CITY OF SANIBEL

RESOLUTION NO. 12-097

A RESOLUTION APPROVING THE 2012 EVALUATION AND APPRAISAL REPORT FOR THE *SANIBEL PLAN* THAT ADDRESSES CONSISTENCY WITH CHANGES IN STATE STATUTES AND ADMINISTRATIVE CODE, IDENTIFIES UPDATES, CLARIFICATIONS AND REVISIONS TO THE TEXT (INCLUDING GOALS, OBJECTIVES AND POLICIES) OF THE *SANIBEL PLAN* AND ADDRESSES CHANGES IN LOCAL CONDITIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the most recent evaluation and appraisal of the *Sanibel Plan*, the comprehensive land use plan of the City of Sanibel, was completed in 2005; and

WHEREAS, *Florida Statutes, Section 163.3191*, requires that comprehensive land use plans be evaluated at least once every seven years to determine if Plan Amendments are necessary to reflect changes is State requirements; and

WHEREAS, *"The Community Planning Act"*, adopted by the State Legislature in 2011, made significant changes to Florida Law and Rule pertaining to Growth Management; and

WHEREAS, the City Council directed the Planning Commission to evaluate and assess the *Sanibel Plan* in accordance with State requirements; and

WHEREAS, the City Council set parameters for the preparation of the Evaluation and Appraisal Report for the *Sanibel Plan* that identified the beach carrying capacity study, housing and capital improvements for special consideration; and

WHEREAS, the Evaluation and Appraisal Report sets the framework to update the *Sanibel Plan* to reflect changes in local conditions; and

WHEREAS, public hearings were properly advertised and legally held by the Planning Commission on March 27, 2012, April 10, 2012, April 24, 2012, May 22, 2012, June 26, 2012, July 10, 2012, and August 28, 2012; and

WHEREAS, the Evaluation and Appraisal Report for the *Sanibel Plan* was formatted:

To highlight topics of special consideration in the Executive Summary of the Report; and

To identify updates, clarifications and revisions to the text (including goals, objectives and policies) of the *Sanibel Plan* in Exhibit A of the Report; and

To identify all amendments to the Official Maps of the *Sanibel Plan* in Exhibit B of the Report; and

WHEREAS, public hearings were properly advertised and legally held by the City Council on February 7, 2012, March 6, 2012, September 18, 2012 and November 6, 2012; and

WHEREAS, the City Council determined, as advised by the Planning Commission and the Planning Department, that an amendment to the *Sanibel Plan,* based on this Evaluation and Appraisal Report, will be consistent with changes in State Statutes and the Administrative Code;

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

Section 1. After public comment, discussion and review of the draft Evaluation and Appraisal Report for the *Sanibel Plan*, the City Council hereby adopts the 2012 Evaluation and Appraisal Report for the *Sanibel Plan,* dated November 6, 2012, including Exhibit "A" (Plan Text, including Goals, Objectives and Policies) and Exhibit "B" (Official Maps).

Section 2. Effective date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the City Council of the City of Sanibel, Florida, this 6th day of November 2012.

AUTHENTICATION: _____ _____

Kevin Ruane, Mayor Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler _____ 10/30/12 _____

Kenneth B. Cuyler, City Attorney Date

Vote of Council Members:

Ruane ____
Denham ____
Congress ____
Harrity ____
Jennings ____

Date filed with City Clerk: _____

K:Planning:kep: Memos: CC Resolution on EAR