

February 28, 2019

**TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida, February 28, 2019**

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 REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

**CHAIRMAN: Mark Strain
Stan Chrzanowski
Karl Fry
Edwin Fryer
Karen Homiak**

**ABSENT: Patrick Dearborn
Joe Schmitt**

ALSO PRESENT:

**Mike Bosi, Planning and Zoning Manager
Jeremy Frantz, Land Development Code Manager
Heidi Ashton-Cicko, Managing Assistant County Attorney
Scott Stone, Assistant County Attorney**

PROCEEDINGS

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

CHAIRMAN STRAIN: Thank you, Mike.

Good evening, everyone. Welcome to the February 28th meeting of the Collier County Planning Commission.

If everybody will please rise for Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN STRAIN: If the secretary will please do the roll call.

COMMISSIONER FRYER: Mr. Eastman?

(No response.)

COMMISSIONER FRYER: Mr. Chrzanowski?

COMMISSIONER CHRZANOWSKI: Here.

COMMISSIONER FRYER: Mr. Fry?

COMMISSIONER FRY: Here.

COMMISSIONER FRYER: I'm here.

Chairman Strain?

CHAIRMAN STRAIN: Here.

COMMISSIONER FRYER: Vice Chair Homiak?

COMMISSIONER HOMIAK: Here.

COMMISSIONER FRYER: Mr. Schmitt?

(No response.)

COMMISSIONER FRYER: Mr. Dearborn?

(No response.)

CHAIRMAN STRAIN: Mr. Schmitt and Mr. Dearborn have excused absences. They had other business they had to attend to.

COMMISSIONER FRYER: Chair, we have a quorum of five.

CHAIRMAN STRAIN: That will take us to addenda to the agenda. There are two items on tonight's agenda. One is involving an overlay for Plantation Island. The other is an issue concerning conditional uses for communications towers. And I don't believe there are any other changes.

Planning Commission absences. Next Thursday we're going to see each other again. Is everybody that's here now going to be here that we know of?

(No response.)

CHAIRMAN STRAIN: Okay. We'll have a quorum.

We were distributed electronically our minutes from January 31st. Is there a motion to either amend or approve?

COMMISSIONER FRYER: Move to approve.

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Made and seconded. Discussion?

(No response.)

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER FRY: Aye.

COMMISSIONER FRYER: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 5-0.

We'll skip BCC report and Chairman's report and move -- and consent agenda, we have no items

there.

We'll move straight into public hearings.

***The first advertised public hearing is 9A1. It's the Plantation Island Overlay which will allow single-family detached dwelling units as permitted uses.

This is legislative. Heidi, we would not need swearing in for this?

MS. ASHTON-CICKO: That's correct.

CHAIRMAN STRAIN: Okay. So with that, Jeremy, we'll turn it over to you.

And just so the folks in the audience understand what we're going to do, we get a staff report. First we'll ask questions of the staff and the documents they've prepared. Then after we finish with the staff, we'll turn to the audience, any of those who would like to speak on the issue.

So, Jeremy's, it's all yours.

MR. FRANTZ: Good afternoon. Jeremy Frantz, for the record.

This first amendment is fairly straightforward. We were directed by the Board of County Commissioners to add the ability to construct a single-family home in the Plantation Island area. We're achieving that through the creation of a Plantation Island Overlay.

The amendment simply allows for single-family homes. It does not take away the right to put up a mobile home, as is currently allowed. It doesn't change any of the development standards for the area, so a single-family home would have to meet the same development standards, the same state and federal regulations.

With that, I'll take any questions, really.

CHAIRMAN STRAIN: Okay. Anybody from the Planning Commission have any questions?

(No response.)

COMMISSIONER FRYER: I might have one.

CHAIRMAN STRAIN: Okay.

COMMISSIONER FRYER: Oh, I know. Sort of procedural.

There was a NIM, but it wasn't recorded. It might have been nice if it had been. Just a thought.

CHAIRMAN STRAIN: Okay. Anybody else?

COMMISSIONER FRY: I believe there were -- I believe there were minutes from the NIM in the packet.

COMMISSIONER FRYER: There were; summary.

CHAIRMAN STRAIN: They were --

COMMISSIONER FRY: Oh, not recorded. Verbatim. I see.

CHAIRMAN STRAIN: Verbatim minutes is what we're used to seeing.

COMMISSIONER FRY: I see.

CHAIRMAN STRAIN: Stan?

COMMISSIONER CHRZANOWSKI: Do you think when you say "NIM" that the people in the audience know what a NIM is?

CHAIRMAN STRAIN: Neighborhood information meeting. It's when the public met with the applicants which is, in this case, the county, and heard what the proposal for today's meeting was about. So in case you didn't know, that's -- government's great on acronyms. We use a lot of them. So thank you for reminding me to explain them, Stan.

If there's anybody else -- if not, I've got a couple questions. I just to want reemphasize, Jeremy, this is not changing any of the standards associated with the property; is that right? The setbacks, the heights, amount of coverage, all that still stays the same?

MR. FRANTZ: Correct.

CHAIRMAN STRAIN: So even though we're introducing a new use, which is single-family, the boundaries that are set by the layout of the community that would apply now today still apply to the single-family. So whatever use you have, you've still got the same standards.

MR. FRANTZ: That's correct.

CHAIRMAN STRAIN: Go ahead, Karl -- Ned?

COMMISSIONER FRYER: One of those Frys.

CHAIRMAN STRAIN: Yeah, you got too close of names.

COMMISSIONER FRYER: Sorry.

The rule with respect to RVs, while the owner is improving or constructing or replacing or repairing the main dwelling, am I correct that that is a -- there's a one-year limit on that?

MR. FRANTZ: I can't speak to that off the top of my head.

CHAIRMAN STRAIN: I think that's the way it reads.

MR. BOSI: I believe that's correct that there is a limitation to how long that can be provided for.

COMMISSIONER FRYER: Would it be possible for someone who was taking longer than a year to renew it?

CHAIRMAN STRAIN: Temporary-use permit being renewed?

MR. BOSI: There's always an opportunity to seek a deviation from anything that's quantifiable, numeric so, yes, they most certainly could bring a request.

COMMISSIONER FRYER: It wouldn't be that onerous, would it? Would they be able to do it at the staff level and get it done quickly, or would it require showings and evidence and things like that?

MR. BOSI: It would require -- it would require a petition to the Board of County Commissioners. The Board of County -- the staff could not make that extension without express permission from the Board.

COMMISSIONER FRYER: Well, are we at a point where we could recommend something that would make it easier for someone in that position to be able to get, like, a month-to-month renewal or something? Let's say they were going 13 or 14 months to get their main dwelling -- we're looking at an LDC amendment. What about if we wrapped that concept in there?

MR. BOSI: The Planning Commission can always -- if it's the will of the Planning Commission to suggest other modifications to the amendment that's being proposed -- and even though we're not affecting that section, if you feel that it provides for a better arrangement from a Planning Commission perspective, then the Planning Commission most certainly can suggest that.

COMMISSIONER FRYER: What do others think?

CHAIRMAN STRAIN: Pardon me?

COMMISSIONER FRYER: I was wondering what others think.

CHAIRMAN STRAIN: I think after we hear from the public we might want to comment on that, but I do think that rather than look at a month-to-month, if anything's like that to be considered, it would be better if it could be staff approved, that way it doesn't take a public action up to a certain amount of time, and maybe, like, six months, and the criteria would simply be that they have to make consistent progress on the site that is justified by inspections on the building permit and stuff like that. So that would be somewhat along the same lines, but we'll wait till we get to the end before we make any stipulations. I'm not sure how the folks feel about it, so...

Karl.

COMMISSIONER FRY: I guess, Mike, I was hoping for a clarification on recreational vehicles. I was looking at a chart that is presented in our packet, our electronic packet. It's Page 100, and it has proposed sections for single-family home, and then it talks about the mobile home zoning, which would remain similar. And it says, proposed RVs. And it says, recreational vehicle allowed by the overlay as primary use must be either highway ready or elevated on a permanent foundation above based flood elevation and anchored, must be connected to available central water, sewer, and electricity. Is that part -- because that sounds like a permanent --

MR. BOSI: No, that's not a part of this amendment. That was a part of the amendment as we had drafted. We received the direction from the Board of County Commissioners to add traditionally constructed homes to the allowable uses within Plantation Island.

Commissioner McDaniel's office had asked staff to also include, as a potential, RVs as part of the

uses that we would allow for. During the neighborhood information meeting, there was -- probably 45 to 50 of the residents of Plantation Island showed up, and it was a 9-1 preference to not allow for RVs to be a use that would be -- or not a use, but a structure that would be allowed within the overlay; therefore, that's been removed from the proposed language.

COMMISSIONER FRY: Thank you. Yeah, that's what I was looking at was the NIM and your report that 90 percent were against RVs. So, okay, thank you. Appreciate it.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Jeremy, I've got a question on a colored map you have. It's on page -- I just noticed, based on what Karl just said, he's got a different set of electronic pages than I have, so I shouldn't be surprised. But it's on the zoning map done by Johnson Engineering, Plantation Island Overlay.

Way on the top of that Plantation overlay section is a -- first of all, on the center of this you've got the Plantation Island, and up in the upper right-hand corner you've got two areas boxed in that look like an earlobe on the top of the plan. One's in gold and one's in blue. One already has RSF-1 ACSC, and the other one is MH4 ACSC.

Why is that included in this overlay if they -- especially the one that's already got the right to do single-family anyway?

MR. FRANTZ: Those were included because we were looking at both single-family and RV at the beginning of the process. So, really, the lot that has already RSF-1, it really doesn't change their ability to put a single-family home there.

So we -- the other lot is mobile home as well, and it was just always a part of the overlay, part of the analysis.

CHAIRMAN STRAIN: Okay. But we're not taking any rights away from that property?

MR. FRANTZ: No.

CHAIRMAN STRAIN: Okay. Because the RSF-1, I'm not sure how consistent that is with the -- you're just looking at a single-family. You're not worried about whether it's RSF -- what standards it fits to?

MR. FRANTZ: Right.

CHAIRMAN STRAIN: Because that would be RSF-1 standards for that particular lot.

MR. FRANTZ: Exactly.

CHAIRMAN STRAIN: Okay.

MR. FRANTZ: Yeah, on the screen now you can see we don't include any standards. It's whatever is your base -- your underlying zoning development standards.

CHAIRMAN STRAIN: Right. So for the MH part, it would be the mobile home standards that actually apply to the single-family.

MR. FRANTZ: Right.

CHAIRMAN STRAIN: But for the RSF-1 piece, the RSF-1 standards would apply for that one. Is that how you understand it?

MR. FRANTZ: Correct.

CHAIRMAN STRAIN: Okay. And you get into the language, and I think you're on it. What page -- I hate asking this question. What page is the language that we're actually using? Is it that -- because that's not the page I've got.

MR. FRANTZ: There's a couple of pages here. It starts with 2.03.07.Q.

CHAIRMAN STRAIN: Okay.

MR. FRANTZ: It goes on to the next page with 3, 4, and 5.

CHAIRMAN STRAIN: Yeah. And I've got -- my language is similar, but mine still has the old RV language in it, so I'm not sure why I've got that, but it's close enough I understand what we've got, so I'm not too worried about it. I just didn't know why I've got that.

Okay. That's all I've got.

MR. FRANTZ: Okay. I apologize.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: With that, any member of the public who wants to speak, if you've registered, we'll call those people first. When we get done with the registered speakers, I'll ask if anybody else would like to comment. Come up to either one of the mikes, and the first thing that you need to do is just tell us your name. And if it's a -- if it's more complicated than -- last name, please, spell it out for us. So, Mike?

MR. BOSI: Yeah, our first public speaker, Chair, would be Joshua Maxwell followed by Ray Pelletier.

MR. MAXWELL: Hello. For the record, Josh Maxwell. My wife and I are partners with Barry Wood at 102 Egret Lane.

Asking for you guys to support the modification to allow single-family residence on Plantation Isle. Our mobile home was damaged, and we've removed it since Hurricane Irma.

And the prices that it costs to put a manufactured home high enough to meet FEMA is outlandish. I can build a single-family house cheaper, but I can't do it per code as it's written.

And we were the 10 percent asking for the RVs, so we're the reason you had all that extra stuff in your -- in your package, so -- but like it was stated, the community wasn't really in favor of it, so please support the single-family homes, and we'll build some beautiful little homes down there on the island. Thank you.

CHAIRMAN STRAIN: Thank you.

Next speaker, Mike.

MR. BOSI: Next speaker is Ray Pelletier followed by Ray Johnson.

MR. PELLETIER: Hi. My name's Ray Pelletier, and I'd just like to thank you for your service to the community. You've done a great job here. And I know how much work and how much time it takes to do what you're doing.

What I didn't understand is why the RVs were removed because -- did you say there was only one person?

MR. BOSI: At the meeting there was probably 45 to 50 members of the public who attended who lived in Plantation Island, and the majority suggested that RVs was not a use or a structure that they were interested in being added to the overlay.

MR. FRANTZ: I would just add further when the Comprehensive Planning department reviewed that potential addition, they found that it would be inconsistent with the Growth Management Plan.

CHAIRMAN STRAIN: That would mean it couldn't be done under this process even if it -- even if we wanted it to be, so...

MR. PELLETIER: Okay.

CHAIRMAN STRAIN: We'd have to change the GMP, the Growth Management Plan.

MR. PELLETIER: Okay. So as far as it being in the area of state critical concern, there's no ability to get it out of that? You still have to go through that hurdle to get this thing approved at this point, or no?

CHAIRMAN STRAIN: Those are more state-regulated rules by statute, so I don't -- I mean, this board sure couldn't do anything about it.

Mike?

MR. BOSI: No. This will not -- this will not change any of the restrictions and the obligations that these properties have to comply with the area of state critical concern. And it places a limitation in terms of how much actual clearing and impervious square footage will be allowed to be put on any one individual parcel.

CHAIRMAN STRAIN: That's another agreement that they have is specifically for that area.

That's outside our jurisdiction. There just isn't anything we can do with that.

MR. PELLETIER: Okay. Because it is a big problem down there, because you only have so much space on a mobile home lot, and now we're going to put a house on a mobile home lot, which I'm in favor of. I think, you know, the guy owns the property; he should be able to put on it what he wants to put on it.

I really like the idea of the RV, because I've had four lots down there; two of which I sold. I have two more. And when I started to look at what it took to get something done down there, I bought an RV, and now I can go anywhere and do whatever I want. But it would have been nice to have been able to bring that down there and use it, too, so...

Anyway, I hope you approve it as it's written. Thank you.

CHAIRMAN STRAIN: Thank you, sir.

Next speaker, Mike.

MR. BOSI: Last speaker, Grady Johnson, Jr.

MR. JOHNSON: Ladies and gentlemen, I want to thank you for your time, and especially Mr. Bosi and his staff.

I'm the culprit, if you want to say, that got this thing started back after Irma.

I got a lot of folks in the community, some are in the audience here, that are really looking forward to this. The island was devastated. It was ground zero for Irma, so there's a lot of people looking forward to rebuilding and building better, safer homes.

And like I said, a couple years from now you guys approve this, come on down and take a look at what we did. I think you'll like it, and I think it's going to be good for the community, and I appreciate your time and taking it up in such a timely fashion.

And, again, Mr. Bosi and his staff and everybody that's been on board, it was kind of hoisted on them at the last minute, and they've done a great job, and I wanted to thank them for it. Thank you.

CHAIRMAN STRAIN: Thank you.

COMMISSIONER FRY: May I ask you a question, sir?

CHAIRMAN STRAIN: Karl?

COMMISSIONER FRY: I'm just wondering the size of your lot and what your understanding is of what you can build on it in terms of square footage and --

MR. JOHNSON: Yes, sir. We're under the area of state critical concern. We can develop up to 2,500 square feet or up to 10 percent. In other words, if you had 10 acres, you could develop something bigger than 2,500 square foot.

There's some very nice-size homes currently that have been built since we fell under area of critical concern. It is a hurdle. It's not a stop-all, be-all. We do have to have, you know, consideration for it, but we can build some nice homes. We're just going to have to stay within those parameters.

As Mr. Bosi can probably go a little deeper than I can, it affects -- in other words, if you want a concrete driveway, that's going to figure into the square footage of your house. You may not want to go with concrete. You might want to go with, you know, a surface that they approved that's going to be, you know, not impervious.

Your docks -- Mr. Bosi can correct me if I quote anything wrong, but your piers, your docks, things like that don't figure into it because they allow the watershed to go through, and they don't divert it in any manner.

So, for instance, in the backyard, you know, a walkway leading from the house to the dock, if it was built out of the wood and raised up above the ground not affecting the surface, it would be approved, and it wouldn't figure into the 2,500 square feet. We've just got to be -- some hoops, but we can work with it, you know. And people that live there -- I've been here all my life. We don't like that we fell under it, but we understand it, and we'll work with it and do what we can to make it work for us.

COMMISSIONER FRY: And I asked you that because I was trying to just track exactly how much land you needed to actually build a home, and it sounded like the minimum was 2,500 square feet,

which would mean you need at least 25,000 square feet, which is about six-tenths of an acre to build, and you can improve 10 percent of that, 2,500 square feet. Is that accurate? I think for everybody in the audience it would be great for them to understand exactly what they can and can't do.

MR. BOSI: Well, I mean, you can build a house within a smaller footprint. The height limitation is 30 feet. There's enough -- with the side yard setbacks, the limitations of them, there's enough opportunity to be able to go two stories towards where you can accumulate square footage towards where I think you could -- your yield in terms of your construction would be -- you know, would be able to offset whatever the costs of the construction were.

It's not so prohibitive and those lots aren't so small that you can't fit a house on it. It's just it limits the size of the house, and you have to go up instead of -- rather than horizontal.

COMMISSIONER FRY: Part of the discussion was that the .1 or .2-acre lots, I guess very small lots, were too small to actually build a home on because you needed a minimum of 2,500 square feet, and it could only be 10 percent.

MR. BOSI: There's no minimum.

COMMISSIONER FRY: There is no minimum? Is the 2,500 a maximum?

MR. BOSI: The 2,500 is a maximum, and that's a maximum on the impervious area, not your house. That's a maximum on the impervious area.

COMMISSIONER FRY: Impervious, including driveways if it was a paved driveway.

MR. JOHNSON: Right. That's why I said, you know, we have to work with the county and stay within the state guidelines. For instance, the driveway, I'm not going to build a concrete driveway just for the fact that, you know, it's going to take away from the size of my house. You know, but if I wanted to, for instance, I could build -- like, the pier, I could build it out of wood, you know, and I can do whatever dirt -- I know there's been some discussions on whether lime rock or what type of lime rock is going to be considered impervious or nonper -- I mean, but there are materials available that can meet those requirements. We've just got fall within that guideline and keep that in mind when you design your home.

Like me, for instance, I'm putting in every available square footage into my home and, you know, and I'll work around what I need to do to accommodate driveways and things like that and such.

COMMISSIONER FRY: Gotcha. So every lot down there would be able to build a single-family home on their property; is that accurate?

CHAIRMAN STRAIN: I don't think Mike can speak for every lot, but there are --

COMMISSIONER FRY: In terms of size, there are really no -- even the smallest lots are still -- following the rules, you could still build a home?

MR. BOSI: Any lot that could accommodate a mobile home will be able to accommodate now a traditionally constructed house.

MR. JOHNSON: I think I can answer what your concern is. We have 40-foot lots, we have 60-foot lots, and we have 80-foot lots. We have some people that have bought multiple lots; like the one gentleman said -- he said he had owned four. I know people down there that have four lots side by side that have incorporated them together.

My current residence that I live in is actually a lot and a half. It's 60-foot. I have a 40-footer and a half of a 40-footer. Now, that was done back in the '60s. My place has been there forever and a day. That being said, there's a lot of people down there that, you know, own 40-footers or some that own 60, some that own 80s, so, on.

So you do have to be aware as a property owner. But, you know, I would caution people that are not from the area that may be coming to buy there, to do their homework and realize what they are getting into.

But I have spoke with Ms. Barbara Pow, who runs the area of critical state concern for the State of Florida. I had a conversation with her. Very nice lady; very helpful. In fact, she was supportive of what Mr. Bosi and them were able to do and said that it only made sense, because we are in a flood zone,

storm surge zone, and FEMA regulations and everything else being changed -- and, I mean, nobody recommends anybody living in a mobile home ever if you can get around it.

I understand there's other places that it may work, but on the islands and barrier islands and things that we're living on, it just didn't make sense to keep us in that box, you know. Because we can still develop this land. We just have to maintain within those rules of area critical concern.

But as Mr. Bosi pointed out, I could go right now to the manufacturer, which I did my homework, and the gentleman that was here earlier, I'd back up what he said. I can build a very nice stick-built home for way less than what they quoted me at the manufacturer. I mean, they started at 350,000 and didn't even want to do a contract for that. It was an open-ended contract, and I basically looked at the guy and said, I don't think you're going to sell too many houses if you want to start at 350- and tell me that 18 months from now when you deliver it it might change.

Now, that was including the pilings and everything that go up, but it was just an insane amount of money that they were quoting on an open-ended contract.

So what you guys are doing for us as property owners is going to be tremendous because, as the gentleman said, I know contractors that can build me a really, really nice house up on stilts for a whole lot less than \$400,000, so...

COMMISSIONER FRY: And just to explain a little bit, like where I was going, really, was I think it seems like a great option for all the homeowners down there. I was a little bit confused in the verbiage as to where some of the smaller lots might not have the option to build a home, and there were a couple of people that expressed concern about mobile homes being affordable housing and this might push them out or, you know, just eliminate the availability of lower-cost housing.

The majority of people, obviously, believe that this is an advantage, and I just was trying to make sure that even people with the small lots had the ability to improve their lots with a home.

MR. JOHNSON: Yes, sir. And I think the answer to that question -- and, again, I'm not an expert in this field, but what the gentleman said earlier, the new regulations that are coming out of the fact we suffered Irma is going to negate that being an affordable housing area. You know, the fact that FEMA's requiring us to go so high in the air and the type of foundations that you're going to have to build to put that mobile home up on -- the quotes I got were anywhere from 100- to 150,000 just for the foundation, just for the slab and the pilings for the house to sit on.

I don't know anybody that's going to pay, you know, \$80,000 for a mobile home and spend 150,000 to put it up on pilings. It just doesn't make rational sense for your investment, especially on a mobile home. As we all know, they're like cars. By the time they take delivery on it, it's going to devalue.

So from that aspect of it, as the county's aspect, it's going to be better for everybody in the whole county because now you're going to have properties down in that area, instead of devaluing every year, they're going to do like everybody else's property and they're going to go up in tax revenue. So that will be a help.

COMMISSIONER FRY: Yeah. Thank you. I really appreciate your dialogue and explaining.

MR. JOHNSON: Just one other quick thing. If you guys want to take a look at what can be done -- now, they've done this on Bayshore on I believe it's East Van Buren side. If you look down in that area, there's a small area there that they've built some really nice concrete block homes, and they're on really tiny, old trailer lots there. I don't know what the dimensions were, but I drove down there and looked out of curiosity.

So if you want to get an idea what can be done on these small trailer lots, I recommend running down to the Van Buren side there and taking a look at what them folks are doing. I don't know who's doing the construction, but they're doing a really good job.

So thank you for your time.

COMMISSIONER FRY: Thank you very much.

COMMISSIONER FRYER: Sir, would you take one more question, please? Thank you very

much.

MR. JOHNSON: Yes, sir. Absolutely.

COMMISSIONER FRYER: Earlier I had raised the question of whether a year is long enough for an RV to be present while someone was reconstructing or remodeling or improving or replacing their mobile home or their single-family dwelling.

MR. JOHNSON: Yes, sir.

COMMISSIONER FRYER: I don't want to create a problem or create work to address a problem if none exists. You're a knowledgeable property owner down there. Would there be a need for an extension less onerous than having to come back and go through a process that could otherwise have been handled administratively by staff, maybe a month-to-month extension?

MR. JOHNSON: Yes.

COMMISSIONER FRYER: Am I -- is there a need there?

MR. JOHNSON: I think you're on track. I do know one gentleman personally that is in that situation that brought that up at the NIM, I believe you called it.

COMMISSIONER FRYER: Yeah.

MR. JOHNSON: And, yes, I think -- but I think it would be -- need to be done just as you suggested; whatever the standard limit is right now, let people draw their permit for that, and then if -- like you said, if there -- I would think as long as it was worded if their actively building their home. You know, I don't know that the neighborhood, you know, would want to create a loophole to where -- the concern on the RV -- and I could tell you this from 90 percent of the people I talk to down there, we did not want our community to turn into a rental RV lot center, because we are in the center of the Ten Thousand Islands. We live in God's paradise, I call it. A lot of people want to come visit. The last thing I wanted was a different set of RVs next door to me every weekend. You know, we don't know who's coming and going in our community and everything.

So that was the overlying concern out of the majority of the residents was, wait a minute, we don't want to open this up to where we're going to have, you know, people coming and going on a regular basis and turning into a weekend warriors' fish camp, you know, that we're having to live in the middle of. So that was where that concern came out of.

COMMISSIONER FRYER: Understood. Thank you very much.

MR. JOHNSON: Yes, sir. I think you're tracking, though.

COMMISSIONER FRYER: Thank you.

MR. JOHNSON: Yes, sir.

CHAIRMAN STRAIN: Okay. Do we have any other speakers, Mike?

MR. BOSI: None registered.

CHAIRMAN STRAIN: Anybody else in the audience who hasn't spoken like to speak? Sir, please come on up and identify yourself for the record, and we'll be glad to hear you.

MR. REED: Hi. My name is Jim Reed, and I'm here about six, seven months a year, and I live in Alaska the other four or five, so -- we like the commute.

Anyway, the deal is is that -- the only thing I had a concern about was that we can keep our mobile homes -- not mobile homes, I mean our campers on the lot as long as they're not occupied; is that correct? With this -- I mean, I come in from Alaska, and I put the thing in my yard. I have a house, I mean, a trailer, and I have a -- actually, I have the only pole barn with a permit in Collier County. I did at the time.

But, anyway, I put my unit there and it sits there empty. Nobody's living in it or anything, but I can keep it there for -- I don't know, is there a length of time on that or something?

CHAIRMAN STRAIN: Well, I don't think the rules in that are changing by this, are they?

MR. FRANTZ: Correct.

CHAIRMAN STRAIN: Yeah. So whatever rules are in place now that you're living by, we're not changing any of those.

MR. REED: Okay.

CHAIRMAN STRAIN: I don't really think that answer's going to be readily available tonight. But we're not -- the only thing we're changing is saying you can put a single-family house up.

MR. REED: All right. Well, thank you. Appreciate it.

CHAIRMAN STRAIN: Everything else stays the same. You're welcome. Anybody else in the audience?

(No response.)

CHAIRMAN STRAIN: Okay. Is there -- Jeremy -- yes, sir, come on up, and please identify yourself, and we'll be glad to hear you.

MR. BARTLY: I apologize. I'm still trying to catch my breath. I raced over here from Miami, and my hearing aid broke on the way, and so I'm a little handicapped.

I live on Lot 20, Plantation Island. We've been there for over 30 years.

CHAIRMAN STRAIN: You'll need to -- remember to identify yourself.

MR. BARTLY: I'm sorry?

CHAIRMAN STRAIN: What's your name?

MR. BARTLY: Allen Bartly.

CHAIRMAN STRAIN: Okay. Thank you.

MR. BARTLY: And, anyway, we've had a second home there for over 30 years. I don't know the exact years.

I'm actually on everybody's side; however, we don't live in a perfect world. It's difficult to do that.

I strongly advocate for affordable housing. The Keys have just wiped out all of their affordable housing, and there's been articles and articles written about how bad it is. They're having to bus in the help to keep the businesses going. I wouldn't want to be living my life like that, and eventually I think it will peter out for them, and they'll have serious problems.

We're in an area where nobody sees us. We don't affect Everglades City because nobody goes back there unless it's a curiosity seeker.

Can you build on -- could you fit a house on there? Certainly you could. Just so you know, my family has property all over the state of Florida, and I have fought a lot of counties over taxes. That's a no-win situation unless you have an attorney, which I do use in Miami. That is the only way you have success.

It doesn't matter whether you have a mountain of evidence in your favor -- and I have -- they will not rule in your favor. They have an agenda.

Now, I'm not here to insult anybody. I'm just telling you what the facts are and how it goes for us.

The reality is that affordable housing is very much needed, and it only gets worse that we need it. The problem -- and, again, I can side with everybody here. I'm not poor, but I'm not wealthy by any means either. My wife very much would like to leave Florida and move to the Carolinas. She loves it up there. We travel up there; we visit up there. We have a good time.

I'm practical. I was born and raised here. I want to stay here. I see the advantages to being here.

The reality is in North Carolina there are a lot of places where you can put a -- you can put a cabin on the property, but there are mobile homes in the distance in your subdivision. And I'm just being honest. I'm an honest man. If I'm going to buy a cabin in the woods, I really want to be surrounded by cabins, not mobile homes. And other people feel the same way, and I get that mentality. It's just another mindset you fall in when you get into that situation.

We are a mobile-home community right now. And as soon as we allow single-family homes to come in -- and I do understand because, by the way, I am also a builder and have been all my life. I get it; I really do. I know the difference between superior-built homes and so forth. The only problem is, once you started letting single-family homes in, it only takes a couple of them, then all of a sudden you have

given ammunition to the taxing authority to raise your property values, therefore, pushing you out of that community. That's a fact. Believe me, I fought enough of these battles to know. They only need a little bit of ammunition, and you're done.

And I have struggled to stay there for a long time. I am a good resident of the community. After the hurricane, I went out, I cleaned my canal out. Nobody else that I know of did that. I took all the garbage cans out. We took a kid's Jeep, battery operated, out of the canal. It was up in the trees. We took somebody's boat, my wife and I, out of a canoe.

Anyway, the point I'm trying to make here is I am a caring individual about everything and everyone, and I try to be compassionate. But the reality is -- I look around; I see a lot of gray hair here, just like myself in the room, and we are baby boomers that are aging. And once you put those structures up at those elevations, the first floor being 10 feet, you now need an extension ladder and a scaffolding to maintain the outside of your home. Just to get up to your gutter you're talking about 20 feet. That's not going to be real doable for a lot of these seniors.

As a matter of fact, the stairs alone are going to be a challenge as they age. I'm only 59, turning 60 this year, and my body is already doing things that I never foresaw it doing. My knees -- I've never had knee problems, and my knees are already saying, you've got knee problems on the way.

So I'm just saying, the reality is I don't think anybody has really, really thought this through carefully enough. I don't think it's been deliberated long enough. I think that -- I looked at what you have online, and I saw the people that turned in cards. There was a total of 32, I believe it was; 32 people that turned in -- forgive my nasty notes. I had hoped to have all typed up. But I actually thought this meeting was tomorrow, not today, and discovered that late last night.

Here it is. Thirty-two cards were turned in, responses. A lot of them weren't even signed. And I did tabulate what everybody's feelings were that showed up. And of the 32, that is actually -- of 143 residents that I count on the island, that is .22 percent response. That is not a supermajority, by any means, of an opinion as to what should be done with the island. I think more people should have input before anybody makes any decisions.

The other thing is that as far as RVs go, I have a neighbor that is an RV, and I know there are others down the street from me. I don't have any issues against RVs per se, but there does need to be some guidance and rules. I get that. The reason I say this is these are -- a lot of these are retirees. The one thing retirees want to do is travel, and so an RV is a suitable thing for them to utilize in doing that oftentimes.

So for them to come down from up north, as a lot of them do for several months at a time trying to escape that bitter cold -- I don't care if they're here for several months at a time. The benefit to that is that when they leave, there's less traffic.

CHAIRMAN STRAIN: Mr. Bartlett (sic), I've got to ask you to wrap it up. You've already reached the maximum time we allow a speaker --

MR. BARTLY: I apologize. And so what I'm saying is I think that, perhaps, what should be done and -- I think maybe we could -- could you give us an extension, give people more time to respond?

CHAIRMAN STRAIN: That's not within our -- that's not our jurisdiction. That's something -- the Board of County Commissioners is the one -- the next board up, after it leaves here it goes to the Board of County Commissioners. You could talk to them about that.

MR. BARTLY: About that, okay.

CHAIRMAN STRAIN: Yeah. That's not our purview.

MR. BARTLY: There will be another meeting?

CHAIRMAN STRAIN: I don't know when it will be scheduled, but there will be a meeting at the Board level at some point. I just don't know when. And, Jeremy, do you know when?

MR. BARTLY: Any idea what kind of time frame we might be talking about?

MR. FRANTZ: We don't have a date picked yet. Once we get a recommendation from this advisory board, then we will schedule the Board of County Commissioners' meeting, and that will

probably be at least a month out.

MR. BARTLY: How much?

MR. FRANTZ: At least one month out.

MR. BARTLY: One month out. And we will all be informed by way of mail?

MR. FRANTZ: Correct.

MR. BARTLY: Okay. Well, I appreciate you and your time. And thank you for giving me a chance to speak, because I really did, I left 2 o'clock Miami, and between traffic and everything, it's amazing I got here.

And, again, I apologize. I have not meant to step on anybody's toes. I'm a nice guy and I mean well, but I just want everybody to be part of this picture that's good for everybody because, really, affordable housing is an important thing. I mean, I could build a house myself, but -- and one quick thought. My neighbor who lost their home, he -- I feel sorry for the guy. He lost his home. He bought a place that was being rented. He let the tenant stay there. The hurricane came. He lost everything. He just had to have it pulled out. He's a shrimper. I think he's still out at sea, and he's busy hunting for a mobile home to put on his property. And he --

CHAIRMAN STRAIN: Mr. Bartlett (sic), I've really got to ask you to stop at this point, if you don't mind.

MR. BARTLY: I was just going to say, the quotes that he gave me are 25- to 50- --

CHAIRMAN STRAIN: I think the other gentleman told us everything is pretty high down there, so that's unfortunate. We understand. Thank you very much.

MR. BARTLY: Thank you for your time.

CHAIRMAN STRAIN: Thank you.

Is there any other member of the public that would like to speak on this matter who has not spoken?

(No response.)

CHAIRMAN STRAIN: Okay. With that, Jeremy, I think the only issue that's come out of this that we haven't addressed -- I know the recreational-vehicle issue is a GMP issue, so that's really off the table. Changes to the ASC are off the table; they're not part of this review. We're simply changing one use, adding a single-family.

We've had testimony or comments from the audience going both ways. This board will make a recommendation to the Board of County Commissioners, and I believe the only issue is looking at an extension presumably by administratively for a temporary unit while a home's being constructed consistent with the fact that a home is being -- making normal progress.

Is that something that you feel comfortable writing up or --

MR. FRANTZ: Yeah. We can write that up as a recommendation. I don't think that that requires any change to this section of the code that we're proposing, because there is another section, I believe, in the Code of Ordinances that deals with that rebuilding scenario, so it may be a separate -- it probably should be a separate process.

CHAIRMAN STRAIN: Okay. Well, at some point I'd like staff -- and since you're in charge of writing the code, that you could take a look and see where it would need to apply and report back to us at some future to make sure it doesn't get lost in the mess that we usually have where things get lost all the time.

MR. FRANTZ: Sure.

MS. ASHTON-CICKO: Part of your recommendation.

CHAIRMAN STRAIN: Pardon me?

MS. ASHTON-CICKO: If part of your recommendation is to direct -- to ask the Board of County Commissioners to direct staff to put the extension language in a future amendment, then that would be appropriate.

CHAIRMAN STRAIN: Right. That's -- Stan?

COMMISSIONER CHRZANOWSKI: I'd like to make some comments on the record. I'm a little torn on this issue, and I'll tell you why.

CHAIRMAN STRAIN: Okay.

COMMISSIONER CHRZANOWSKI: I've been a licensed engineer since 1975. I used to subscribe to *Nature and Science*. Now I just share a subscription to *Nature*. I subscribe to *Discover*, *Popular Science*, *Scientific American*. I'm a firm believer that the climate is changing. The world is warming, and the sea level is rising. And I know that's not a popular belief among a lot of people. I don't really care, because I'm not going to see a lot of it. I'll be dead before it happens. I wonder what -- or before the worst of it happens.

I wonder if anybody's making plans to take these communities out if the sea level -- the IPCC, the Intergovernmental Panel on Climate Change, is going -- I'll slow down -- is going to issue a report, I think, in August or September of this year, their latest projection of sea level rise.

At that time you may -- you may see a number that kind of shocks you, and it may be that FEMA suddenly decides that floors should be higher than what they're already saying. They may realize that, you know, you can't redo your FEMA maps every five years or every 10 years and raise everything up a foot. You know, it's just not practical.

So I -- but this is America, and you have the right to do things I wouldn't do with your property as long as you don't harm other people. So I'm going to not say anything against this, but I would feel remiss if I didn't bring up the possibility that, you know, within -- not your generation. You're going to be here. My grandkids are not -- I firmly believe are not going to be able to live anywhere near Plantation Island. Most of you are my age. It's not going to affect you.

But, you know, I wonder how we're going to remove all this stuff if it does happen. Who pays for it? And that's just -- you know, I'm going on the record as being a little leery about this but, like I say, it's America. You own a piece of land. You want to do something on it. Have at it.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Hearing none, is there a motion for a recommendation to the Board of County Commissioners?

COMMISSIONER FRYER: I'll move approval of the proposed language addition to the LDC to permit single-family dwellings and, also, if I may add to that a recommendation that staff prepare language that would create a month-to-month administrative, less onerous extension process for the RVs during active construction or reconstruction or remodeling.

CHAIRMAN STRAIN: Is there a second?

COMMISSIONER HOMIAK: I'll second, but that recommendation is to recommend that to --

CHAIRMAN STRAIN: Board.

COMMISSIONER HOMIAK: -- the Board would decide that?

COMMISSIONER FRYER: It doesn't need to come back to us. I'm just -- I'm recommending that staff -- or I'm asking that staff prepare something as a recommendation from us to the Board.

CHAIRMAN STRAIN: Okay. So you still second?

COMMISSIONER HOMIAK: Yes, second.

CHAIRMAN STRAIN: Discussion?

(No response.)

CHAIRMAN STRAIN: The only comment I have, I think by asking someone to come in from Plantation Island month to month to deal with Developmental Services and the processes there is going to take up someone's lifetime. So rather than let it do on a month to month basis, just give them six months. And after six months, if they want to come back for a renewal, then they go into a different level. But let the staff have the first six months. That saves people six trips to the county center, and it's so busy over there right now, it's just going to -- it would be difficult to do.

COMMISSIONER FRYER: You mean in excess of a year? Another six months.

CHAIRMAN STRAIN: Yeah. But one block of six months, not every month.

COMMISSIONER FRYER: I'll accept --

CHAIRMAN STRAIN: You've got six separate trips --

COMMISSIONER FRYER: I'll accept an amendment to my motion.

CHAIRMAN STRAIN: Would you, Karen?

COMMISSIONER HOMIAK: Yes. Isn't that done online anyway?

CHAIRMAN STRAIN: Well, however it's done.

(Simultaneous speakers.)

CHAIRMAN STRAIN: I think six months is --

(Simultaneous speakers.)

COMMISSIONER HOMIAK: -- it is, so it must extend for these people that had damage then, right?

CHAIRMAN STRAIN: I don't -- no. If someone's replacing their home and they want to live in a temporary facility on site while they're replacing a home, they have one year with that the way the code's written now.

COMMISSIONER HOMIAK: Oh, okay.

CHAIRMAN STRAIN: What I'm saying is they can extend the one year administratively by staff by whatever means staff requires, whether they have to drive to Developmental Services, if they have the Internet, they can do it by cell phone. I don't know what ways you do it. But whatever way they do it, I think we ought to give them six months instead of one month at a time for X number of months.

COMMISSIONER HOMIAK: As long as there's open permits.

CHAIRMAN STRAIN: Pardon me?

COMMISSIONER HOMIAK: As long as they have permits open to build.

CHAIRMAN STRAIN: They couldn't -- yeah, they couldn't get it any other way.

COMMISSIONER HOMIAK: I don't know. What if they didn't pass inspection and the permit runs out?

CHAIRMAN STRAIN: If they didn't pass -- they'd be red tagged. They couldn't do much else.

Okay. Well, there was a motion made and the motion maker approved the six-month extension.

Are you going to go along with that or not?

COMMISSIONER HOMIAK: Yes.

CHAIRMAN STRAIN: Okay. Discussion?

(No response.)

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER FRY: Aye.

COMMISSIONER FRYER: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 5-0.

Thank you all for coming. This will go to the Board of County Commissioners in 30 or 45 days for final, and then once they do it, it's a done deal and everything's taken care of, so...

Thank you.

***The next item up is Item 9A2. It's the communications towers as a conditional use in a couple sections of our code.

And with that, Jeremy, I'll turn it over to you for presentation or discussion.

MR. FRANTZ: Again, another fairly straightforward amendment. We're looking to add uses in some limited areas of the county in the rural fringe mixed-use district sending lands and the conservation

districts.

Again, no changes to existing development standards related to communication towers, just allowing them in some new districts. And this will also be in compliance with the U.S. Telecommunications Act of 1996.

CHAIRMAN STRAIN: Questions? Go ahead, Ned.

COMMISSIONER FRYER: Jeremy, I have a question about the use of the word "essential." And I went back and looked at the Telecommunications Act, and Section 254 of that act actually called upon a joint federal and state commission to determine whether cell service is to be considered essential. Congress did not make that determination. They bucked it to a joint federal and state group.

And I didn't research it further to see if that has been accomplished or not, but unless the concept of essential services -- unless cell phone services has been connected to that word, I recommend that we not use it, and I don't think we need to use it. We are -- we're adding a conditional use, and if the federal government hasn't adopted the notion that cell service is essential, I don't think we should extend farther than we have to.

CHAIRMAN STRAIN: Did you look at the definition for essential in the code?

COMMISSIONER FRYER: In this code?

CHAIRMAN STRAIN: Our code.

COMMISSIONER FRYER: No, I don't believe I did.

CHAIRMAN STRAIN: Okay. Because telephone services are -- telephone, electricity, cable television, or communications to the general public by providers that have been produced or authorized, according to laws, have appropriate jurisdiction and government facilities. Those are all part of our essential services definition for the county.

COMMISSIONER FRYER: Yeah.

CHAIRMAN STRAIN: So from our perspective at the county, it's an essential service.

COMMISSIONER FRYER: Understood. Just the -- in the material it was indicated under the Telecommunications Act of 1996 it's an essential service, and I didn't find that to be the case, but my research was limited.

MR. BOSI: And I could provide a little clarity to how that was.

In 1996 when the Telecommunications Act was written, cell phone services did not provide E-911 service. They now all are required by federal law to require E-911 service. And because of that, that provides them the establishment or the rational nexus as to why they are essential services and why our code defines them as an essential service, because they all provide emergency communication opportunities.

COMMISSIONER FRYER: Well, I'm fine if we're tying it to our code, but we cite the Telecommunications Act as a source of authority for calling phone service -- cell phone service essential, and I just couldn't find that.

MR. BOSI: We site the 1996 Telecommunications Act because it says you cannot -- you cannot prohibit telecommunication towers from large swaths or geographic areas of your county or your jurisdiction, and that's the motivation of why we are bringing this before the Planning Commission because the sending area is large geographic areas that are, essentially, per our code, currently prohibited from allowing a telecommunication tower.

COMMISSIONER FRYER: Okay.

CHAIRMAN STRAIN: Anybody else?

COMMISSIONER FRYER: Wait a minute. I've just found what I was looking for; excuse me.

CHAIRMAN STRAIN: Sure.

COMMISSIONER FRYER: On Page 154 of the packet you say, "This LDC amendment would ensure compliance with the U.S. Telecommunications Act of 1996 by defining communications towers as an essential service."

MR. FRANTZ: I think what is meant there is that we are defining as an essential service and

allowing as communication towers, not saying that the Telecommunications Act does that. But I don't mind clarifying that language and clearing it up. That's not what we intended to say.

COMMISSIONER FRYER: I think you should, and that's all I would like to ask that you do.

MR. FRANTZ: That's not a problem.

COMMISSIONER FRYER: Because when I looked at the act, it didn't do that.

That's all I had.

COMMISSIONER FRY: I was curious what percentage of Collier County, the conservation district and the RFMUD comprises, just what percentage the county is. And if this is a pressing problem -- is this a formality? Is this an "i" we're dotting, or is this a critical change that needs to be made that's holding up something of great importance?

MS. ASHTON-CICKO: We've had a couple pre-application meetings with cell phone representatives that would like to place cell towers in these locations in Collier County. If they're not able to put towers within an area they've defined as a service area, then there'll be lapse in coverage for people, and that's what they're trying to avoid.

COMMISSIONER FRY: So that was the impetus for this coming to us now?

MS. ASHTON-CICKO: Correct.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Jeremy, are you going to fix that language that you and I talked about?

MR. FRANTZ: Yeah. I did take a look at that. Commissioner Strain pointed out earlier today that there was a reference in some of the existing language. This is in G.1 -- I'm sorry -- G.2 that does not exist. This language here in 4.08.08.C.2 in 19 -- or sorry -- in 2005, that section was moved to 4.08.05. So we could modify that reference there to 4.08.05.H.3.

The rest of the sentence also says that these uses in 2 below are in addition to the essential services identified as conditional uses in G.1 above; however, when you look at G.1, G.1 says that these conditional uses are -- or these are conditional uses in every zoning district except the zoning district that is referring us there.

So we would just propose to remove that reference to it being additional to 2.01.03 above.

CHAIRMAN STRAIN: And that's the only other comment. Oh, one other comment. I read the letters that we've received concerning this bird reference. I don't necessarily disagree with the Florida Wildlife Federation that we should be making sure there's no obstructions to birds. I just don't think a private organization that they're referring to is the right way to go. I do agree with the other letter we received that it's already handled by the various governmental agencies that have to require -- their requirements. And I just wanted to make that note. I didn't know if you planned to change anything anyway or not.

MR. FRANTZ: And I'll add to that. I did respond to Ms. Budd that in the communication towers Section 5.05.09 we do address most of the issues that are addressed in the references that she made. I don't have a response from her. I'm not here to speak for her, but I did want to point out that I did that analysis, and many of those things, like tower height, the use of guy wires, the lighting, those things are addressed in our existing standards.

CHAIRMAN STRAIN: Okay. And the one last thing I have, Jeremy, is when you use something other than our code as a basis for your argument, as Ned was alluding to in the U.S. Telecommunications Act, I don't need the whole act, I mean, that's probably thousands of pages, but the section that you referred to specifically, 332(c)(3)(7)(B)(i)(II), that section, if you -- next time we do something like this, could you provide it with the backup so that --

MR. FRANTZ: Yeah. That section is sort of demonstrated in Exhibit A to this amendment. I attached the executive summary that went to the Board, and that was a part of the executive summary.

CHAIRMAN STRAIN: Oh, was it? I didn't -- okay. I don't have 159 pages either, so...

MR. FRANTZ: I'm not sure what happened in getting the packet to you, but --

CHAIRMAN STRAIN: Well, I get it from a different source, and I notice all the time -- like Karl had over 100 pages for that one. I only had 99, and I got eight pages for this.

MR. FRANTZ: Okay.

CHAIRMAN STRAIN: Okay. I'm fine other than that. Anybody else have any questions?

COMMISSIONER FRY: Jeremy, one of the main things in the letters that were included, the FCC -- and I think you addressed this. But one specific thing that struck me was the steady burning lights attracting birds and that -- wanting to outlaw or change those especially in the heights over 350 feet. Is that covered in the 5.05.09, elimination of the L-810 steady burning lights?

MR. FRANTZ: Related to lighting -- and you can see on there there's a couple of sections that deal with lighting and even security lighting, I think, at the base of the communications tower. I don't have that section up at the moment, and I don't remember the specific standards that we have, but there are some discussion about the use of flashing lights and when to use lights at all.

COMMISSIONER FRY: But whatever those rules are, that is the appropriate place for them, correct; 5.05.09?

MR. FRANTZ: It is.

COMMISSIONER FRY: Thank you.

CHAIRMAN STRAIN: Anybody else?

(No response.)

CHAIRMAN STRAIN: Is there a -- any registered public speakers, Mike?

MR. BOSI: No.

CHAIRMAN STRAIN: Is there -- anybody in the public like to speak on this matter? Come on up and please identify yourself again for the record.

MR. PELLETIER: I was here -- my name is Ray Pelletier, and I was here for the other issue. But I saw that you're stipulating sending areas, and I'm in support of putting these things wherever you need to get them, because it's a safety issue in my mind.

But are these sending areas that have their development rights intact still or ones that have been stripped of them?

MR. FRANTZ: This just adds the use to the district as a whole. So the sending lands is not where we would strip development rights from. That's where we're sending development to. I'm saying that backwards. Sorry.

MR. BOSI: No. Yes, you're correct. If they've severed their TDRs from their property, there's a limitation to the development rights that's established on that property; therefore, they wouldn't be able to host a tower because they've extinguished the rights that are associated with the development of their property. It would only be for sending lands that have not -- that still would this have -- that would still be eligible with TDRs intact within their -- within their parcel of land.

MR. FRANTZ: Sorry for the confusion.

MR. PELLETIER: Okay. So -- all right. Thank you.

CHAIRMAN STRAIN: Thank you.

Anybody else have anything they'd like to say?

(No response.)

CHAIRMAN STRAIN: Okay, Jeremy, thank you.

I'll turn to the Planning Commission. Is there a -- if there is a motion, the only suggested changes are the corrections on G.2 that Jeremy reiterated as part of the motion. I think that will get everything cleaned up. Is there a motion from anybody. Stan?

COMMISSIONER CHRZANOWSKI: I'll move to forward this.

CHAIRMAN STRAIN: Okay. Second?

COMMISSIONER FRYER: Second.

CHAIRMAN STRAIN: Seconded by Ned.

Discussion?

(No response.)

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

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER FRY: Aye.

COMMISSIONER FRYER: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries, 5-0.

And that takes us to the end of our agenda.

Under new business, there is none. There's no old business.

Are there any further public comments?

(No response.)

CHAIRMAN STRAIN: Hearing none, is there a motion to adjourn?

COMMISSIONER FRYER: So moved.

COMMISSIONER CHRZANOWSKI: Second.

CHAIRMAN STRAIN: Made by Ned, seconded by Stan.

All in favor, signify by saying aye.

COMMISSIONER CHRZANOWSKI: Aye.

COMMISSIONER FRY: Aye.

COMMISSIONER FRYER: Aye.

CHAIRMAN STRAIN: Aye.

COMMISSIONER HOMIAK: Aye.

CHAIRMAN STRAIN: Anybody opposed?

(No response.)

CHAIRMAN STRAIN: Motion carries 5-0.

Thank you.

COMMISSIONER FRYER: We're out of here.

CHAIRMAN STRAIN: We're out of here.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 6:02 p.m.

COLLIER COUNTY PLANNING COMMISSION

for Karen J. Homiak

MARK STRAIN, CHAIRMAN

ATTEST

CRYSTAL K. KINZEL, CLERK OF THE CIRCUIT COURT & COMPTROLLER

These minutes approved by the Board on 4/4/19, as presented ✓ or as corrected _____.

TRANSCRIPT PREPARED ON BEHALF OF U.S. LEGAL SUPPORT, INC.,
BY TERRI LEWIS, COURT REPORTER AND NOTARY PUBLIC.