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To: Letter to the Editor, Pine Island Eagle

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Pine Island Plan in really big trouble

This afternoon (17 February) the County Commissioners tied the Pine Island Plan (including the famous 810/910 rules) to the railroad tracks and scheduled the arrival of a really big train.

A local law firm provided the commissioners a presentation claiming that (1) the land planning sky is falling and community plans that restrict development cannot be defended in court, and that (2) the county will thus soon be stuck with court orders to pay millions of dollars to big landowners all over Pine Island.

The law firm was hired to defend the Pine Island Plan against lawsuits, but now says that is hard to do because of recent court cases, and the better course (they say) is to rewrite the Plan so it does not restrict development. They suggested authorizing developers to build one house per acre in rural areas. [Pine Island consists of some 30,000 acres, so that would be 30,000 houses. We currently have only some 6 to 7 thousand houses.] They also said they "would come up with ways to keep Pine Island rural without restricting development," but did not say how that is possible.

Commissioner Frank Mann was the only commissioner that defended the Pine Island Plan. He noted that every element in the Pine Island Plan is based on rationale and justifications. He also said there are plenty of court cases that justify restrictions on development when necessary—noting that Pine Island is unique and cannot be treated like other areas. Mann noted that Sanibel successfully defended similar lawsuits, and that other counties also successfully restrict development on coastal islands.

The law firm will research what other counties do and draw up a package with a rewrite of the Pine Island Plan, presumably with a potential house on every acre of Pine Island. Commissioner Manning said he would present the law firm's package (when completed) to Pine Islanders. The commissioners could not vote at today's informal meeting, but on 3 March will vote to give formal approval to that arrangement.

The public was not allowed to speak at the meeting today, but before the meeting I had advised all of the commissioners that the Pine Island Plan is the result of the work of thousands of Pine Islanders over a 30 year period, and that it is based on necessity—we just plain cannot absorb much more development. They nonetheless made it clear that most of them think that avoiding lawsuits is more important than the Pine Island Plan.

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