

CITY OF SANIBEL

RESOLUTION 12-009

A RESOLUTION OF THE CITY OF SANIBEL, LEE COUNTY, FLORIDA, AUTHORIZING AND DIRECTING TRANSMITTAL TO THE STATE OF FLORIDA LAND PLANNING AGENCY A PROPOSED AMENDMENT TO THE *SANIBEL PLAN*, TO WIT:

AN ORDINANCE AMENDING THE *SANIBEL PLAN*:

BY AMENDING SECTION 3.5.1 CAPITAL IMPROVEMENTS GOALS, OBJECTIVES AND POLICIES AND SECTION 3.5.2 IMPLEMENTATION, MONITORING AND EVALUATION, TO UPDATE THE CAPITAL IMPROVEMENTS ELEMENT INCLUDING THE ADOPTED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; AND

BY AMENDING SECTION 3.2.1 COASTAL ZONE PROTECTION GOALS, OBJECTIVES AND POLICIES, TO AMEND POLICY 3.1 TO ALLOW EXISTING ACCESSORY SWIMMING POOLS AND OTHER ACCESSORY STRUCTURES TO BE REDEVELOPED IN THE GULF BEACH ZONE PORTION OF THE RESORT HOUSING DISTRICT; AND

BY AMENDING SECTION 3.6.2 FUTURE LAND USE,

LAND USE PROJECTIONS, TO IDENTIFY THE STEPS TAKEN TO ADDRESS NON-CONFORMING DENSITIES IN BUILDING-BACK FROM SUBSTANTIAL DAMAGE CAUSED BY A NATURAL DISASTER AND REDEVELOPING RESORT HOUSING UNITS IN THE RESORT HOUSING DISTRICT; AND

PROVISIONS OF THE PLAN FOR PERMITTED USES, TO CLARIFY THAT CONTINUED USE OF RESIDENTIAL STRUCTURES IS PERMITTED IN THE GULF BEACH ZONE AND TO STATE THAT REDEVELOPMENT OF EXISTING ACCESSORY SWIMMING POOLS AND ACCESSORY STRUCTURES LOCATED IN THE GULF BEACH ZONE PORTION OF THE RESORT HOUSING DISTRICT IS PERMITTED; AND

PROVISIONS OF THE PLAN FOR DEVELOPMENT INTENSITY, TO INCLUDE PROVISIONS FOR BUILDING-BACK LAWFULLY EXISTING DWELLING UNITS SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER AND REDEVELOPING LAWFULLY EXISTING DWELLING UNITS IN THE RESORT HOUSING DISTRICT; AND

RESORT HOUSING, TO SUMMARIZE THE STEPS TAKEN TO RETAIN MOTELS, HOTELS AND RESORT CONDOMINIUMS WHEN REDEVELOPMENT OCCURS; AND

PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE. Submitted by the City of Sanibel. Application No. 11-6348SP.

ALONG WITH COPIES OF SUPPORTING DOCUMENTS NEEDED FOR REVIEW, AS REQUIRED BY STATE STATUTE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Sanibel has adopted a Comprehensive Land Use Plan, the *Sanibel Plan*, pursuant to Florida law; and

WHEREAS, Florida Statutes provide a procedure for adoption of amendments to comprehensive plans; and

WHEREAS, the *Sanibel Plan* provides a procedure for amending the *Sanibel Plan*; and

WHEREAS, the *Sanibel Plan* is proposed to be amended by an ordinance (no. 12-001), a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, *Florida Statutes* require submittal of the proposed Plan Amendment to the State Land Planning Agency (the Florida Department of Community Affairs), to review for objections, recommendations and comments.

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

Section 1. The City Manager is hereby authorized and directed to forward copies of the ordinance attached hereto, the proposed Amendment to the *Sanibel Plan*, to the State Land Planning Agency (the Florida Department of Community Affairs), to the Southwest Florida Regional Planning Council, to the Florida Department of Education, to the South Florida Water Management District, to the Florida Department of Transportation, District One, to the Florida Department of Environmental Protection, to the Florida Department of State, to the Lee County Department of Community Development, to the Lee County School

District and to the municipalities within Lee County for review, as required by Florida law and rule, along with copies of the required supporting documents.

Section 2. Effective Date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this ____ day of _____, 2012.

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 the City Clerk: _____

