

July 16, 2026
4:00 P.M.

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY PLANNING COMMISSION
Naples, Florida
July 16, 2026

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 4:00 p.m., in REGULAR SESSION in Building "F" of the Government Complex, East Naples, Florida, with the following members present:

Joe Schmitt, Chairman
Chuck Schumacher, Vice Chairman
Paul Shea, Secretary
Randy Sparrazza
Michelle L. McLeod
Amy Lockhart, Collier County School Board Representative

ABSENT:
Michael Petscher
Domenic Lucarelli

ALSO PRESENT:
Mike Bosi, Planning and Zoning Director
Eric Johnson, Planning Manager
Courtney DaSilva, County Attorney's Office
Ailyn Padron, Management Analyst I
James Sabo, Planner III

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PROCEEDINGS

MR. BOSI: Chair, you have a live mic. It's 4 o'clock. Troy's on it.

CHAIRMAN SCHMITT: Okay. We have it on our screen.

Okay. Good afternoon, and welcome to the July 16th, 2026, Collier County Planning Commission.

I ask that we all please rise for the Pledge of Allegiance.

(The Pledge of Allegiance was recited in unison.)

CHAIRMAN SCHMITT: Okay. And I would ask that -- would Commissioner Shea please take the roll.

COMMISSIONER SHEA: Chairman Schmitt?

CHAIRMAN SCHMITT: Here.

COMMISSIONER SHEA: Chairman Schumacher?

COMMISSIONER SCHUMACHER: Here.

COMMISSIONER SHEA: Secretary Shea is here.

Commissioner Sparrazza?

COMMISSIONER SPARRAZZA: Here.

COMMISSIONER SHEA: Commissioner McLeod?

COMMISSIONER McLEOD: Here.

COMMISSIONER SHEA: Commissioner Petscher is absent. Commissioner Lucarelli is absent.

And, Ms. Lockhart.

MS. LOCKHART: Is here.

CHAIRMAN SCHMITT: Is here.

COMMISSIONER SHEA: And so we have a quorum, sir.

CHAIRMAN SCHMITT: We have a quorum. Excellent.

Mike, are there any addenda to the agenda?

MR. BOSI: No adjustments to the agenda from staff.

CHAIRMAN SCHMITT: No adjustments.

Let me ask, for procedural purposes, since there's two agendas, we will end up closing this meeting, adjourn this meeting, and reconvene the 5:05 meeting.

MR. BOSI: Correct.

CHAIRMAN SCHMITT: As a new meeting?

MR. BOSI: Yes.

CHAIRMAN SCHMITT: We will not just -- we will not just continue this meeting?

MR. BOSI: No. We'll close this -- the daytime meeting down at the conclusion of the amendments and then open up another meeting at 5:05.

CHAIRMAN SCHMITT: Because sometimes we've -- in the past we've just continued. We took a --

MR. JOHNSON: Delay. Like a pause.

CHAIRMAN SCHMITT: -- break, and then we just reconvened at 5:05.

MR. BOSI: I don't believe there's any legal obligations whether to close it and open a new meeting. It's just the items that are being heard after 5:05 are because we're adding a new use to the LDC, and because of that --

CHAIRMAN SCHMITT: Yeah.

MR. BOSI: -- our regulations say we have to have a meeting that starts after 5:05.

CHAIRMAN SCHMITT: Well, both meetings are legislative in nature. They're not quasi-judicial, so...

Okay. Our next meeting scheduled for August 6th has been canceled, and as of now -- and of course, there's no land-use petitions, so right now you're not going to -- definitely going to be canceled.

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MR. BOSI: It's definitely going to be canceled. We're past the date of where -- for advertising. So we are canceled.

CHAIRMAN SCHMITT: And then the following meeting is August 20th. Are any commissioners going to be projected to be absent for that meeting?

(No response.)

CHAIRMAN SCHMITT: I will be here. From what I hear, we have six items. Actually, three items.

MR. BOSI: Three items, GMP and PUD with each one of those items.

CHAIRMAN SCHMITT: PUD. Okay.

Next item, approval of minutes, the June 4th, 2026. Do I hear a motion to approve?

COMMISSIONER SCHUMACHER: So moved.

CHAIRMAN SCHMITT: Second?

COMMISSIONER SPARRAZZA: Second.

CHAIRMAN SCHMITT: All in favor, say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN SCHMITT: Aye.

COMMISSIONER SCHUMACHER: Aye.

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER McLEOD: Aye.

CHAIRMAN SCHMITT: Any opposed, like sign.

(No response.)

CHAIRMAN SCHMITT: No opposition; it passes.

Mike, since we're -- we could still do a BCC report. Anything to report?

MR. BOSI: It was the -- we had an approval of the temporary-use requirement on public properties. That amendment was pulled back and tabled to ask for some modifications from the Board of County Commissioners to clarify if an event was below a certain level -- participation level, that they felt that would not need to have to go through the conditional-use process or warranted the conditional-use process. Staff is going to make some amendment to that regard and bring it back to the Board of County Commissioners at a later date.

CHAIRMAN SCHMITT: Okay.

MR. BOSI: But, essentially, that was the one land-use item that was on there.

CHAIRMAN SCHMITT: Well, the other item was Tuesday, the denial.

MR. BOSI: Oh, yeah. And also --

CHAIRMAN SCHMITT: The withdraw of the --

MR. BOSI: And also -- there also -- Golden Gate and 60th Street affordable housing project was ultimately withdrawn from the -- from the docket. It looked like it was going to fail. The applicant chose to withdraw. So there may be another -- there may another run at that location, but it's -- it's withdrawn as of now.

CHAIRMAN SCHMITT: Did the Ave Maria proposal go to the Board yet, the one that was expansion of the footprint?

MR. BOSI: Yes.

CHAIRMAN SCHMITT: That did?

MR. BOSI: Yes.

CHAIRMAN SCHMITT: Was --

MR. BOSI: Wait.

CHAIRMAN SCHMITT: That's the one --

COMMISSIONER SHEA: I thought I saw it in the paper.

CHAIRMAN SCHMITT: -- Mr. Yovanovich -- was the addition of that property.

MR. BOSI: The addition across --

CHAIRMAN SCHMITT: Yes.

MR. BOSI: The 2,300-and-some acres, yes, I believe it has gone to the Board of County Commissioners.

COMMISSIONER SHEA: I think so, too.

CHAIRMAN SCHMITT: Was it pretty contentious? I mean, because --

MR. BOSI: No. It was on summary, and it stayed on summary.

CHAIRMAN SCHMITT: Oh, it did. Wow.

MR. BOSI: Yeah. That's -- Mr. Klucik didn't show up. No one --

CHAIRMAN SCHMITT: He did not show up.

MR. BOSI: None of those issues that we brought up at the Planning Commission rose -- they must -- could have been resolved.

CHAIRMAN SCHMITT: All right. Okay. Well, the next item, then, is a public hearing in regards to the facilities with fuel pumps waiver separation, but since this is legislative in nature, there's no disclosures needed, and there's no need to swear in any -- for sworn testimony.

***So with that, we'll proceed right to the first item, 9A, PL20260003715, facility with fuel pumps waiver separation. This is an LDCA. And Mr. Johnson's going to present. This was at the direction of the Board of County Commissioners. I think we can make this rather easy, but you can give us a brief overview unless you want to give us the 27 slides that you put together, and we'll go through that briefing.

MR. JOHNSON: I had 30 slides.

CHAIRMAN SCHMITT: You had 30?

MR. JOHNSON: No, no, just kidding. No, I don't have a slide show, which is great.

For the record, Eric Johnson. Good afternoon, everyone, ladies and gentlemen. This is a Land Development Code Amendment that was Board directed to change LDC Section 5.05.05. You have it on your screen. It's the language related to the distance separation between fuel facilities/gas stations and the waiver application that goes along with it. This all came up in October of last year when the Board of County Commissioners, the BZA, was reviewing Hacienda, the PUD.

COMMISSIONER SHEA: Costco.

MR. JOHNSON: The Costco, exactly.

COMMISSIONER SPARRAZZA: The Costco at Hacienda.

MR. JOHNSON: Exactly. And so the Board asked staff --

CHAIRMAN SCHMITT: We definitely remember.

MR. JOHNSON: Yeah, you remember, you remember. The Board asked staff to approach with an executive summary, and we did so later in the year, in March of this year, actually, asking -- or giving them some ideas as to what we could or could not do with the existing language. Right now on the books we have a 500-foot distance separation between gas stations, and so we -- Mike Bosi presented to the Board of County Commissioners. They opted to go and direct us, as in the staff, to move forward with a Land Development Code to eliminate this language in the code, and so that's what we have here tonight.

CHAIRMAN SCHMITT: Eric, for clarification and for the public that may or may not be listening, it's 500 feet from property line to property line, not pump to pump, which is -- which I vividly recall.

MR. JOHNSON: Yeah, adjacent -- it says here based on distance between nearest points.

CHAIRMAN SCHMITT: Yes.

MR. JOHNSON: Which I think is property line.

COMMISSIONER SHEA: Property line.

CHAIRMAN SCHMITT: Property line, okay.

MR. JOHNSON: So that's in a nutshell. If you have any questions, I'll be happy to --

CHAIRMAN SCHMITT: No. The research you did was pretty comprehensive that was in the packet, and it was --

MR. BOSI: One of the things, I think, that influenced the Board of County Commissioners' decision there was -- there's never been a denial of the --

CHAIRMAN SCHMITT: Yeah.

COMMISSIONER SPARRAZZA: Variance.

MR. BOSI: -- distance waiver. And the amount of community attention that arrived upon didn't seem like it corresponded to some of that end result. And some of the -- also some of the -- the check safes that we have as part of the SDP process was further explained to the Board of County Commissioners how we ensure that there's -- these conflicts that we're trying to fret out as part of that distance waiver are addressed as part of those operational analyses that is required for any Site Development Plan before it could be approved.

So those two factors, I think, really influenced the Board to make the decision to remove this requirement for a gas station to seek that distance waiver.

CHAIRMAN SCHMITT: Well -- and also, it really was implemented many, many years ago to avoid, at intersections, gas station, gas station, gas station.

MR. BOSI: And that Pine Ridge I-75 corridor --

CHAIRMAN SCHMITT: Right.

MR. BOSI: -- was where this originated at, and it's funny, if you go up there, there are some gas stations next to gas stations, and that was some of that original --

CHAIRMAN SCHMITT: That was pretty much -- yeah.

MR. BOSI: Some of the original --

CHAIRMAN SCHMITT: Immokalee -- I mean, Pine Ridge and some other areas that pretty much started this whole process 20-something years ago.

Okay. Anything else, Mr. Johnson?

MR. JOHNSON: You had said that staff did a good job of research. I want to give Mr. Henderlong and our planner, Irma --

CHAIRMAN SCHMITT: Thank you. That was -- that was pretty interesting information.

MR. JOHNSON: They did the research.

CHAIRMAN SCHMITT: What surprised me was the lack of any specific direction to prohibit it. So it was --

MR. JOHNSON: And over the course of time, only 10 of these were approved.

CHAIRMAN SCHMITT: Yeah. All right. Well, with that, anything else?

MR. JOHNSON: No. No, sir.

CHAIRMAN SCHMITT: Do I hear a motion to approve as written?

COMMISSIONER SCHUMACHER: Motion.

CHAIRMAN SCHMITT: Second?

COMMISSIONER SPARRAZZA: Second.

CHAIRMAN SCHMITT: All in favor, say aye.

COMMISSIONER SHEA: Aye.

CHAIRMAN SCHMITT: Aye.

COMMISSIONER SCHUMACHER: Aye.

COMMISSIONER SPARRAZZA: Aye.

COMMISSIONER McLEOD: Aye.

CHAIRMAN SCHMITT: Any opposition, like sign.

(No response.)

CHAIRMAN SCHMITT: Hearing none, it passes unanimously.

All right. We're going to -- we have two items on the agenda for discussion. Another one which was "enlightening," I use that word, discussion about urbanized outdoor residential street lighting. Very comprehensive report on that. In fact, that's -- I'm going to keep that information just because it always came up, and the -- the explanation of lumens, I thought, was really, really pretty good. I did read it, by the way, so --

MR. HENDERLONG: Well, that's good to hear.

CHAIRMAN SCHMITT: Are you looking for guidance from us on this, or a discussion?

MR. HENDERLONG: I've got a brief presentation, about 13 slides.

CHAIRMAN SCHMITT: Go ahead.

MR. HENDERLONG: I'll walk you through it.

COMMISSIONER SHEA: We've got to do something for the next hour.

MR. HENDERLONG: Then at the end, we'll come up with --

CHAIRMAN SCHMITT: We've got to do something for the next hour.

MR. HENDERLONG: Yeah. And we've got some staff recommendations at the end. And then we're seeking some direction from you on it.

CHAIRMAN SCHMITT: Okay.

MR. HENDERLONG: So this is an item that came up --

MR. BOSI: Your name.

MR. HENDERLONG: Oh, sorry. My name is Richard Henderlong, Planner III for the Collier County Growth Management Community Development Department. I'm working in the Land Development Code section, and I've been assigned to work on this LDC amendment -- or this action item to seek the Planning Commission's direction on how we proceed with future LDC amendments.

So on -- in July -- well, let me move out of this real quick to the next one.

CHAIRMAN SCHMITT: Why don't you put it on presentation mode down there, and Mr. Johnson will show you there -- Eric is going to do a little highlight. There you go. Thank you. Now you just have to advance by "enter."

MR. HENDERLONG: Ah, excellent, very good.

So the direction you gave -- and let me put it in the context that this occurred as a result of the Immokal- -- Imperial Lakes PUD, "R" residential PUD rezoning in Castlewood neighborhood residence.

The memorandum outlined all the questions for you that was generated during the process of that hearing. At the end of the agenda item, it was -- you gave us direction, and that's what this is here are the three items: One, to come back and report on the cost estimates that require lighting fixtures, poles with color temperatures of 3,000 Kelvins versus traditional residential lighting fixtures and poles; two, what are the differences in the terms and specifics as they are contained in Dark Skies -- in the terms, utilizing the terms, the specifics as it relates to Dark Skies; and then, three, what needs to be required in an LDC amendment.

So in the review in the comprehensive packet of all that background, we've narrowed it down that it includes an evaluation of the specific provisions contained in the previous approved development orders and projects over a 10- to 12-year period. That consisted of PUDs, HEX decisions, as well as SRA commitments, development order commitments.

Consideration is also given to whether the amendments in the LDC would be necessary, and if their implementation -- and how they could be implemented and the need for enforcement. We'll talk a little bit about that later.

Staff will -- we'll also give you an overview of its findings, outline the potential LDC options, and seek your recommendation.

So the first thing we found is that we compared -- in comparing all the LDC standards, which is part of your first packet, Item 1, that the past -- with the development past orders for urban residential and commercial outdoor streetlighting, we found them to be very excessive. They're focusing -- the issues are being focused on excessive or obtrusive, too bright, and glaring and trespassing and lights spilling onto other adjacent properties. So that seems to be the central factors that most -- theme that goes along with all the applications and development orders.

Next, the compliance -- the question raises -- the question is raised, is compliance with Dark Sky principles and best practices and/or IDA simple guidelines for outdoor regulation? We found it does not do what it's intended to do in the context that -- trying to mitigate citizen objections and concerns due to the impact of the outdoor lighting effect on neighboring urban communities. And we'll get -- talk a little bit about that further on.

Next, the reporting -- we provided you a report -- an example of reporting installation and

fixture -- pole and fixture cost estimates for traditional streetlighting versus color temperature of 3,000 and 4,000 Kelvin value ranges with LDC fixtures. That's in your Attachment 3C.

And then the -- we found that the actual costs will always vary when evaluating different light sources for security -- depending upon its purpose: Security, safety, protecting the environment, its structural integrity particularly during hurricane events, and/or long-term maintenance. So that leads up to areas for improvement.

The research also showed that there are gaps within the LDC current code and project commitments on measuring and describing what is performance and/or the prescriptive outdoor streetlighting criteria that Dark Sky talks a lot about, and particularly in their model lighting ordinance.

Next, we found that most PUDs, HEX decisions, and SRA project commitments that were mentioned have different aspects of conforming to Dark Sky lighting principles and practices and/or just light facilities, just the flat panel, a full cutoff fixture, a shielding, et cetera, or Dark Sky compliance without specifying -- this is interesting -- a maximum color temperature, backlight, or glare rating value, and we'll talk about that when we get into BUGs, because most of the regulations are showing they're talking about sky flow, the light going up here.

Citizens' objections are dealing with glare trespass moving in a lateral position and outward from the poles and lights themselves. That's -- so we'll move on with that.

We also found that the commitments are limited to just providing shielding or just to protect from or avoid direct glare or to protect nighttime environment or avoid light trespass and light spillage or only just reduce light pollution. So there's no uniformity and consistency on how we apply this, okay.

Next, the projects -- some projects only address correlated color temperature or Kelvin values in an attempt to address light-fixture visibility while other projects measured light levels along joint property lines in foot candles, which address the issue of light trespass.

That -- foot candles is the primary -- there's three different types that measure lights. Foot candles is what our current code primarily focuses on today as opposed to codes or -- and/or a blended aspect that would be inclusive of correlated color temperature or Kelvin lights [*sic*], which was the subject matter during the Imperial Lakes PUD.

So in several projects, some of the lightings for outdoor parking lots are required to reduce light spillage while others were not even mentioned. So that's evidence of inconsistency when we approve some of these commercial projects, that we need to come up with a better methodology and approach to make that work.

So the question, is what are dark light -- sky lighting principles? Well, there's five of them, and it's in your packet. It's outlined here. I won't read each and every one of them for you, but I put -- we put in here best practices -- best practices: What is Dark Sky lighting? When you use the term "Dark Sky lighting best practices," what does that mean? Everyone asks the question, what are we really requiring? It's just saying that it has to comply with these five principles.

So moving on forward with color temperatures, Dark Sky has adopted and approved luminaire -- a luminaire -- luminaires guidelines, which is the color -- correlated color temperatures. This is a spectrum on -- when you look at it from left to right that shows the values being orange to yellow on the left, all the way up to blue, which is much more obtrusive to a lot of people and -- as it relates to LED.

For comparison at -- the second bar at the bottom demonstrates -- sorry. I've got to take my glasses off -- demonstrates a different value that shows that there are ranges -- midranges in between these -- this spectrum of 1,000 to 10,000. So when we try to regulate -- right now we've only been addressing residential, 3,000 Kelvin lumens or less. These other options are not being considered during project reviews.

So this illustrates -- on this slide is an example of how the Kelvin values would range for what type of residential use would be applicable, and you can see all the way from a quiet neighborhood on -- at the top, and then rarely used for residential streets at the bottom, those values.

Also, the International Dark Sky Association, in conjunction with the Illumination Engineering Society, adopted a BUG luminaire classification system, also referred to as a rating. What's displayed on

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this slide is a Table C from the model lighting ordinance, and it really helps the -- the average person understand what is backlight. What are the parts of illumination -- when the pole is up in the area standing, and you've got a cutoff lens sitting here, what's happening with that light? How much of it's going up? How much is going to the back of the pole and the lens -- shielded lens, and then how much is going -- constituting glare, which is what an adjacent property owner would be primarily concerned about. And that is also demonstrated in your packet. I gave you a comprehensive packet on Pages 84 and 90 of your packet.

The next question that we talked about is, what should LDC requirements address as it relates to Dark Sky issues? So as I said earlier, it's the impact and the effects of excessive light spillage, light trespass, and glare on neighboring properties.

So each of these factors must be assessed and evaluated and considered during urban residential and commercial outdoor streetlighting design plans. Staff reviewers, in talking with them about how they're doing checklists and implementing this and trying to figure out how -- are there any follow-up on it, they agreed that we need some sort of a checklist to help determine compliance with these -- with the LDC-adopted standards and specifically with the Dark Sky requirements, and then also how to enforce them. So there's room for improvement and opportunity there.

The next are the specific issues that need to be addressed as it relates to lighting and illumination. The functional components are backlight, uplight, glare, illumination levels, and the boundary caps along the property lines. For example, it would ensure that the light trespass does not exceed maximum foot candle levels for a designated residential and/or commercial at an adjacent property line.

And then also the pole placement and the placing are a functional aspect, too, because that plays into the uniformity of lighting ratios, as well as the color temperatures, full cutoff lens, and the fixture lens itself, including the installation and the purchase of approved Dark Sky fixtures. Many codes adopt and require Dark Sky fixtures to be approved and fully installed and used. That's not the current practice for -- countywide for Collier County.

So what is our recommendation? Based upon the evidence, we've kind of -- and the background and research we've submitted, we find that we are recommending that outdoor lighting terminology of -- I forgot to talk to you about that.

In your packet you have all the definitions that we had pulled as it relates to IDA and IES recognized definitions. That -- in the terminologies, there's lack of uniformity in how they're being used. We're recommending that you -- that these definitions be applied consistently in a uniform way in all development orders, including PUDs, HEX decisions, and SRAs, for different types of outdoor streetlighting projects, be they on public roads or private roads internal, as it relates to the perimeter boundaries rather than on a project-by-project basis. Piecemeal, in other words. We've been piecemealing this over time, and you as -- representing the public in trying to figure out policies, you get overwhelmed with citizens' complaints and so forth, and we're always struggling with, how do we resolve the issues?

And we'll talk -- the second item here is the recommendations, probably the most important. Adopt a uniform outdoor residential and a commercial streetlighting system where the outdoor streetlights are located along or within a prescribed distance to the perimeter of the residential property boundary and the public right-of-way lines. That's where we're lacking direction, and that's where we'd like to go with some of these amendments.

So next, we have -- we're seeking direction to proceed with one or more of these LDC amendments, and we've identified five components or five different aspects that need to be addressed, and they're listed on the screen. I can go into detail if you'd like to look at them or have any questions about them.

But we would like to get action from the Board to -- or the Planning Commission today as to proceed with an LDC amendment, and we will focus with this and come back with a future LDC amend- -- LDC amendment that will address these issues.

COMMISSIONER SHEA: So you're kind of saying, when we approve all these with Dark Sky,

you didn't have a clue what the -- what the review checklist was?

MR. HENDERLONG: Exactly. And that's one of the administrative components that we're going to require going forward. We want to codify that, put it in place. That sits here on an application.

COMMISSIONER SHEA: Good idea.

MR. HENDERLONG: And we've got some preliminary checklists that we've been working with and talking with some of the Development Review staff about. And it's very interesting. The concern is about what we do with inspections, how do we go out? That's a subject matter yet to be internally resolved. So everything you see that's been committed in here, there is no follow-up on enforcement or inspection.

CHAIRMAN SCHMITT: Let me ask, from a standpoint of -- two aspects. One is commercial development. I'm very hesitant to demand specificity because -- depending on parking lots and safety and lighting and all those kind of things. They're pretty well designed. We typically ensure that there's down-lighting, they're shielded properly. But I don't think in any commercial we get into Dark Sky that -- I don't recall.

MR. HENDERLONG: The only time it occurs, Commissioner Schmitt, is when it's abutting a residential piece of property.

CHAIRMAN SCHMITT: Okay, yes.

MR. HENDERLONG: And they'll come, you know, prescribe -- that's why we mentioned prescribed distance of, like, 100 feet or 150 feet in there. We have five over -- three overlay districts -- or four districts in which we've got elements of it in there, those districts, but we haven't addressed it for the urban areas of the county as a whole. All right.

So when -- think of it this way: I've got commercial here, I've got res here. Within 150 feet there, it's going to throw light, whatever lights that are being installed along that perimeter boundary line, and it has to deal with streets. When the residential streets come along -- and this -- Yovanovich -- Mr. Yovanovich talked about that.

And I have that experience at Kensington. When you go up on the northwest corner, you'll see that the street comes along the line. There is a commercial district there. You get a landscape buffer and trees, but that doesn't fully mitigate, necessarily, the intensity of lighting that spills over into the residential abutting property.

So, therefore, we need to do an evaluation of that impact and then decide -- which you have done on some of these commercial developments -- require that -- the code says 25 feet for lights, dropping down to 15, and then stagger them as get back, depending upon the illumination, the ratio, meets security reasons and so forth.

So you have -- photometric plans are required for commercial shopping centers. The code's pretty good. It covers that. The code also addresses illumination and light levels at entrances off of public roads into projects. There's photometrics that accompany that. But when it gets into the relationship between perimeter properties, res to res, okay -- which was the case for Imperial Lakes. The Castlewood residents, even though they had a lake there, they were still claiming concerns about glare going over the lake penetrating the back of their homes in the residence and seeing that.

CHAIRMAN SCHMITT: Yeah.

MR. HENDERLONG: So our intent is to come up with a rule that basically, in generalities, that second -- let me go back to it. We were careful to try and word it appropriately to say a residential/commercial streetlight, when it's located along or within a prescribed distance to the perimeter of a residential project boundary or a public right-of-way street. So we've got the north end of a street here. We want to pay attention to the glare as it relates to the internal residents of that streetlight, and then from the adjoining areas.

So the onus isn't going to fall so much on the commercial as it is when that issue could get triggered, we'll come back with recommendations of what we should be considering for.

Color temperatures, what should be the appropriate color temperatures for commercial as opposed to just -- it's interesting that they're using the BUG link -- I don't know when it got introduced,

but it says that -- a BUG value rating of UO. What does that really say? It just says that there's -- no lights are going to be transmitted for Dark Sky above. But that's not the issue that the majority of the residents are concerned about. It's the impact adjacent to the residents there, you know. And so that's where we feel, with these items that we've listed here, that we need to address going forward.

CHAIRMAN SCHMITT: Well, again, I have no problem with you coming back with criteria for evaluation. I'm hesitant to demand or require that all residential comply with Dark Sky. I --

MR. HENDERLONG: No. We're not doing that internally.

CHAIRMAN SCHMITT: Okay.

MR. HENDERLONG: And we're not doing that across the board. It's only on the perimeter properties.

CHAIRMAN SCHMITT: Perimeter, okay.

MR. HENDERLONG: And within a prescribed distance. We -- it could be 50 feet, or it could be 100 feet. And think of it this way: When that street -- they elect -- the planner designs to put a street, okay, bring it along the line of that perimeter property, that's when it's going to be triggered.

CHAIRMAN SCHMITT: All right. Any other questions?

(Simultaneous crosstalk.)

MR. HENDERLONG: Not to the internal of residential streets.

CHAIRMAN SCHMITT: Randy.

COMMISSIONER SPARRAZZA: Have you had the opportunity to go to other counties to see how they're working with this, I'll call it a problem?

MR. HENDERLONG: Well, yeah -- yes.

COMMISSIONER SPARRAZZA: For example, Lee County or --

MR. HENDERLONG: We do. And I didn't bore you with the details. There is, in the packet, backup on all the other various counties.

COMMISSIONER SPARRAZZA: Okay.

MR. HENDERLONG: But there is on -- it's five -- it's your Tab 5. And I'll tell you the page, here, it's on. This we decided to include. Give me a moment here. I've got the page. It should be your page number -- how are other communities measuring light levels is on that page.

What we found is that the majority, like us, are using foot candles only. Some, Broward, Jupiter, City of Naples, Orange, and Walton, they're using foot candles plus color temperatures in their regs as it relates to city park land -- pine -- Pinebrook *[sic]* Pines. They're using all four, color, temperature, foot candles, and BUG values. That's going to be the challenge for us to come back and make a recommendation for you which is the most appropriate other than just foot candles. And it may end up just being foot candles, Commissioners.

We may just say, like, .02 within a prescribed distance. That should be -- basically, the way foot candles works is you would go out about five feet up. The code needs to give the -- an inspector the opportunity when a complaint comes in to go out and stand on that property line. Say, up about five feet in height, he'll have a -- a hand-held measurer for foot candles, and it will tell him where -- if -- let's say it has to be measured at the property line, whether it's registering at .2 or whatever for a particular duration, that will trigger whether the illumination -- the source of the illumination itself is violating the criteria that's being established. And that's an important distinction.

CHAIRMAN SCHMITT: All right. So you're just looking for direction from us? Is --

MR. HENDERLONG: Yes --

CHAIRMAN SCHMITT: Well, I would --

MR. HENDERLONG: -- we are.

CHAIRMAN SCHMITT: -- the recommendations I would support going forward.

MR. HENDERLONG: Okay.

CHAIRMAN SCHMITT: Again, I don't -- I don't want to dictate it, but if they --

MR. HENDERLONG: Right.

CHAIRMAN SCHMITT: -- if a developer specifies they're going to comply with Dark Sky, then

we have criteria to evaluate.

MR. HENDERLONG: Yes.

CHAIRMAN SCHMITT: But you're still directing that if it's adjacent to another property, they'll have to comply or, in the case of -- I re- -- I recall with --

MR. JOHNSON: Imperial.

CHAIRMAN SCHMITT: -- Imperial Lakes, they were also concerned about the preserve.

MR. HENDERLONG: Right. And I didn't mention that. I'm glad you brought that up. Because when you get into the preserves, we will have criterion there, too, so that -- we're going to put the burden on the applicant to demonstrate that they've complied, but we're also going to have a checklist for them to make sure that they have -- when it comes to SDP period, that they're actually implementing what their commitment --

CHAIRMAN SCHMITT: Okay.

MR. HENDERLONG: -- what they're making a commitment for.

COMMISSIONER SPARRAZZA: Just as a quick technical note, while in the olden days -- I say that with a joke -- of incandescent lights, everything was measured in foot candles.

CHAIRMAN SCHMITT: Foot candles.

COMMISSIONER SPARRAZZA: Now with LED, most specifications are spec'ed out in lumens.

MR. HENDERLONG: Yes.

COMMISSIONER SPARRAZZA: So there is a conversion. You can also buy different photovoltaic light meters that will switch between foot candles and lumens. It correlates, obviously, with the Kelvin temperature that you're on. But don't -- don't get too nervous when you look at specs for, you know, goose-head lights and it only comes in X amount of lumens, and Kelvin is usually selectable at the head. So you can do 3, 42, 5,000, whatever, at the head with a turn of a screwdriver.

MR. HENDERLONG: Yes. We -- we had attempted back in -- and I just brought this. This was a draft that was back in 2015. We were working on it when Jeremy Frantz was here, and at that time we were looking at outside lighting requirements to minimize the problem of glare light trespass and reduce energy and financial cost out -- to the cost of outdoor lighting. And it was going to support the International Dark Sky Associations, which are intended to limit the amount of light that can be used, minimize the glare, the sky glow, and the amount of offsite impacts and light impacts.

When I -- when I got assigned to work with -- under Nick Casalanguida and the County Manager, Leo Ochs, on the County's outdoor lighting standard guidelines which are published in -- on our -- on our websites, it was agreed that the Board at that time didn't want to go and codify -- do a model lighting ordinance countywide, all right; whereas, if you did -- if it went that direction, you'd have different lighting zones based upon the different types of land uses, right?

And so you'd have ambient lights, lower lights, medium lights, and then other areas. So commerc- -- industrial would be treated, commercial would be treated. And as you were mentioning earlier, all residential light would have to be compliant with that. The Board opted not to go that route, okay?

So the next step was to come back and let's talk about, at that time, shopping centers and residential. That seemed to be the hot ticket back then. And so we were looking at crafting some language to do that and even going outside and hiring a consultant to help us craft that language.

And the Board -- we didn't get Board direction on it, but we were talking about that in the past -- and it was when Mark Strain was on the Board, Joe, or Commissioner Schmitt -- and it was decided not to do that. There were some concerns that amortization of lights, retrofitting 10, 15 years ago, switching them out, the old incandescent, what's it going to cost to a developer and -- to a business owner and -- because it would have been applied just on commercial, for the most part, at that time.

So I'm getting off the subject. I realize that.

CHAIRMAN SCHMITT: Yeah.

Mike.

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MR. HENDERLONG: But I just wanted to give you the background.

MR. BOSI: And so I would say -- so that would be some of the things that we're also going to look at to try to look at the best practices of communities that have done this, how have they allowed for grandfathering in, when is the timeline in terms of -- to require for a new lighting installation. So that will be the comprehensive look at it.

And -- now, I don't want to overstep and volunteer Mr. Sparrazza, but if we're going through the process -- because Randy does know a lot about lighting, and if we -- can we lean upon your commissioner for just a sounding board on some of the things that we may be doing?

COMMISSIONER SPARRAZZA: If you double my pay.

MR. BOSI: Yes.

COMMISSIONER SHEA: Done. Sold.

COMMISSIONER SPARRAZZA: Happy to. Happy to.

CHAIRMAN SCHMITT: All right. Anything else? Do you need direction from us?

Go ahead, Michelle.

COMMISSIONER McLEOD: Okay. So just for clarification, I think -- I think --

CHAIRMAN SCHMITT: Yes, Michelle.

COMMISSIONER McLEOD: Okay. For clarification, Richard, when you had said that -- and this is what's confused me. If a developer wants to follow Dark Skies -- when is Dark Skies required?

MR. HENDERLONG: It is -- right now it isn't required countywide, to be honest. It's a concept that everybody's been using. For example, Ellen Summers, just on Tuesday at the Board on the presentation for a project in the Estates, she gave a quick synopsis that -- and their applicant was agreeing to compliance with Dark Sky. Those are the terms -- those are the general terms they're throwing. What does that mean? That was the point of the slide.

We really have no way of knowing what that is. But when you dig into what Dark Skies are -- and, in fact -- people probably don't know this, but all of the Big Cypress nature preserve, west -- east of the Mississippi, back when I worked on that team back in 2018, got designated as a Dark Sky at the federal level. It was the first one east of Mississippi to get that certificate and certification, because it goes through a very comprehensive way of pedestrian walkways. It's just not -- it's all lights that are handed out there with the intention that when you go out there and you want to see the sky, you want to see the stars at night, that's what it is.

Golden Gate Estates is going to come up with their own terminology that they want to use. I mean -- not terminology. That's not the proper way to say it, but standards as it relates to applying portions of the Dark Sky, because their pole lights are very different than urban residential.

COMMISSIONER McLEOD: So this is not going to be a requirement. It's just, like, a certification?

MR. HENDERLONG: No. No, no, no. There is no certification unless Dark Sky -- to get that certification, we'd have to hire them in, have them come in, go through an education, and get the Board to adopt their standards.

MR. BOSI: To address your question, Commissioner McLeod, I think what we're going to do is codify better standards for the implementation of Dark Skies. When we say -- because almost every one of the SRAs that we approve we require Dark Skies compliance, but we don't have the specifics for how to achieve that codified within our LDC.

This will be one of the end goals that we're trying to accomplish and what we bring back to the Planning Commission for your consideration. So there will be -- okay. So when you -- when you have a project that says, "Okay, we'll volunteer to be Dark Sky compliant," we'll have the specificity for what that actually means.

COMMISSIONER McLEOD: Okay. But, still, it's a voluntary kind of thing?

MR. BOSI: Well, what we're going to propose is when it's not voluntary, we're going to provide standards --

COMMISSIONER McLEOD: Oh, okay.

MR. BOSI: -- and then when these apply and when it doesn't apply. Because that's one of the things -- we're not going to -- it's not going to be applied to every property within the urbanized area. It's only going to be a select situation towards when you've got lighting adjacent to residential development within close proximity. So that's when it -- that's when the trigger will kick in. But we'll fill in the back -- for all these PUDs and SRAs that have Dark Sky references, we'll now have something to actually -- to give them guidance for how they could gain compliance.

COMMISSIONER McLEOD: Okay.

MR. JOHNSON: And also, if I could jump in, we're focusing really on the streetlights, not -- not coach lights on a single-family home.

MR. HENDERLONG: Yep, not exterior of the residence.

MR. JOHNSON: You know what I'm -- like, a homeowner has, you know, a porch light. Not touching anything about that. Primarily just streetlights, and then maybe go a little bit beyond that.

CHAIRMAN SCHMITT: Commissioner Schumacher.

COMMISSIONER SCHUMACHER: Yeah, real quick. So I think -- I love everything you've put down, so I don't really have any adjustments to that. The only thought that kind of kicked up was we look at those -- we look at the projects that have gone in next to residential that have historically been next door to residential. And what do I mean by that? We can reference the Ascend apartments that are going up on Vanderbilt in between Cherry Wood and Vanderbilt --

MR. HENDERLONG: Okay.

COMMISSIONER SCHUMACHER: -- they've cleared that whole property from street to street. So the people that are on the south side of Cherry Wood, you can see clear into their driveway up to their house. So that's exactly where the lighting's going to go.

Where Mason has now been built, they've got enough lights in that parking lot that the people can shoot in their yards at nighttime, and that light is just -- they cleared that from lot line to lot line. They took every tree out.

MR. HENDERLONG: Okay.

COMMISSIONER SCHUMACHER: Do we need to add something into this to say that in those areas you have to have a bigger buffer, like, you can't take down all the established pines and other scrub trees that are there that would block that lighting, because when they take it down and then they go back in with their buffer, the buffer's only eight feet tall.

MR. HENDERLONG: To answer your question, yes, we can improve that. And, in fact, a member of the DSAC committee, Jeff Curl, we've talked about the landscape when you get into the buffers and these -- without a streetlighting plan, it's very hard to figure out the trees. You're going to hear later this afternoon about the errant golf ball. You're going to see some elevations of lights that are -- poles that are going up and then trees spaced in there. But if you just say -- if that pole was up there and it was a light, how's that impact?

So you want to limit the type of plants and trees that will grow up there so it doesn't overgrow and take away the safety/security requirement, or in particular, the case for conservation and preserves.

But those two projects I'll go out and look at and double-check and see how --

COMMISSIONER SCHUMACHER: You drive right by, you can see clear in from Vanderbilt to 7th. You can see clear in from Vanderbilt onto Cherry Wood.

MR. HENDERLONG: What we don't know is whether -- if it's -- it's under -- currently under construction, and if the -- whether the replanting plan, when it comes back, and the lighting plan, if that's going to be sufficient enough to mitigate it. So that deals with whether -- you know, that particular species of plants or trees, how long -- for instance, oaks at Kensington, not going to do it.

I can remember a couple of the residents there -- when I was working as the development director there, that -- next to that shopping center says, "I'm going to die before that oak tree ever gets up to bloom and come out."

And, you know, now you see it today after hurricanes. We were surprised to find out that we aren't really requiring the integrity of the poles themselves locking in, that they be hurricane resistant,

okay? And so there's no check and balance, if you will, on making sure that they are.

COMMISSIONER SCHUMACHER: Okay.

MR. HENDERLONG: So that's another element.

CHAIRMAN SCHMITT: Okay. Any other -- any other guidance? Because I want to move on to the next item so we have -- before we move to the 5:05 meeting.

MR. JOHNSON: So we have your official direction?

CHAIRMAN SCHMITT: Yes. Just have our direction. We don't have to take a vote on it, unless you want a vote, but I hear -- see nods, so, yes, you have our direction.

MR. BOSI: Yeah, no vote, I mean, and we'll bring back. And, of course, like any LDC amendment, you'll evaluate it, and you'll see what you want to support and what you don't support, modifications, and we'll take -- we'll take it that process.

CHAIRMAN SCHMITT: Okay. Our next item is --

MR. HENDERLONG: Thank you very much.

CHAIRMAN SCHMITT: -- new business, and it's a discussion about data centers.

MR. JOHNSON: That's correct.

CHAIRMAN SCHMITT: Where are we going with that? Because that seems to be the buzz word today. And every politician is proclaiming that there'll never be a data center within 700 miles of Florida. I mean, it's absurd.

COMMISSIONER SHEA: But everybody wants to use AI.

MR. JOHNSON: I think the Board of County Commissioners beat you to it.

CHAIRMAN SCHMITT: And everybody wants to go on their machine and punch three letters and use a data center. So I -- I know the Board had a discussion about it. I'm amazed at some of the states that are prohibiting it, and there's a lot of misinformation. I read the packet, I'm -- again, I think the industry's going to solve itself. Let the -- let the industry create solutions for the problems. The biggest one is energy use. You're probably going to see package plants, small nuclear power plants and other things be developed to power some of these systems.

And unfortunately, I think there's a lot of misinformation and a lot of scare tactics. In fact, surprisingly, one of our candidates for government -- governor has even stated that he's against it, and I was just absolutely shocked and floored from the standpoint of -- in order to remain competitive, we're going to need them. That's my simple viewpoint.

COMMISSIONER SHEA: Yeah.

CHAIRMAN SCHMITT: So what are you looking from us on this?

MR. BOSI: Well, we had put this item on the Planning Commission's agenda as part of our discussion today. And Tuesday at the Board of County Commissioners, as part their opening public comments, there were 15 comments, and about seven -- or eight or nine of the public speakers spoke about data centers and asking for a moratorium on data centers.

They -- Commissioner McDaniel called me up, and I was very happy to be able to report that this was something that we were going to talk with the Planning Commission, because we're going to seek direction from the Planning Commission to go out, work on an LDC amendment for the process for how a data center would move forward, and bring those back for consideration.

One of the things that I shared with the Planning Commission -- or the Board, we have an SIC code for data centers, but that's a 1987 definition for data centers. That might be inputting -- individuals inputting data within, you know, mainframe computers.

COMMISSIONER SPARRAZZA: Key cards.

MR. BOSI: Key cards, yes. So a much different scenario, much different environment.

So what we're asking -- and the Board has already provided us some direction. I guess we're just asking for concurrence at the Planning Commission, that we're going to go out, review the information that's out there, provide for a structure -- the process that data centers would be required to go through for approval and the criteria that would be established to evaluate those facilities, and then bring it back for the Board -- or the Planning Commission to consider and ultimately for the Board to consider it.

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CHAIRMAN SCHMITT: Well, two questions. One is, those who are asking for a moratorium, typically, if you declare a moratorium, you have to have an end date for the moratorium.

MR. BOSI: Yes.

CHAIRMAN SCHMITT: And was the -- what was the -- was the -- request for a moratorium simply because we're afraid and scared of these things, and they're going to suck all our power or -- I mean --

MR. BOSI: So here would be the case for why you would -- could justify a moratorium for a data center. The data center I described was a 1987 data center.

CHAIRMAN SCHMITT: Yeah.

MR. BOSI: If you looked at our -- or our Land Development Code, our C-1 through C-5 in industrial zoning districts allow for data centers. It doesn't qualify it. It doesn't say 1 megawatt, 50 megawatts, half a megawatt. It just says data centers are permitted.

So right now a data center could go as a matter of right without any consideration by any other criteria that we may want to -- about water consumption, noise, light, vibration, energy consumption, the type of things people are concerned about.

So what we're asking -- the Board has asked the County Attorney to do is bring back an executive summary to either declare it an active zoning in progress for a specific period of time, or the State has allowed and has authorized localities to initiate moratoriums to create the regulations to better address how these data centers will be approved within the individual communities.

So either it's going to be an executive summary that says this is the active zoning in progress, and we're going to bring back regulations within a specific period of time, or a moratorium, whatever the case may be.

Even though speaking with the County Attorney's Office, there was a leaning towards the moratorium because some of the language within the moratorium authorization that the State has provided would allow for us to exempt ourselves from Senate Bill 180, which is you can't adopt additional restrictive means to your LDC.

Do you remember that we've talked about that, the State has that restriction? Well, that restriction may kick in if we only utilize the zoning in progress as the means to put a temporary pause on the data center.

But we'll work that out with the County Attorney's Office, bring it back to the Board of County Commissioners. They've already given us direction to move forward.

CHAIRMAN SCHMITT: Well, I think you need to come in with a definition based on what we now define is a large mega data center.

MR. BOSI: Yes.

CHAIRMAN SCHMITT: And I think you would have to define criteria -- an evaluation criteria for each of the essential public services and the impacts. Typically these data centers are low traffic generators, almost none. The big concern is water consumption and power consumption.

And then -- just a lot of misinformation. My opinion of -- if they go in, it's going to drive rates -- electric rates higher because of the amount of electric -- electrical consumption. Those are the kind of things that you're going to have to come in from a -- from an evaluation standpoint for the zoning.

My only question is, you know, what if I was to come in today and want to construct an industrial smelting plant or some other type of high-energy-use electromagnetic furnace that melts steel? You know, to me it's almost the same thing. You would -- but that would be an industrial. This is -- this SIC code now says it can be anywhere in C-1 through C-4.

COMMISSIONER SHEA: But you have the same issue -- the same issue is what's the acceptable limit?

CHAIRMAN SCHMITT: Yeah. What's the acceptable limit?

COMMISSIONER SHEA: I mean, you've got a huge problem with water and power trying to determine what's acceptable and not.

MR. JOHNSON: Sure. In the --

CHAIRMAN SCHMITT: The water -- the water --

MR. JOHNSON: Water consumption.

CHAIRMAN SCHMITT: -- in the state of Florida is pretty much your regional water districts -- Water Management Districts, consumptive-use permits, other types of -- unless they're going to take water from the utility --

COMMISSIONER SHEA: Well, they've got the gulf. They can de-salt.

MR. JOHNSON: You know, when contemplating this and bringing this to your attention, the Senate Bill 484 that was recently passed this year --

CHAIRMAN SCHMITT: Yeah.

MR. JOHNSON: -- had defined or at least categorized the different types of data centers. And they were, in my opinion, focused on the large-scale and hyperscale data centers, which basically -- I don't have all the different numbers in front of me, but it's basically, you know, the land area, the square footage, or the megawatts that it requires.

And so I could see a world where maybe we bring something to you where these things are conditional uses rather than permitted by right, because there's a lot of -- there's more discretion that a local jurisdiction has when something is a conditional use.

CHAIRMAN SCHMITT: Well, I'd also -- I think you need to do some research, because how many -- how many exist? How many -- state of Virginia probably has 100 -- over 100 of them.

MR. JOHNSON: From my preliminary research using ChatGPT, I don't think there are any hyperscale data centers in the state of Florida.

CHAIRMAN SCHMITT: Yeah. I was just going to say, I don't think there are, but I know there -- other parts of the country, I know -- I know one in particular, but it was classified. It's a rather -- pretty significant data center in Colorado.

So those are the kind of things that -- I mean, from a standpoint there's data centers for business, there's data centers for other things, and some of them are national defense as well. So -- but I -- I'm just -- I mean, to me -- I mean, it's a Board of County Commissioners decision. But is there anybody knocking on the door right now that we have to be concerned about a moratorium?

MR. JOHNSON: Well, notwithstanding the moratorium or the zoning in progress, according to ChatGPT, there's seven hyperscale projects that are being proposed throughout the state of Florida.

CHAIRMAN SCHMITT: Oh, wow.

MR. JOHNSON: Palm Beach County, Polk County, Martin County, St. Lucie, Okeechobee, Citrus, and Nassau. So these -- you know, there's 67 counties in Florida. Right now we have seven of them that ChatGPT has identified.

CHAIRMAN SCHMITT: Well, I mean, you're going to have to come back and develop criteria. The Board's already directed.

Michelle, you have a question?

COMMISSIONER McLEOD: No, you answered it.

CHAIRMAN SCHMITT: And then Chuck.

COMMISSIONER SCHUMACHER: Yeah. I think also within this LDC we have to look at also restrictive language when they come in, they want to do a rezone, because obviously residential property is cheaper than buying commercial. If they want to come in and they want to purchase 15 residential acres off of five three-acre lots abutting 951, we have to be mindful to not allow those type of things to go in. That's got to be -- I understand it's a low traffic generator, but at the same time it's -- it's not conforming to the area.

MR. JOHNSON: My understanding is that these --

CHAIRMAN SCHMITT: Well, again compatibility.

COMMISSIONER SCHUMACHER: Compatibility.

CHAIRMAN SCHMITT: Compatibility is an issue.

MR. JOHNSON: And that's an evaluation criteria of the conditional-use process.

CHAIRMAN SCHMITT: Well --

MR. JOHNSON: Rezoning.

CHAIRMAN SCHMITT: -- another -- I was telling Mike the other day on the phone, I -- some of these companies now are buying old hotels that are no longer of use and converting them to data centers. Ripping out the rooms, and 10 floors of the hotel are all now servers and data centers. So, again, it's a commercial site they're now going to convert to a data center.

So I believe that the industry's going to solve some of the problem, but we have to have fences up --

MR. JOHNSON: Initially.

CHAIRMAN SCHMITT: -- to protect -- I'm talking about compatibility and the other things we do with any type of zoning. I'm just leery about prohibiting it, but that's -- that's the commissioners' standpoint. I'm looking more for if somebody wants to do it, here's the rules you follow, and here's how you make it fit.

MR. BOSI: And that's what staff's research is going to focus upon.

COMMISSIONER SHEA: I like the conditional-use option, because I think there's so many variables associated with each of those that they're so specific. At least you're looking at it case by case rather than trying to put a blanket set of criteria out there that -- it's just like we're going to talk about the golf thing. It's going to be the same way you guys -- same thing you came up with with the golf screen, every situation has so many different parameters.

MR. JOHNSON: Sure.

COMMISSIONER SHEA: I think you -- and nowadays, everybody's looking to be more self-sufficient on water, self-sufficient on power because they know they're the hot buttons for the local communities. As Joe said, within a short period of time, those aren't going to be such big hot buttons anymore.

COMMISSIONER SCHUMACHER: And to add to what Joe is talking about, you have to look at the utility load, because there's a huge utility load on this, because you're running -- do you know how many cooling towers you have to run to keep that data center at temp? Like, you're not using just a standard inside/outside A/C. You're running a closed-loop cooling tower system which is pulling, and it's constantly draining itself, too. I can tell you, if you come out to --

MR. BOSI: As part of the regulations that were adopted from the State's perspective is they gave specific -- to the Water Management District as well as the Utility Commission to do evaluations of the -- upon each one of these proposals as well. So they've tasked their state agencies with these as well.

CHAIRMAN SCHMITT: And some of the states that -- again, I'm thinking about Virginia. Some of those counties must have some criteria that they've used for the building --

MR. BOSI: Well, I think there's going to be an abundance. There's going to be -- I mean, the APA, all -- there's been -- there's been a push and a recognition of what's the best-management practices for these.

CHAIRMAN SCHMITT: Okay.

MR. BOSI: So we'll be successful.

COMMISSIONER SHEA: Eric, how are those other communities dealing -- you said there's seven of them. Is there any way you can gather information -- I don't know how they're -- they have to be in the same situation we're in not having anything to refer to.

MR. JOHNSON: This is the research that we're going to do. This is the research that Mr. Henderlong is going to do.

CHAIRMAN SCHMITT: So you're directed to come back, but you're coming back to the Board as well. And I can understand if the Board implements a six-month moratorium from the standpoint until you -- you develop the criteria.

MR. BOSI: That's what it's for.

CHAIRMAN SCHMITT: But, typically, when they declare a moratorium, you have an end date.

MR. BOSI: Yes.

CHAIRMAN SCHMITT: It can't be infinitive.

MR. BOSI: And we'll work with the County Attorney's Office. They recognize that we have to have -- it can't be infinitive. It has to have an end date. There has to be a specific time frame associated with it.

MR. HENDERLONG: Yeah. And we also know in DeSoto County there's an 800- to 1,000-acre one being vetted right now, talked about, and you'll see it in the news. It's getting wide coverage.

The first 40 acres, it's part of an industrial existing development standard. They're expanding it in there. There's a lot of controversy about it. But it is looking at a large hyperscale level that's going to consume hundreds of -- millions of gallons of water, which is what the residents are objecting to, let alone the second item is the noise. These big data centers have a huge humming sound to them, and other communities and I've -- we've seen them in the state -- will set distances from 100 to 500 feet away from residential because they don't want to hear that sound.

CHAIRMAN SCHMITT: Yeah. I didn't -- you know, that's the other question I had. Is there -- is there pretty much an ambient -- not -- a sound from those things humming and --

MR. HENDERLONG: It depends --
(Simultaneous crosstalk.)

CHAIRMAN SCHMITT: -- a decibel level that they establish.

MR. HENDERLONG: The megawatts that they're going to generate and produce, okay, is the trigger, because the more they go -- these things can go up to as much as a thousand -- hundred thousand square feet. Just so you know, there is one in the city that has been approved. It's called Sky Link. It's a small one. It's about 12,000 square feet. And it basically is a -- is intended to serve its business models, its customers, okay.

CHAIRMAN SCHMITT: Yeah.

MR. HENDERLONG: The one that is being -- the largest one that's out in Miami right now is serving South American customers, okay. It's very huge up there --

CHAIRMAN SCHMITT: Okay.

MR. HENDERLONG: -- out there. And so when you look at these different scales, the city allowed it in an office business park, but it's very -- it has small generators. It doesn't have the impacts that we're talking about on these large-scale/hyperscale centers.

CHAIRMAN SCHMITT: Okay. Do we have any public speakers on this?

MR. SABO: Yes, Mr. Chairman, one public speaker online, Bridget Washburn.

CHAIRMAN SCHMITT: Okay. Ms. Washburn, go ahead, please.

MS. WASHBURN: Hi, sorry. Can you hear me?

CHAIRMAN SCHMITT: Yeah.

MS. WASHBURN: Okay. Sorry. It's Bridget Washburn, executive director of Audubon Western Everglades. Good afternoon and thanks so much for your time. We really appreciate this discussion. It's a lot of good foresight and attention to the issue of data centers, which, you know, we all know they aren't going away, and we also recognize this.

But given the significant demand that even a medium-sized data center would place on energy and local water resources, we do support a proactive approach to establishing land development regulations and policies that would allow time to carefully consider how to consider future requests for building these facilities. And this sounds like the direction you're moving in, so we really appreciate that.

CHAIRMAN SCHMITT: Yeah.

MS. WASHBURN: And many of our concerns are shared in the Thousand Friends of Florida report with the excessive energy use, water demands, and -- but the medium and large data centers using cooling towers, taking about a hundred million gallons of water each year, we're just concerned with the demands on local water supplies, and especially at a time where we're seeing more severe droughts, wildfires, and these things reoccurring more and more often.

And being an environmental organization, we're looking downstream, too. If we're taking that much water inland, we see far-reaching impacts that go all the way from our rivers, wetlands, down to the coast. So, you know, we have to make sure we're looking at impacts to folks who are working in tourism

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and maybe certain industries that we wouldn't really associate with these inland communities or ag areas that might be taking on any sort of future data centers and looking at preserving the integrity of the environment for freshwater all the way inland to our coast.

We're also looking at impacts to wildlife. I was hearing -- I didn't catch who it was, but someone talking about the noise from these facilities and, you know, what kind of impacts that might have on wildlife and habitat connectivity, depending on siting locations. You know, I really -- you know, the Water Management District should certainly be involved in any discussions with these.

Another concern of ours were some of these are still powered by oil, fossil fuels. Any sort of spills that are accidental could get into groundwater and contaminate, you know, fragile areas in our wetlands.

So for all these reasons, and some more even, we would -- we don't really support the construction of these data centers, but they aren't going away. We do appreciate that you're talking about them in advance. And if the County and community do choose to move forward with their construction, we really urge you to first undertake a comprehensive evaluation of the environmental impacts on water resources, on energy, wildlife, land use, and we would welcome the opportunity to participate in developing or identifying criteria to include in that process.

So thanks for the opportunity to comment in your discussion.

CHAIRMAN SCHMITT: All right. Well, thank you. And, of course, any type of development, they're still not exempt. They still have to go through the Clean Water Act, the Endangered Species Act, any of the federal and state requirements.

MS. WASHBURN: Right.

CHAIRMAN SCHMITT: They still have to go through that permitting process. They're not exempt from it.

So all the issues that you raised are certainly part of the review criteria, whether it be an ERP through the state agencies or through the -- through the federal agencies, U.S. Army Corps of Engineers and Section 6 consultation. All that kind of review is done regardless of whether it's a data center or a housing development, and I know you understand that, so...

But, yes, we would welcome your input. Staff will be putting data together, putting the proposal together, and eventually it will be out for public comment and coming to us for review.

So with that, staff --

MS. WASHBURN: Sounds good.

CHAIRMAN SCHMITT: -- do you need anything else from us?

MR. BOSI: Nothing else from staff.

CHAIRMAN SCHMITT: I mean, my last comment is, is they're going to -- they're here, and they're going to be here, and it's a race between us and nations, and that's really the way it is.

Okay. With that, I'm going to adjourn our meeting from 4 o'clock -- I'm going to take a 15-minute break, before we start the next meeting. I know it's 5:05, but this meeting just ended, so we'll -- we'll all take -- we'll reconvene at 5:15. That's a 10-minute break. Thank you.

July 16, 2026
4:00 P.M.

There being no further business for the good of the County, the meeting was adjourned by order of the Chair at 5:04 p.m.

COLLIER COUNTY PLANNING COMMISSION

Joseph K. Schmitt
JOSEPH SCHMITT, CHAIRMAN

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

Minutes

TRANSCRIPT PREPARED ON BEHALF OF VERITEXT
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