

CITY OF SANIBEL

RESOLUTION 12-008

A RESOLUTION ELECTING TO CONDUCT A SECOND PUBLIC (ADOPTION) HEARING PRIOR TO 5:00 PM ON A PROPOSED ORDINANCE THAT AMENDS THE SANIBEL PLAN; SETTING A TIME AND DATE FOR THE SECOND PUBLIC (ADOPTION) HEARING FOR THE SANIBEL PLAN AMENDMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council is considering a proposed ordinance to amend the Sanibel Plan, entitled:

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 EXISTING 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; and

WHEREAS, pursuant to Section 166.041(3)(c)2.a., Florida Statutes, the City Council may, by majority plus one, elect to conduct the required public hearing at a time other than after 5:00 PM on a weekday; and

WHEREAS, the Council wishes to conduct the public hearing for the adoption of this Plan Amendment ordinance prior to 5:00 PM on a weekday.

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

SECTION 1. The City Council hereby elects to conduct both required public hearings for said ordinance prior to 5:00 PM on weekdays; and

SECTION 2. The date and time for the second reading and adoption hearing on the ordinance shall be, set following receipt of comments from the Florida Department of Community Affairs and, advertised according to law.

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 3rd day of January, 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: _____