

MEMORANDUM

Date: April 18, 2005

To: City Manager
for the City Council

From: Ken Pfalzer

RE: STATUS OF "ZONING IN PROGRESS" FOR COMMERCIAL LAND USE REGULATIONS

On September 23, 2004, the City Council adopted Resolution no. 04-074 directing the planning staff to develop land use regulations in order to address commercial land use issues related to businesses that serve the resident sector of the City.

This memorandum reports the status of the drafting of those regulations. The status report has 3 components addressing:

1. **Permitted Uses.** Specifically, prohibiting certain retail uses that do not serve the resident sector in specific commercial areas
2. **Unit size.** Specifically, requirements and limitations for:
 - combining smaller commercial units into large commercial units for alterations and redevelopment of existing commercial units, and
 - new development.
3. **Architectural standards.** Specifically, proscribing certain architectural standards for commercial buildings

Each of these 3 components is assessed in this memorandum.

Map Attachments to this memorandum are:

- the current **Commercial Zoning Map**
- the preliminary **Alternative Commercial Zoning Map**
- the preliminary **Resident-serving Commercial "Overlay" District Map**

Also provide with this memorandum are a copy of:

- Resolution 04-074 (Notice of Pendency for "Zoning in Progress")
- The list of retail and service uses that are permitted in the General Commercial District

The concepts and regulations discussed in this memorandum are an extension of the interim regulations established in Resolution 04-074. However, these concepts and regulations are not detailed and are not as comprehensive as the analysis anticipated in the Redevelopment Study.

Nonetheless, in consideration of the "Zoning in Progress" status of the City's commercial regulations, **the Planning Department recommends proceeding with the regulations discussed in this memorandum**, while including further consideration of permitted uses, unit size, architectural standards, and floor area ratios in the Redevelopment Study.

Permitted Uses

Commercial development is permitted in the City's Commercial District identified on the Commercial District Map in the *Sanibel Plan*.

However, the permitted uses within the Commercial District are distinguished by the Zoning Districts identified on the Commercial Zoning Map in the Sanibel Land Development Code.

Commercial Zoning Map

A drawing of the **Commercial Zoning Map** is provided with this memorandum.

The following is a brief description of permitted uses in Commercial Zoning Districts.

In the **General Commercial District** and in the **Town Center General Commercial District**:

Apparel stores and apparel accessory stores;
Children's and infant's wear stores;
Gift, common novelty and souvenir shops, including shell shops;
Jewelry stores,

are permitted uses.

These uses are not permitted in the **Town Center Limited Commercial District**.

The notice of pendency for the "Zoning in Progress" prohibits these same uses in commercially-zoned areas outside the Town Center Limited Commercial District.

If this change in permitted use, that extends the prohibition of certain retail uses that do not serve the resident sector outside the Town Center Limited Commercial District, then the distinction of that District is blurred.

The Planning Department suggests that City Council consider an Alternate Zoning Map that incorporated existing zoning and the limitations suggested in the "Zoning in Progress".

Alternative Commercial Zoning Map

A copy of a preliminary draft of an **Alternative Commercial Zoning Map** is provided with this memorandum. This map:

- The **Multiple Road Access Commercial District** combines the Town Center General Commercial District and the Town Center Limited Commercial District.

This combination provides an opportunity to shed the ambiguous adjective Town Center.

- The **Periwinkle Way Corridor Commercial District** generally replaces the General Commercial District.
- The **Neighborhood Commercial District** replaces the outlying areas in the General Commercial District.

Any commercial use currently permitted in any existing Commercial Zoning District is permitted in all of the Commercial Districts on the Alternative Commercial Zoning Map. However, limitations on permitted uses would be established through mapped overlay districts.

Overlay Districts

A copy of a preliminary draft of a **Resident-serving Commercial Overlay District Zoning Map** is provided with this memorandum. This map establishes:

- The **Resident-serving Commercial District –1**, that would exclude uses that do not serve the resident sector

The current draft of that overlay district is based on "Exhibit A" of Resolution no. 04-074 ("Zoning in Progress"). Prohibited uses identified in the "Zoning in Progress" are:

Children's and infant's wear stores;
Apparel stores and apparel accessory stores;
Gift, common novelty and souvenir shops, including shell shops;
Jewelry stores,

- The **Resident-serving Commercial District – 2**, that would also exclude uses that do not serve the resident sector, but also exclude additional residential units.

There appears to be no suitable alternative sites for commercial development in the outlying areas. If these current commercially-zoned sites redevelop as residential uses, the surrounding neighborhoods would loss proximity to commercial uses.

Non-Resident-serving Commercial Uses

The commercial retail uses that would be excluded from these Overlay Districts needs to be further examined.

Prohibited uses that are identified in the "Zoning in Progress" (and currently prohibited by the Land Development Code in the Town Center Limited Commercial District) are:

Children's and infant's wear stores;
Apparel stores and apparel accessory stores;
Gift, common novelty and souvenir shops, including shell shops;
Jewelry stores,

Should any of the retail and service uses permitted in the General Commercial District be prohibited in the Resident-serving Commercial District?

A copy of the list of retail and service uses that are permitted in the General Commercial District (LDC Sections 126-491 Permitted uses and 126-492 Conditional uses) is provided with this memorandum.

The Planning Department is assessing the appropriateness of a variety store in the Resident-serving Commercial District.

LDC Section 78-1 provides the definition of variety store.

Variety or department store means a retail establishment that carries a general line of merchandise arranged by separate sections or departments. The department functions are integrated under single management and unified ownership.

An example of a variety store on Sanibel is the CVS/pharmacy. This business is a drug store within a variety store. Another example is Bailey's Hardware store, which is a hardware store within a variety store.

The composition of the departments within a variety store affect whether the business is resident-serving.

Partial Prohibition vs. Complete Prohibition

The residents and homeowners of Windward Way suggest an interesting alternative to prohibiting commercial uses in the Resident-serving Commercial Overlay Districts. That suggestion only prohibits commercial uses, that are not resident-serving, to 50% of the commercial floor area in the commercial development. **There is merit to this suggestion.**

Unit Size

Resolution no. 04-074 ("Zoning in Progress") prohibits:

- the combining of commercial units if the resulting unit size would exceed 2000sf in commercial floor area, or
- the resulting unit would have more than 50 linear feet or more of street frontage within 200' of the street right-of-way.

This prohibition applies to the areas designated in "Exhibit A" in Resolution no. 04-074.

The limitation on unit size should apply to new development, as well as to alterations and redevelopment of existing commercial units.

Some commercial uses that serve the resident sector require more than 2000sf of commercial floor area. Grocery stores and hardware stores are examples of these uses that typically require more than 2000sf of commercial floor area.

The interim regulations in Resolution no. 04-074 only limit unit size in certain areas. **It would be appropriate to limit unit size in all Commercial Districts.**

Limitations on unit size can be effective in maintaining the resident-serving sector of the local economy. Limitations on unit size can also be an effective component of commercial regulations that are intended to retain the character of the community.

Architectural Standards

The Plan for Commercial Development in the Land Use Element of the *Sanibel Plan* contains the following provisions:

5. *Adopt development standards which assure commercial developments contribute to the maintenance of the character of the community by maintaining substantial vegetation buffers and by presenting architectural features that are compatible with the community as a whole.*
6. *Adopt development standards which assure commercial structures do not employ what is often referred to a "cookie-cutter" architecture and do employ architecture that contributes to the character of the community.*

The legislative intent of the *Sanibel Plan* and the intent provided in Resolution no. 04-074 provides a basis to expound on those design policies. To maintain and enhance the attractiveness of the streetscape and the existing character of the community, buildings should have architectural features and patterns that provide visual interest from the

perspective of the pedestrian, bicyclist and motorist, appear to reduce building mass, and recognize and respect local character and site conditions.

Large commercial buildings shall be designed to appear as a group of buildings that vary in scale and size.

The intent of architectural standards is to ensure that commercial buildings do not appear monolithic, that large facades, both horizontal and vertical, are broken up to present a more human scale, particularly to the public right-of-way view and the view of nearby residential uses. The following provides a basis for general standards:

- Facades shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls.
- Facades shall provide, through the use of detail and scale, visual interest that is consistent with the character of the community.
- Articulation of facades and roofing shall be used to vary the building's mass, in height and width, so that it appears to be divided into distinct elements and details.
- All rooftop mechanical equipment protruding from the roof must be screened from public view by integrating it into a building and roof design.
- Service areas and facilities that could detract from, or have a negative impact on, the surrounding properties and the community shall be screened to diminish the visual and acoustic impacts of service functions
- Conduits, meters and vents and other equipment attached to the building or protruding from the roof must be screened or painted to match surrounding building surfaces.
- Outdoor lighting shall be as unobtrusive as possible but meet the functional needs of safe circulation and of protecting people and property. Pole mounted light fixtures shall not be higher than the tallest commercial building on the site.
- Outdoor vending machines must be located so that they are not visible from adjacent properties and streets.

General Considerations

Commercial Floor Area Ratio (FAR)

Commercial Floor Area Ratios for commercially-zoned lands is akin to Density for residentially-zoned lands.

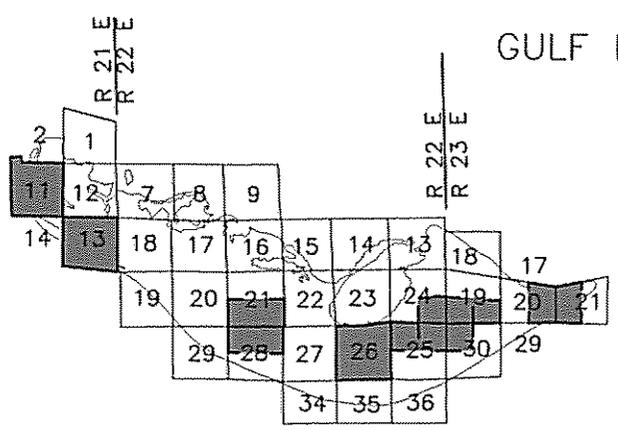
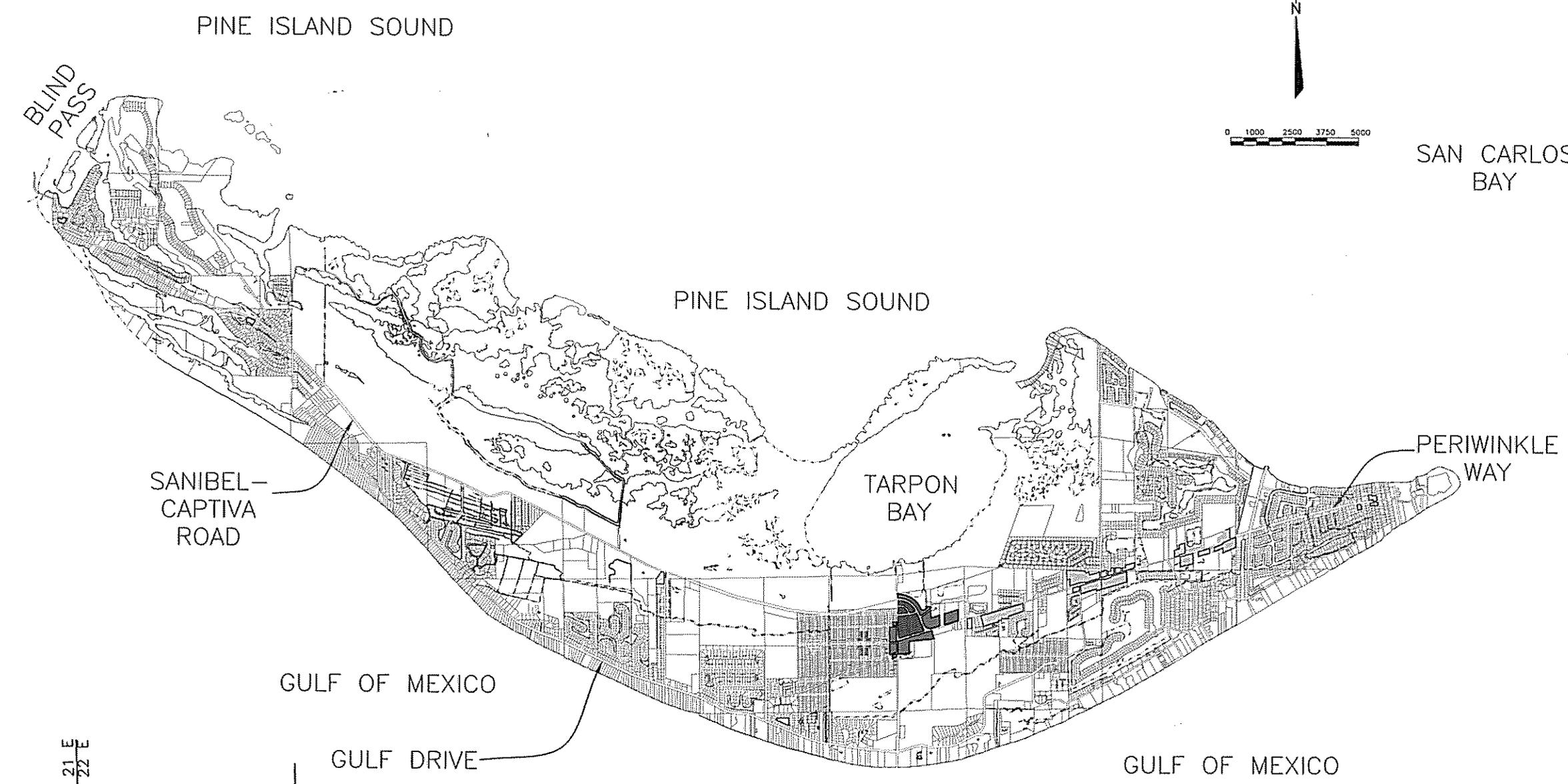
Commercial Floor Area Ratio (FAR) is the amount of Commercial Floor Area in relation to the size of commercially zoned parcel. Currently, the Land Development Code permits up to:

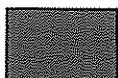
- 12% Floor Area Ratio is permitted in the Town Center General Commercial District and the Town Center Limited Commercial District and 12% Floor Area Ratio would be permitted in the Multiple Road Access Commercial District (which proposes to combine both Town Center Districts).
- 10% Floor Area Ratio is permitted in the current General Commercial District and 10% would be permitted in the proposed Periwinkle Way Corridor Commercial District and the Neighborhood Commercial District.

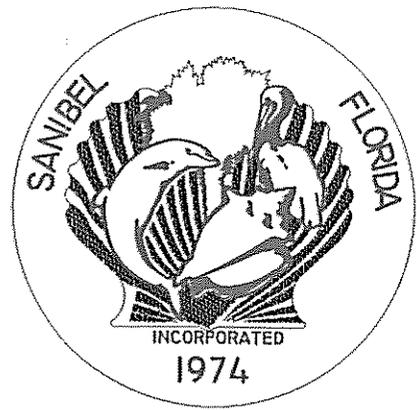
The current Town Center Limited Commercial District is the only commercially-zoned area that prohibit uses that are not resident-serving. That district permits an FAR of 12%. However, both Town Center Commercial Districts are permitted an FAR of up to 12%. Twelve (12%) percent was established due to the road access available for this commercial area.

The appropriate Floor Area Ratio for commercially-zoned parcels that are in the Overlay district that excludes uses that are not resident-serving requires further consideration.

Unless City Council directs otherwise, the appropriate Floor Area Ratio for these parcels should be considered in the Redevelopment Study. The appropriate FAR for parcels in the Neighborhood Commercial District, which is also proposed to prohibit additional residential dwelling units, requires further consideration.



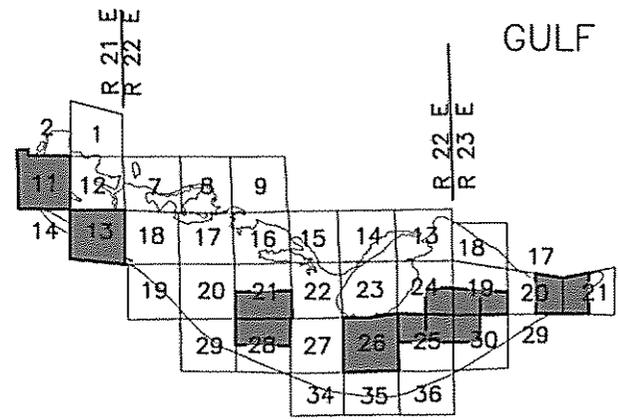
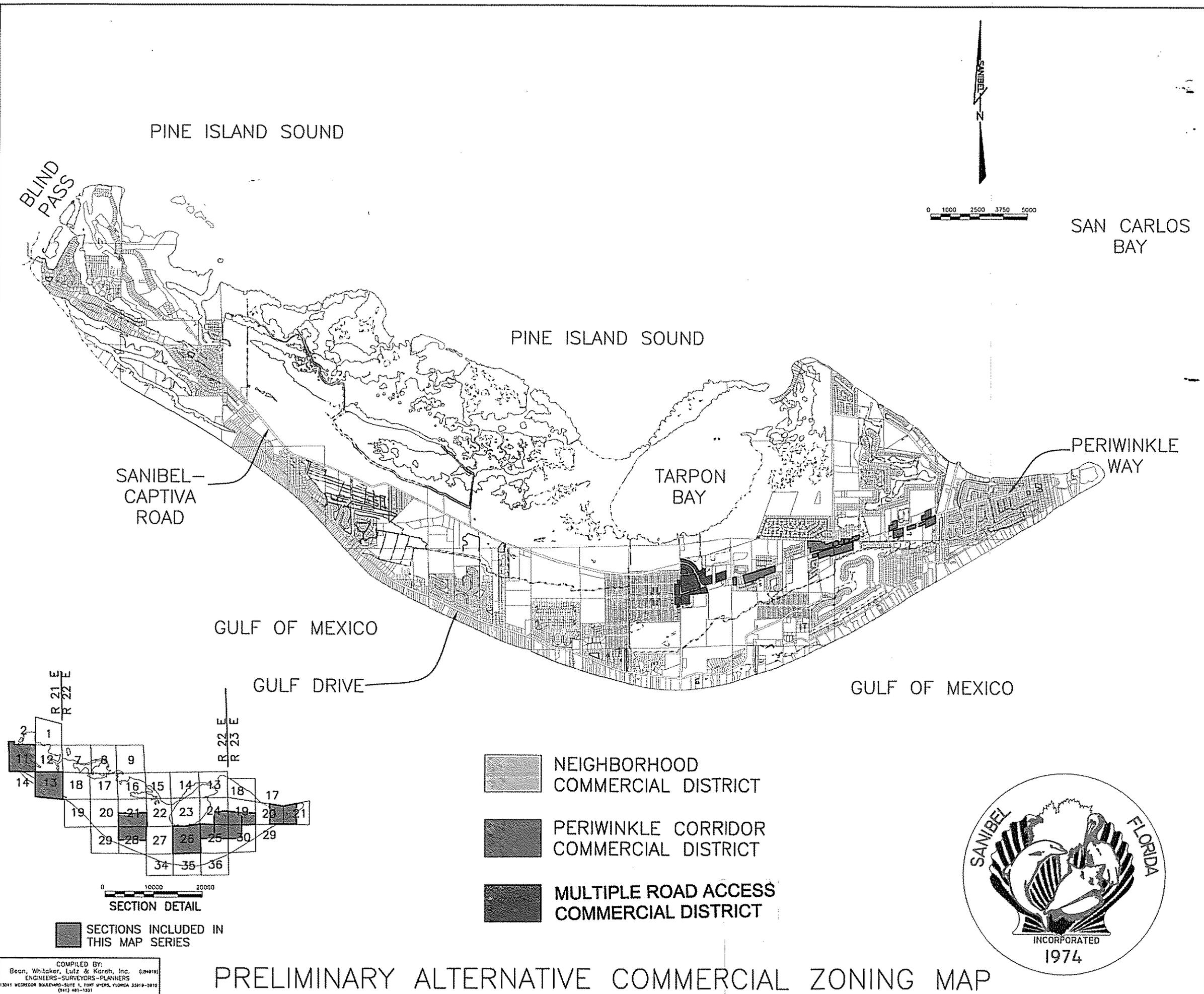
-  GENERAL COMMERCIAL DISTRICT
-  TOWNCENTER GENERAL COMMERCIAL DISTRICT
-  TOWNCENTER LIMITED COMMERCIAL DISTRICT



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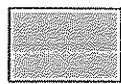
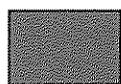
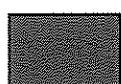
COMMERCIAL ZONING MAP

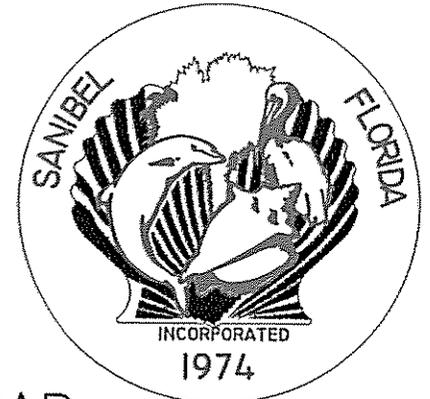




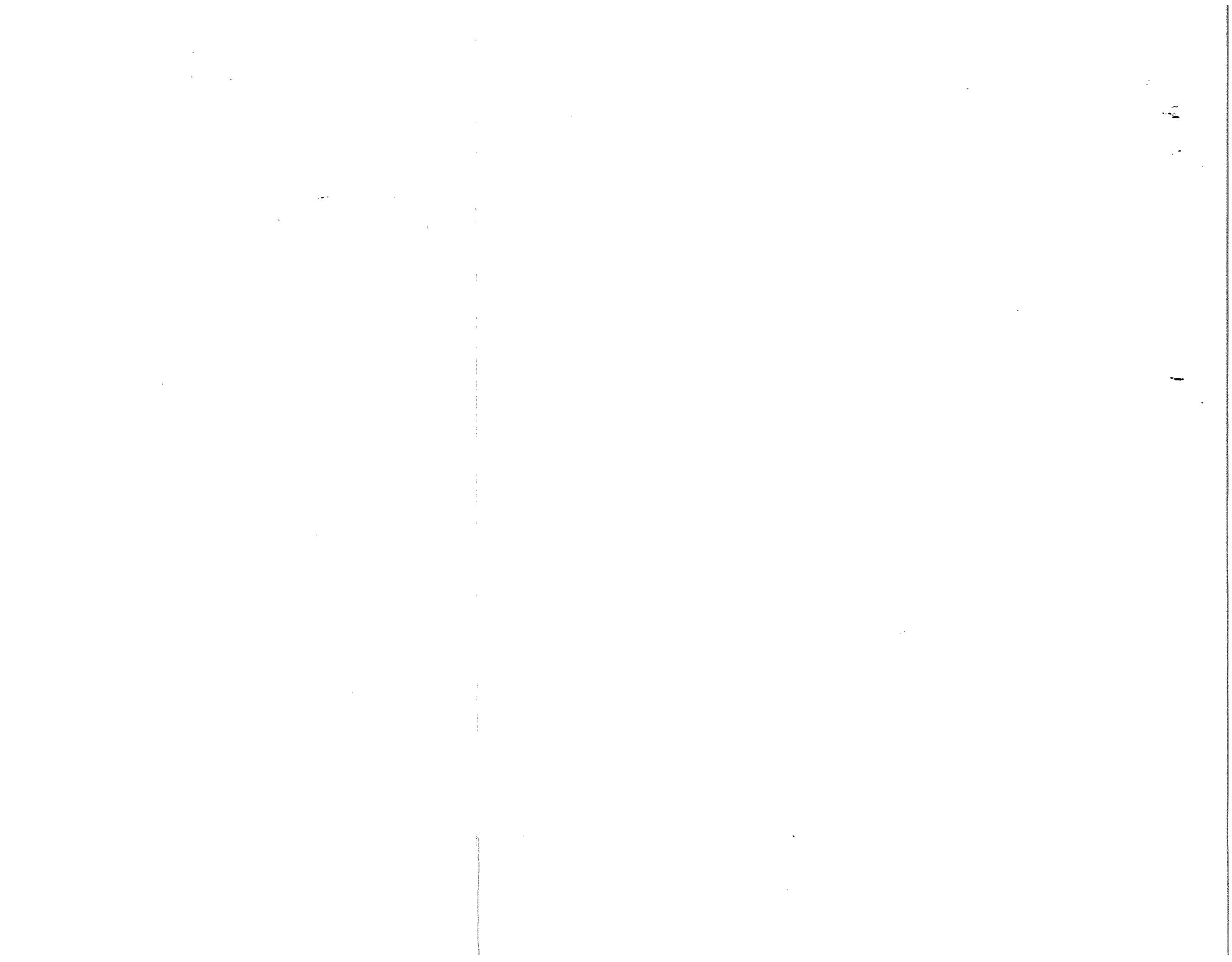
SECTION DETAIL

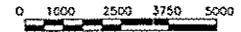
SECTIONS INCLUDED IN THIS MAP SERIES

-  NEIGHBORHOOD COMMERCIAL DISTRICT
-  PERIWINKLE CORRIDOR COMMERCIAL DISTRICT
-  MULTIPLE ROAD ACCESS COMMERCIAL DISTRICT



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SAN CARLOS BAY

PINE ISLAND SOUND

BLIND PASS

PINE ISLAND SOUND

TARPON BAY

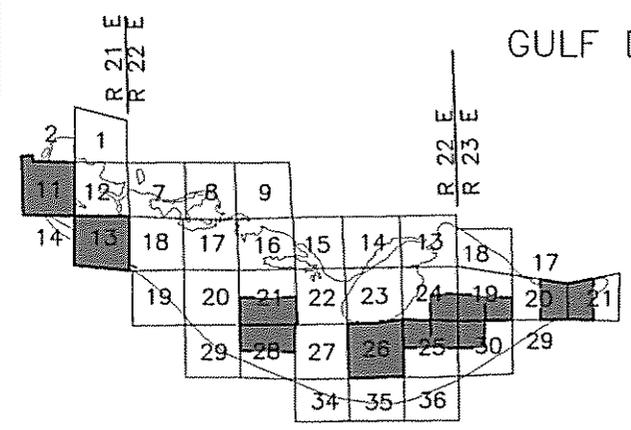
PERIWINKLE WAY

SANIBEL-CAPTIVA ROAD

GULF OF MEXICO

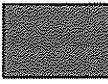
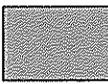
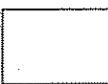
GULF DRIVE

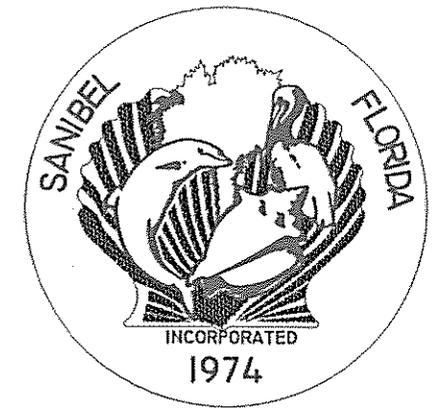
GULF OF MEXICO



SECTION DETAIL

SECTIONS INCLUDED IN THIS MAP SERIES

-  NEIGHBORHOOD RESIDENT SERVING COMMERCIAL DISTRICT
-  RESIDENT SERVING COMMERCIAL DISTRICT
-  GENERAL OTHER COMMERCIAL DISTRICT



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OVERLAY DISTRICT COMMERCIAL ZONING MAP



**CITY OF SANIBEL
RESOLUTION NO. 04-074**

A RESOLUTION DIRECTING THE PLANNING STAFF TO DEVELOP PROPOSED LAND USE REGULATIONS TO BE SUBMITTED TO THE PLANNING COMMISSION AND CITY COUNCIL IN ORDER TO ADDRESS THE LAND USE ISSUES RELATED TO THE COMBINATION OF SMALLER COMMERCIAL UNITS INTO LARGE COMMERCIAL UNITS, AND LAND USE ISSUES RELATED TO CERTAIN NON-RESIDENT ORIENTED RETAIL USES, WITHIN SPECIFIED COMMERCIAL AREAS OF THE CITY OF SANIBEL; DIRECTING THAT THE PLANNING COMMISSION PROVIDE RECOMMENDATIONS WITH REGARD TO ANY SUCH LAND USE AND DEVELOPMENT REGULATIONS PROPOSED OR DEVELOPED BY THE CITY PLANNING STAFF; DECLARING THAT THE DEVELOPMENT OF SUCH REGULATIONS CONSTITUTES "ZONING IN PROGRESS" AND PROHIBITING THE COMBINING OF SMALL COMMERCIAL UNITS INTO LARGER COMMERCIAL UNITS, AND THE NEW ESTABLISHMENT OF CERTAIN NON-RESIDENT ORIENTED RETAIL USES WITHIN SPECIFIED COMMERCIAL AREAS OF THE CITY, UNTIL SUCH LAND USE REGULATIONS CAN BE DEVELOPED BY CITY STAFF, CONSIDERED BY THE PLANNING COMMISSION AND CONSIDERED BY THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a Vision Statement was adopted as an integral element of the Sanibel Plan; and

WHEREAS, said Vision Statement establishes a hierarchy of values with "sanctuary" and "community" being higher than "attraction"; and

WHEREAS, the City desires to maintain a balance between the residential and resort (tourist) segments of the community, so that Sanibel remains an attractive and desirable residential community; and

WHEREAS, commercial developers often view Sanibel as primarily a nonresident commercial market; and

WHEREAS, left unregulated, this trend can be expected to continue to the point that Sanibel could become a resort-oriented market, contrary to public desires; and

WHEREAS, demand, preferably internal demand, needs to be found for surplus retail space; and

WHEREAS, it would be counter-productive to attempt to fill these spaces by stimulation of additional activity from off-island; and

WHEREAS, it can and should be expected that the residential component of the Sanibel community will grow larger over time; and

WHEREAS, businesses that primarily serve the resort community tend to demand larger spaces with greater visibility and can afford to pay higher rents than those primarily serving the residential community; and

WHEREAS, it will require reconsideration of certain development regulations relating to permissible uses and unit sizes in certain commercial areas of the City; and

WHEREAS, time is needed for consideration to assure Sanibel's regulations do not discourage the continuation of existing businesses, or establishment of new businesses, serving Sanibel's residential segment; and

WHEREAS, it is necessary that such aggregation of commercial spaces, and the establishment of certain new non-resident oriented retail uses, cease in the interim while such Zoning-in-Progress is developed for consideration and, as appropriate, legislation by City Council with the requisite public input and public hearings;

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

SECTION 1. The City Council hereby determines that it is appropriate and in the best interests of the citizens of Sanibel to study, consider and develop land use regulations to address certain land use matters as set forth more particularly in this

Resolution. Until such time as the City Council has an opportunity to consider such recommendations and proposed land use regulations developed and proposed by the Planning Staff and submitted for consideration by the Planning Commission and ultimately the City Council, the following uses and development shall be prohibited:

- (a) The combining of commercial units if the resulting unit size would exceed 2000 square feet in floor area within those commercial areas designated on attached Exhibit "A".
- (b) The combination of commercial units if the resulting unit would have 50, or more, linear feet of street frontage within 200 feet of the street right-of-way, within those commercial areas designated on attached Exhibit "A".
- (c) The establishment of any of the following retail uses within those commercial areas designated on attached Exhibit "A":
 - (1) Apparel and apparel accessory stores;
 - (2) Children's and infant's wear stores;
 - (3) Gift, common novelty and souvenir shops, including shell shops;
 - (4) Jewelry stores.
- (d) This Resolution is not intended to affect, and shall be not be construed to affect, existing retail uses of the types set forth above, whether or not located in the commercial areas designated on attached Exhibit "A".

SECTION 2. In the event that any person or other entity is denied a Development Permit, Building Permit, Occupational License or other City approval as a direct result of the prohibitions set forth above, such person or other entity may appeal such denial to City Council. The City Council may authorize such approval as it deems necessary or appropriate upon a finding that such approval is not contrary to the long term goals of this Resolution and is not disadvantageous to the health, safety and welfare of the general public.

SECTION 3. The Planning Staff is hereby directed to study, consider and, as appropriate, propose land use regulations for consideration by the Planning Commission and the City Council with respect to those matters set forth in the recitals of this Resolution, and, at least, the following issues:

- (a) The combination of smaller commercial units into large or larger commercial units in those commercial areas designated on attached Exhibit "A", or such other commercial areas as determined necessary for consideration by the Planning Staff, Planning Commission and City Council.
- (b) The combination of units in that area described in Exhibit "A", or similar commercial areas, where the resulting unit would have, for example, 50 linear feet or more, of street frontage within a street right-of-way of, for example, 200 feet. Said footages are set forth as guidelines only for Staff review and study, and Staff's recommendation and/or proposed land use regulations to address this issue may be more or less than such guidelines.
- (c) The establishment of certain retail uses within the area described on attached Exhibit "A", or such other commercial locations as may be recommended through proposed land use regulations, such retail uses may include, but not be limited to, apparel and apparel accessories stores, children's and infant's wear stores, gift, novelty and souvenir shops, including shell shops, and jewelry stores.

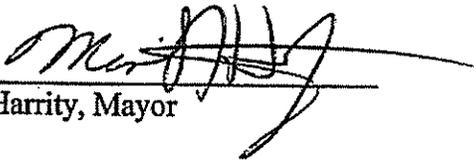
SECTION 4. The Planning Staff and the Planning Commission are hereby directed to study, consider and develop any applicable land use regulations for Council consideration in a timely manner. It is City Council's position that this direction constitutes a priority and the timely completion of these matters shall be considered a priority by Staff and the Planning Commission.

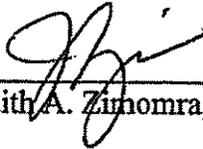
SECTION 5. Effective date.

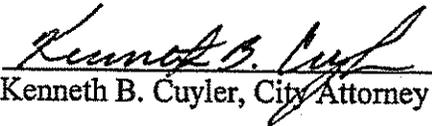
This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida,
this 21 day of September, 2004.

AUTHENTICATION:


Marty Harrity, Mayor


Judith A. Zimomra, City Clerk

APPROVED AS TO FORM: 
Kenneth B. Cuyler, City Attorney

9/14/04
Date

Vote of Council members:

Harrity	<u>yea</u>
Walsh	<u>yea</u>
Brown	<u>yea</u>
Jennings	<u>yea</u>
Workman	<u>yea</u>

Date filed with City Clerk: September 23, 2004

EX. "A"
PAGE 3 OF 4

DESIGNATED
AREA

S20-TAG-R23 S21-TAG-R23
CITY OF SANIBEL



BOCE

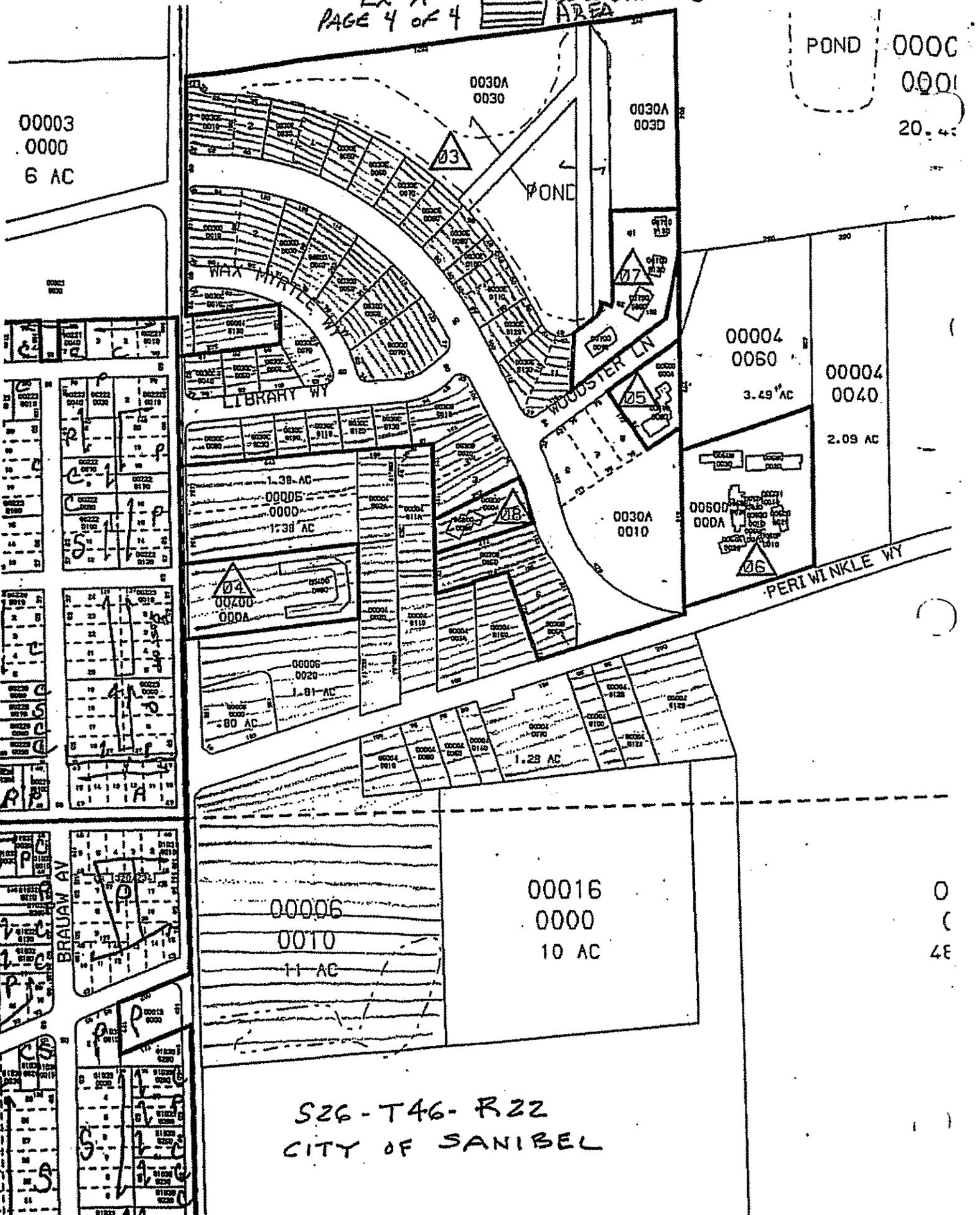
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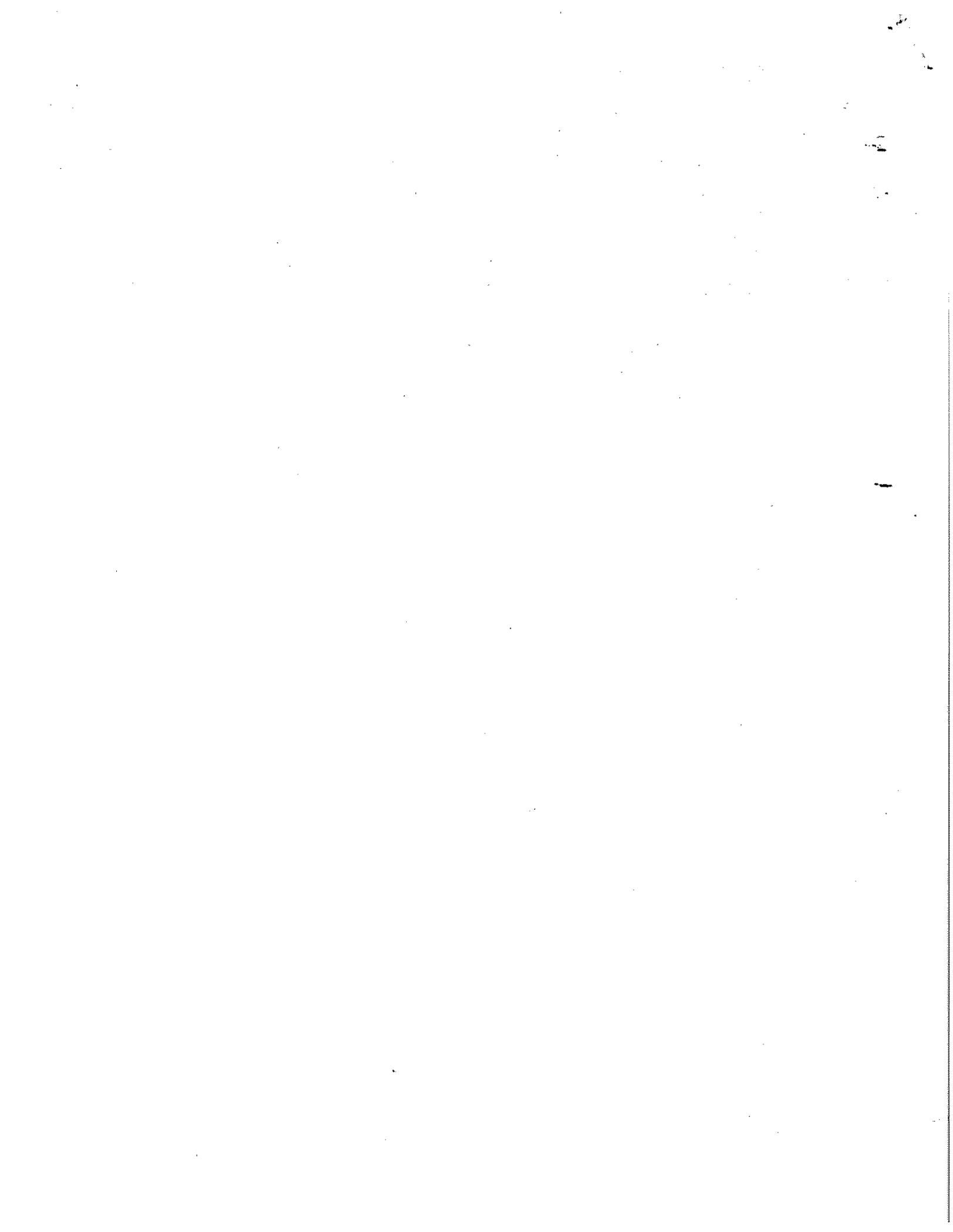
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S26-T46-R22
CITY OF SANIBEL



DIVISION 2. GC GENERAL COMMERCIAL DISTRICT

Sec. 126-491. Permitted uses.

(a) *Primary intended uses.* The GC general commercial district is designed to permit low intensity commercial development with a wide variety and mixture of retail, office, and service uses, with integrated residential uses offered as an alternative to commercial uses. Primary intended commercial uses in the GC general commercial district are the following, provided no such use involves on-site food preparation or processing, drive-in or drive-through facilities, outdoor storage, or combined residential and commercial development, so as to require conditional use approval:

- (1) Accounting, auditing and book keeping services.
- (2) Advertising agents.
- (3) Animal training and grooming services.
- (4) Apparel and apparel accessories stores.
- (5) Appraisers.
- (6) Architectural, engineering and surveying services.
- (7) Artists' studios.
- (8) Auctioneering services.
- (9) Auto and home supply stores.
- (10) Bait and tackle shops.
- (11) Banks.
- (12) Barber shops.
- (13) Beauty shops.
- (14) Bicycle shops.
- (15) Blueprinting and photocopying services.
- (16) Book stores.
- (17) Building contractors and subcontractors.
- (18) Building materials stores.
- (19) Business associations.
- (20) Cablevision services.
- (21) Camera and photographic supply stores.
- (22) Candy, nut and confectionery stores.
- (23) Carpet and upholstery cleaning.
- (24) Child care services.
- (25) Children's and infant's wear stores.
- (26) Cleaning and maintenance services.
- (27) Commercial art galleries.
- (28) Commercial photography.
- (29) Communication services.
- (30) Computer services.
- (31) Credit institutions.
- (32) Dairy products stores.
- (33) Detective agencies and protective services.
- (34) Developers.
- (35) Disinfecting and exterminating services.
- (36) Drug and proprietary stores.
- (37) Florists.
- (38) Fruit and vegetable markets.
- (39) Funeral homes and parlors.
- (40) Furniture and wood products, manufacturing.
- (41) Furniture stores.
- (42) Garment pressing, and agents, laundries and dry cleaning.
- (43) Gift, novelty, and souvenir shops, including shell shops.
- (44) Hand painting and printing of textiles.
- (45) Hardware stores.
- (46) Health clubs or spas.
- (47) Hobby, toy and game stores.
- (48) Household appliance stores.

- (49) Insurance agents.
 - (50) Interior decorators.
 - (51) Jewelry stores.
 - (52) Landscape and horticultural services.
 - (53) Legal services.
 - (54) Linen supply.
 - (55) Liquor stores.
 - (56) Luggage and leather goods stores.
 - (57) Mail order houses and distributors.
 - (58) Management, consulting and public relation services.
 - (59) Mortgage bankers and brokers.
 - (60) Music stores.
 - (61) News dealers.
 - (62) Notary publics.
 - (63) Offices of dentists.
 - (64) Offices of health practitioners.
 - (65) Offices of physicians.
 - (66) Office supply stores.
 - (67) Optical goods stores.
 - (68) Packaging and labeling services.
 - (69) Paint, glass and wallpaper stores.
 - (70) Pet food stores.
 - (71) Pet shops.
 - (72) Printing, publishing and allied industries.
 - (73) Professional membership organizations.
 - (74) Radio and television stores.
 - (75) Real estate agents and managers.
 - (76) Religious goods stores.
 - (77) Repair shops.
 - (78) Retail bakeries.
 - (79) Retail nurseries, lawn and garden supply stores.
 - (80) Reupholstery and furniture repair.
 - (81) Savings and loan associations.
 - (82) Security brokers and services.
 - (83) Sewing, needlework, and piece goods stores.
 - (84) Shoe stores.
 - (85) Sign painting and lettering shops.
 - (86) Sporting goods stores.
 - (87) Stationery and card stores.
 - (88) Swimming pool cleaning and maintenance.
 - (89) Tailoring and dressmaking services.
 - (90) Taxicab services.
 - (91) Telephone message services.
 - (92) Title abstract offices.
 - (93) Tobacco shops.
 - (94) Tool and equipment rental.
 - (95) Travel agents.
 - (96) Uniform supply stores.
 - (97) Used merchandise stores.
 - (98) Variety or department stores of at least 5,000 square feet of floor area.
 - (99) Veterinary services.
 - (100) Video equipment and tapes, sales and rentals.
 - (101) Warehousing and storage.
- (b) *Other permitted uses.* The following uses are also permitted in the GC general commercial district:
- (1) Single-family dwellings.
 - (2) Duplex dwelling units.
 - (3) Residential cluster developments and multifamily developments, subject to the provisions of section 86-71.
 - (4) Occupancy of a dwelling unit by one family.
 - (5) Public facilities.

- (6) Rental of a dwelling unit by one family for periods of no less than four consecutive weeks.

(Ord. No. 85-26, § 1(I.D.3(a)(1), (2)), 11-27-1985; Ord. No. 86-25, § 5, 6-17-1986; Ord. No. 87-05, § 1, 2-17-1987; Ord. No. 01-09, § 2, 6-19-2001)

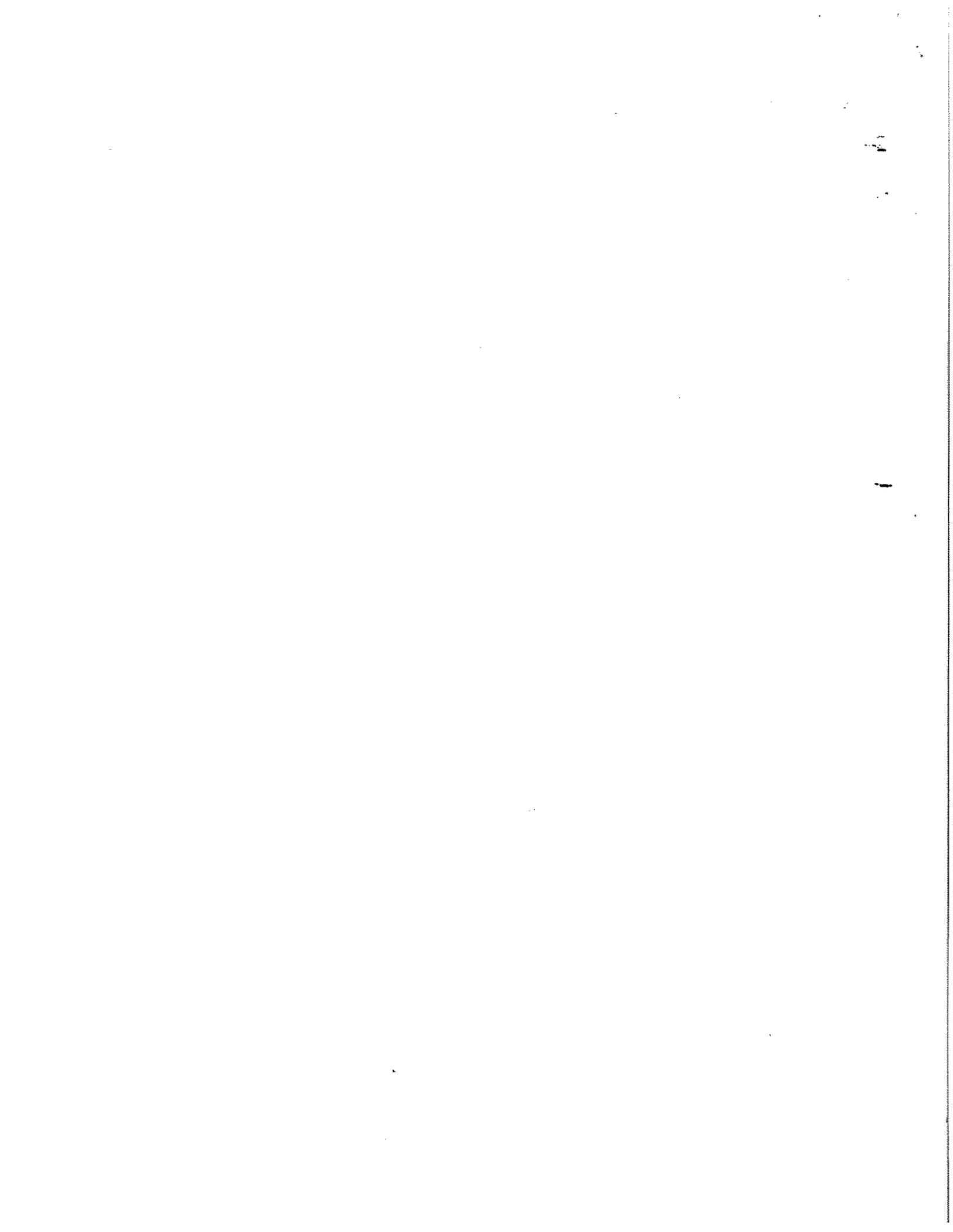
Sec. 126-492. Conditional uses.

The following uses in the GC general commercial district shall be permitted as conditional uses subject to the conditions and procedures set forth in articles II and IV of this chapter:

- (1) Assisted living facilities.
- (2) Any drive-in or drive-through facility in conjunction with a permitted, or approved conditional, commercial use; except that drive-up, drive-through or drive-in lanes with carry-out service windows shall not be permitted in or at any eating place, restaurant, food service operation or beverage or liquor store; and except that formula restaurants shall not be permitted in this, or in any, district of the city.
- (3) Any permitted, or approved conditional, commercial use involving on-site food preparation or processing; except that drive-up, drive-through or drive-in lanes with carry-out service windows shall not be permitted in or at any eating place, restaurant, food service operation or beverage or liquor store; and except that formula restaurants shall not be permitted in this, or in any, district of the city.
- (4) Automobile and other motorized vehicle rental agencies.
- (5) Automotive repair shops.
- (6) Bicycle rentals.
- (7) Boat and canoe rentals.
- (8) Car washes.
- (9) Carry-out food stores not listed as a permitted use, including ice cream shops.
- (10) Caterers.
- (11) Coin-operated laundries.
- (12) Combined residential and commercial developments.
- (13) Foster family homes.
- (14) Gasoline service stations.
- (15) Grocery stores, delicatessen stores, and food markets.
- (16) Increased-density below market rate housing.
- (17) Institutional uses.
- (18) Marine sales and repair shops.
- (19) Motion picture theatres, except drive-in.
- (20) Outdoor storage in conjunction with a permitted, or approved conditional, commercial use.
- (21) Public utility uses.
- (22) Rehabilitation centers.
- (23) Residential child caring facilities.
- (24) Restaurants and other eating places; except that:
 - a. Drive-up, drive-through or drive-in lanes with carry-out service windows shall not be permitted in or at any eating place, restaurant, food service operation or beverage or liquor store; and
 - b. Formula restaurants shall not be permitted in this, or in any, district in the city.
- (25) Social service homes.
- (26) Theatres for live performances.
(Ord. No. 85-26, § 1(I.D.3(a)(3)), 11-27-1985; Ord. No. 86-25, § 5, 6-17-1986; Ord. No. 93-16, § 1, 8-3-1993; Ord. No. 96-10, § 2, 9-17-1996)

Sec. 126-493. Accessory uses.

Accessory uses customarily incident to the uses permitted in the GC general commercial district are permitted, including specifically home occupations and earth stations, in accordance with the requirements of section 78-11; chapter 82, article III, division 3, subdivision IV; chapter 86, article II; chapter 86, article IV, division 2; chapter 94; chapter 106; chapter 110; chapter 118; chapter





MEMORANDUM

DATE: April 18, 2005

TO: City Council Members

FROM: Judie Zimomra 

SUBJECT: CHR/EAR Number of Units

At the request of Councilmember Rothman, CHR Council Liaison, please find attached a fourth version of language regarding the number of Below Market Rate Housing Units addressed in the EAR. This language was developed and submitted by the CHR Board directly to Councilmember Rothman.

JAZ/cjm

Xc: Pamela Smith, City Clerk
Ken Cuyler, City Attorney
Ken Pfalzer, Acting Planning Director

Judie Zimomra

From: Tom Rothman [trothman@westgulfdigital.com]
Sent: Monday, April 18, 2005 11:19 AM
To: Judie Zimomra
Subject: Fwd: alternativ D

From: Mikesanibel@aol.com
Date: Sun, 17 Apr 2005 10:40:02 EDT
Subject: alternativ D
To: trothman@westgulfdigital.com
CC: sanibel_hyatt@hotmail.com, sanibelchr@earthlink.net
X-Mailer: 9.0 Security Edition for Windows sub 1200

Good morning, Tom, thanks for returning my call. Here is the suggested wording for alternative D.

Alternative D

This language is being substituted as an additional option.

The Sanibel Plan recognizes that the Board of Community Housing and Resources suggested using 3% of resident households as a realistic program goal. This Report recommends that the goal for BMRH units in the Sanibel Plan be changed to up to 3% of resident households. Based on current population projections, the goal at up to 3% of resident households envisions a possible total of 104 dwelling units at "build-out " (over the next 20 years), or 40 additional units.

Tom, on behalf of our Board we thank you for considering to offer an alternative D. I'm looking forward to talking with you this afternoon. If agreeable we will provide the copies for you at your home on Monday. Thanks and best regards, Mike Cuscaden



MEMORANDUM

DATE: April 18, 2005

TO: City Council Members

FROM: Judie Zimomra 

SUBJECT: Advertisement for Planning Director

Please find attached a DRAFT advertisement for the Planning Director Position. This material is in addition to, not a substitute, for the job description.

JAZ/cjm

Xc: Pamela Smith, City Clerk
Jim Isom, Administrative Services Director

DRAFT

JOB ADVERTISEMENT FOR PLANNING DIRECTOR POSITION

PLANNING DIRECTOR. The City of Sanibel, Florida, with a City Manager form of government, is an environmentally sensitive barrier island sanctuary, one in which a diverse population lives in harmony with the Island's wildlife and natural habitats; a community of 6000 full-time residents that attracts over one million visitors annually. The City has a great job opportunity for a highly experienced Planner, who will be committed to Sanibel's Vision, to work in a team environment applying professional skills and abilities in comprehensive land use, land development, principles of environmental planning and transportation planning. Requirements include a Bachelor's Degree in Planning, Urban Development, Public Administration or a related field; supplemented by ten (10) years of professional planning experience, two (2) years of which were in a supervisory capacity that included managing budgets. AICP Certification is desired. Candidates will be screened for interview purposes based on overall planning experience and training. Salary range: \$71,910 to \$112,200. Benefits include health, dental, life and AD&D insurance, retirement plan, vacation, medical and personal leave, 9 paid holidays, reimbursement for annual physical and cancer screening co-pays, beach parking pass and unlimited causeway transponder if residence is off the island. Closing date for receipt of application is June 30, 2005. Mail or fax cover letter and application/resume with salary history to City of Sanibel, Administrative Services Director, Attn: PD, 800 Dunlop Road, Sanibel, FL 33957, Fax (239) 472-3065. An Application for Employment and a copy of the complete job description may be obtained from the City website, www.mysanibel.com. EOE/ADA/M/F/V.

DRAFT



MEMORANDUM

DATE: April 18, 2005

TO: City Council Members

FROM: Judie Zimomra

SUBJECT: Councilmember's Request – Pay Ranges for Directors' Positions

At the request of a City Councilmember, please find attached a copy of the pay ranges for Directors.

JAZ/cjm

Xc: Pamela Smith, City Clerk
Jim Isom, Administrative Services Director
Renee Lynch, Finance Director

PAY RANGES FOR DEPARTMENT DIRECTOR POSITIONS

POSITION	GRADE	MINIMUM	MAXIMUM
Public Works Director	26	\$71,910	\$112,200
Planning Director	26	\$71,910	\$112,200
Finance Director	26	\$71,910	\$112,200
Police Chief	26	\$71,910	\$112,200
Natural Resources Director	25	\$62,526	\$97,716
Utility Director	25	\$62,526	\$97,716
Administrative Services Director	25	\$62,526	\$97,716
Building Official	24	\$54,366	\$84,966
Recreation Director	24	\$54,366	\$84,966
MIS Director	23	\$50,694	\$74,154



MEMORANDUM

DATE: April 18, 2005

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Building Official	24	\$54,366	\$84,966
Recreation Director	24	\$54,366	\$84,966
MIS Director	23	\$50,694	\$74,154



MEMORANDUM

DATE: April 18, 2005
TO: City Council Members
FROM: Judie Zimomra
SUBJECT: Supplemental Material for April 19, 2005 Council Agenda Item #9 (c) 3

Please find attached supplemental material to Agenda Item #9 (c) 3, from Renee Lynch, Finance Director. Please incorporate this material into your agenda packet.

Thank you.

JAZ/cjm

Xc: Pamela Smith, City Clerk
Kenneth Cuyler, City Attorney
Renee Lynch, Finance Director

MILESTONE SCHEDULE
PREPARED BY: CITY STAFF in conjunction with WOODROFFE CORPORATION ARCHITECTS
TIMELINE FOR CITY OF SANIBEL RECREATION CENTER
FUNDED THROUGH GENERAL OBLIGATION BONDS

Last Update: 4/19/2005

WCA 0303

DUE DATE (*)	ITEM NO.	INFORMATION DISTRIBUTED	INFO FROM	INFO TO	REMARKS
May-05	1	Reimbursement Resolution adopted by City Council			
June-05	2	Architect Proceed with Design/Authorize to Advertise for Construction Manager	City	WCA	
August-05	3	Construction Manager Selection City Council Approval	City	GM	
November-05	3a	CM Contract Approval by City Council	City	GM	
November-05	4	Retain City's Project Representative	City	WCA	
January-05	5	Architect/Design Development Submittal	WCA	City	
February-05	6	CM Cost Estimate Submittal	GM	City/WCA	
May, 2005	7	Council directs Staff to draft Ballot Language for a Resolution to conduct a referendum election to issue General Obligation Bonds to be used as the pledged revenue source securing G.O. Bonds to be used to finance the Proposed Recreation Center	City	City	
June 21, 2005	8	Council adopts Resolution defining Ballot Language to conduct a referendum election on November 8, 2005 to issue General Obligation Bonds to be used as the pledged revenue source securing G.O. Bonds to be used to finance the Proposed Recreation Center	City	City	
November-05	9	Election and Results of Referendum for the issuance of G.O. Bonds. If GO question passes, proceed; if question fails, end of schedule	City	City	
November, 2005	10	Architect Authorized to Proceed with Construction Documents	City	WCA	
November, 2005	11	Working Group Selected by Finance Director (Underwriter, Financial Advisor, Bond Counsel)	City	Finance Group	
November, 2005	12	Preliminary Plan of Finance Developed (prepared by Working Group)	City	WCA	
November, 2005	13	RFP for Support Services Distributed (paying agent, registrar, etc.)	Finance Group	Interested Parties	
December, 2005	14	Bond Documents Drafted	Finance Group	Interested Parties	
December, 2005	15	Bond Insurance Bid (2 weeks for response) and Secured	Finance Group	Interested Parties	
January, 2006	16	Architect 50% Construction Document Submittal / Submit Site for Permitting-GUARANTEED MAXIMUM PRICE (GMP) DETERMINED	WCA	City	
January, 2006	17	Finalize Bond Documents and Finance Plan	Finance Group	Interested Parties	
January, 2006	18	Council Approves Final Documents (Bond Resolution)	Finance Group	City	
January, 2006	19	Send Preliminary Official Statement to Printer for Distribution	Finance Group	Interested Parties	
February, 2006	20	Marketing to Local Investors (seminar)	Finance Group	Interested Parties	
February, 2006	21	Pricing of Bonds	Finance Group	Interested Parties	
February, 2006	22	Closing on Bonds	Finance Group	City	
March, 2006	23	Architect 100% Construction Document Submittal/ Team Meeting / CM Completes Guaranteed Maximum Price (GMP) Process	WCA	City	
March, 2006	24	CM GMP Submittal for City Approval	CM	City	
March, 2006	25	GMP Acceptance / Approval by City Council	City	CM	
March, 2006	26	CM Notice To Proceed / Begin Construction (Phased Construction)	City	CM	
September, 2007	27	Occupancy	CM	City	

LEGEND

CM Construction Manager
 RFP Request for Proposal
 Price

(*) Due dates may change as the schedule proceeds

**CITY OF SANIBEL
FINANCING OF A RECREATION FACILITY
VARIOUS ALTERNATIVES FOR PROJECT COSTS SHOWING
COST TO AVERAGE RESIDENTIAL TAXPAYER FOR GENERAL OBLIGATION (GO) 30-YEAR BONDS**

PAR AMOUNT OF BONDS (*)	30-Year Repayment Plan				30-Year Repayment Plan				30-Year Repayment Plan			
	\$9,620,000				\$11,715,000				\$13,810,000			
	Amount of Annual Debt Service Payments	Annual Cost per \$100,000 of Property Valuation	Annual Cost per Average Residential Taxpayer (**)		Amount of Annual Debt Service Payments	Annual Cost per \$100,000 of Property Valuation	Annual Cost per Average Residential Taxpayer (**)		Amount of Annual Debt Service Payments	Annual Cost per \$100,000 of Property Valuation	Annual Cost per Average Residential Taxpayer (**)	
Average Bond Coupon Rate in Today's Market Condition												
4.80%	\$ 615,736	\$ 14.58	\$ 75.55		\$ 749,676	\$ 17.75	\$ 91.99		\$ 883,887	\$ 20.93	\$ 108.45	
4.80%												
4.80%												

(*) Par Amount changes with various project alternative cost options
(**) Average Residential Property Value = \$518,276

MILESTONE SCHEDULE

PREPARED BY: CITY STAFF in conjunction with WOODROFFE CORPORATION ARCHITECTS
 TIMELINE FOR CITY OF SANBEL RECREATION CENTER
FUNDED BY REVENUE BONDS

Last Update: 4/19/2005

WCA 0303

DUE DATE (*)	ITEM NO.	INFORMATION DISTRIBUTED	INFO FROM	INFO TO	REMARKS
May-05	1	Reimbursement Resolution adopted by City Council			
June-05	2	Architect Proceed with Design/Authorize to Advise for Construction Manager	City	WCA	
August-05	3	Construction Manager Selection City Council Approval	City	CM	
November-05	3a	CM Contract Approval by City Council	City	CM	
November-05	4	Retain City's Project Representative	City	WCA	
January-05	5	Architect Design Development Submittal	WCA	City	
February-05	6	GM Cost Estimate Submittal	GM	City/WCA	
May, 2005	7	Council directs Staff to draft Ordinance to levy a Public Service Tax to be used as a pledged revenue source securing Revenue Bonds to be used to finance the Proposed Recreation Center	City	City	
June, 2005	8	City Council conducts 1st Reading of Ordinance to levy a Public Service Tax	City	City	
June, 2005	9	City Council conducts 2nd Reading and adopts Ordinance levying a Public Service Tax. If Ordinance passes, proceed; if not, end of schedule	City	City	
June, 2005	10	Architect Authorized to Proceed with Construction Documents	City	WCA	
June, 2005	11	Working Group Selected by Finance Director (Underwriter, Financial Advisor, Bond Counsel)	City	Finance Group	
July, 2005	12	Preliminary Plan of Finance Developed (prepared by Working Group)	City	WCA	
July, 2005	13	RFP for Support Services Distributed (paying agent, registrar, etc.)	Finance Group	Interested Parties	
August, 2005	14	Bond Documents Drafted	Finance Group	Interested Parties	
August, 2005	15	Bond Insurance Bid (2 weeks for response) and Secured	Finance Group	Interested Parties	
September, 2005	16	Architect 50% Construction Document Submittal / Submit Site for Permitting-GUARANTEED MAXIMUM PRICE (GMP) DETERMINED	WCA	City	
September, 2005	17	Finalize Bond Documents and Finance Plan	Finance Group	Interested Parties	
September, 2005	18	Council Approves Final Documents (Bond Resolution)	Finance Group	City	
October, 2005	19	Send Preliminary Official Statement to Printer for Distribution	Finance Group	Interested Parties	
October, 2005	20	Marketing to Local Investors (Seminar)	Finance Group	Interested Parties	
October, 2005	21	Pricing of Bonds	Finance Group	Interested Parties	
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November, 2005	23	Architect 100% Construction Document Submittal/ Team Meeting / CM Completes Guaranteed Maximum Price (GMP) Process	WCA	City	
November, 2005	24	CM GMP Submittal for City Approval	CM	City	
November, 2005	25	GMP Acceptance / Approval by City Council	City	CM	
December-05	26	CM Notice To Proceed / Begin Construction (Phased Construction)	City	CM	
June, 2007	27	Occupancy	CM	City	

LEGEND

Construction Manager
 Request for Proposal
 Guaranteed Maximum Price

(*) Due dates may change as the schedule proceeds

**CITY OF SANIBEL
 FINANCING OF A RECREATION FACILITY
 VARIOUS ALTERNATIVES FOR PROJECT COSTS SHOWING
 TAX RATE and COST TO AVERAGE RESIDENTIAL HOMEOWNER FOR PUBLIC SERVICE TAX (PST)
 TO MEET REVENUE BOND PAYMENTS**

ESTIMATED PST RATE	30-Year Repayment Plan		30-Year Repayment Plan		30-Year Repayment Plan	
	Amount of Annual Debt Service Payments	Annual Cost per Average Single Family Residential Property owner (**)	Amount of Annual Debt Service Payments	Annual Cost per Average Single Family Residential Property owner (**)	Amount of Annual Debt Service Payments	Annual Cost per Average Single Family Residential Property owner (**)
5.00%	\$ 615,736	\$ 76.05	\$ 749,676	\$ 92.78	\$ 883,887	\$ 109.51
6.10%						
7.20%						

(*) Par Amount changes with various project alternative cost options
 (***) Average Single Family Residence Utility Bills =

	Monthly	Annual
Electric (less first 500 Kwh hours)	85.00	1,020.00
Water	41.75	501.00
TOTAL:	126.75	1,521.00