.08, 3.05.10, 4.06.02, 4.06.05, and 5.06.00 to amend various LDC sections to correct scrivener's errors.

Is there discussion from the Planning Commission?

(No response.)

CHAIRMAN STRAIN: None. Is there a motion?

COMMISSIONER HOMIAK: Motion to approve.

CHAIRMAN STRAIN: By Karen.

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Seconded by Stan.

Any further discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Now, what else do you want to do tonight, Caroline?

MS. CILEK: I have two additional things.

CHAIRMAN STRAIN: Okay.

MS. CILEK: One, I do need to make the request that staff can address any spelling errors, typos, grammar issues that we find in the LDC amendment text or narratives before we head to the Board.

CHAIRMAN STRAIN: Is there a consensus?

COMMISSIONER HOMIAK: I'll make that motion.

CHAIRMAN STRAIN: Motion made by Karen.

COMMISSIONER EBERT: Second.

COMMISSIONER ROMAN: Second.

CHAIRMAN STRAIN: Seconded by Diane.

Discussion?

(No response.)

CHAIRMAN STRAIN: All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

MS. CILEK: Thank you.

And the last one is I just want to confirm that we have direction to pursue the affordable option for the FAR issue, for the assisted living facilities, nursing homes. It was mentioned earlier. I just want to make sure we have direction to pursue it.

CHAIRMAN STRAIN: Do we need a formal motion? Well, it won't hurt.

Is there a motion to pursue the FAR?

COMMISSIONER ROMAN: So moved.

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Made by Charlette, seconded by Karen.

All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

COMMISSIONER ROMAN: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 6-0.

Thank you. And, Caroline, Rich, and Jeremy, thank you all for a job well done with these LDC amendments. You guys have laid them out better than any -- and I've been doing this, what, 15 years now. You're about the best I've ever seen as a team. So thank you-all.

MS. CILEK: Thank you very much.

COMMISSIONER HOMIAK: Easiest to read every time.

CHAIRMAN STRAIN: Yep. It's come along real well. I think the pattern you guys developed will be one I hope we follow in the future, so...

MS. CILEK: Thank you.

CHAIRMAN STRAIN: With that, there's no old business listed. There's no new business listed.

Anybody here from the public wish to comment?

(No response.)

CHAIRMAN STRAIN: Okay. With that, is there a motion to adjourn?

COMMISSIONER EBERT: Make a motion to adjourn.

CHAIRMAN STRAIN: By Diane. Seconded by?

COMMISSIONER HOMIAK: Second.

CHAIRMAN STRAIN: Karen.

All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER SOLIS: Aye.

COMMISSIONER EBERT: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.
COMMISSIONER ROMAN: Aye.
CHAIRMAN STRAIN: Anybody opposed?
(No response.)
CHAIRMAN STRAIN: If nobody's opposed, we're out of here.
Thank you-all for your attendance and help.
COMMISSIONER EBERT: See you next Thursday.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 7:10 p.m.

COLLIER COUNTY PLANNING COMMISSION



MARK STRAIN, CHAIRMAN

ATTEST
DWIGHT E. BROCK, CLERK

These minutes approved by the Board on 7-7-16, as presented or as corrected _____.

TRANSCRIPT PREPARED ON BEHALF OF
GREGORY COURT REPORTING SERVICE, INC.,
BY TERRI LEWIS, COURT REPORTER AND NOTARY PUBLIC.