

CITY OF SANIBEL

RESOLUTION 11-067

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A SHARED USE PATH AMENITIES FACILITY ON A PARCEL OF LAND LOCATED ALONG 1119 PERIWINKLE WAY AS A “CITY EXEMPTED” PROJECT; DETERMINING ANY REGULATIONS, CONDITIONS, OR LIMITATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 2009 Shared Use Path Master Plan generally recommends and establishes that the Shared Use Path System can be enhanced through the addition of rest areas and related support facilities; and

WHEREAS, the Shared Use Path Master Plan identifies the need for innovative funding strategies and partnership between the various public, private, and not-for-profit stakeholders with an interest in the implementation of the Plan’s recommendations; and

WHEREAS, the proposed project will be located partially in the public right-of-way, and located partially on a parcel of land at 1119 Periwinkle Way within an easement that has been granted for a Shared Use Path, Pedestrian Walkway and Informational Kiosk; and

WHEREAS, a portion of the project is also located on the Historic Rutland Homesite; and

WHEREAS, both the Historical Preservation Committee and the Planning Commission have recommended the approval of a certificate of appropriateness for the proposed shared use path support facility; and

WHEREAS, the City Council finds the proposed shared use path support facility is exempt from the specific requirements of the Land Development Code as provided under Land Development Code Section 78-7;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida, that:

SECTION 1. FINDINGS.

1. The City Council hereby authorizes the utilization of the public right-of-way adjacent to the shared use path easement at 1119 Periwinkle Way for the purpose of developing and constructing a shared use path support facility as an amenity to the existing shared use path system in the City of Sanibel.

2. The planning, design, construction, operation and use of the shared use path amenities facility at the subject location is not inconsistent with the Sanibel Plan, as determined by the Sanibel City Council.

SECTION 2. The proposed shared use path amenities facility and related equipment and infrastructure is hereby determined and declared to be “City Exempted” pursuant to Section 78-7 of the Sanibel Land Development Code and therefore exempted from the specific requirements of the Land Development Code. The Sanibel Bicycle Club as coordinator of the broader community consortium is hereby directed to initiate and complete development of such proposed shared use path amenities / support facility and related equipment and infrastructure on the subject parcel in accordance this approval granted by City Council, together with such additional and future approvals, which may, from time-to-time, be necessary for review and consideration by City Council.

SECTION 3. Effective date

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 19th day of July, 2011.

AUTHENTICATION:

Kevin Ruane, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM:

Kenneth B. Cuyler, City Attorney

Date

Vote of Council Members:

Ruane _____
Denham _____
Congress _____
Harrity _____
Jennings _____

Date filed with City Clerk _____