

RESOLUTION NO. 13-04

**CITY OF SANIBEL
PLANNING COMMISSION**

A RESOLUTION APPROVING AND RECOMMENDING ENACTMENT BY THE CITY COUNCIL OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, PART II – SANIBEL CODE; SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126 – ZONING; TO ADD A NEW DIVISION 17. DISTRESSED PROPERTIES IN ARTICLE XIV SUPPLEMENTARY DISTRICT REGULATIONS, TO INCLUDE A NEW SECTION 126-1311 PURPOSE, APPLICABILITY AND DEFINITIONS; AND A NEW SECTION 126-1312 MAINTENANCE AND SECURITY STANDARDS; AND A NEW SECTION 126-1313 NOTICE OF VIOLATION, ABATEMENT PLAN AND APPEAL PROCEDURES; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, AN APPLICATION (NO. 12-7070LDC) WAS MADE BY THE CITY OF SANIBEL TO PROVIDE DEFINITIONS, REQUIREMENTS AND PROCEDURES, AND STANDARDS FOR MAINTAINING AND SECURING ALL BUILDINGS AND STRUCTURES; AND

WHEREAS, A PUBLIC HEARING WAS LEGALLY AND PROPERLY ADVERTISED AND HELD ON MARCH 26, 2013; AND

WHEREAS, THE PLANNING COMMISSION MADE REFERENCE TO THE *SANIBEL PLAN* AND DETERMINED THAT THE PROPOSED AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE *SANIBEL PLAN*; AND

WHEREAS, THE PLANNING COMMISSION DETERMINED THAT THE PROPOSED AMENDMENT:

- A. WILL ENCOURAGE THE MOST APPROPRIATE USE OF LAND AND CITY RESOURCES, CONSISTENT WITH THE PUBLIC INTEREST;
- B. WILL PREVENT THE OVERCROWDING OF LAND AND AVOID THE UNDUE CONCENTRATION OF POPULATION;
- C. WILL NOT ADVERSELY AFFECT THE DEVELOPMENT OF ADEQUATE AND EFFICIENT PROVISIONS FOR TRANSPORTATION, WATER, SEWAGE, SCHOOLS, PARKS, RECREATION FACILITIES, AND THE ENVIRONMENTAL, SOCIAL AND ECONOMIC RESOURCES OF THE CITY;
- D. WILL NOT ADVERSELY AFFECT THE CHARACTER STABILITY OF THE PRESENT AND FUTURE LAND USE AND DEVELOPMENT OF THE COMMUNITY;
- E. WILL NOT ADVERSELY AFFECT ORDERLY GROWTH AND DEVELOPMENT;
- F. WILL PRESERVE, PROMOTE, PROTECT AND IMPROVE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE COMMUNITY; AND
- G. IS CONSISTENT WITH THE CITY CHARTER.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the City Council adopt Ordinance 13-____, Distressed Property Ordinance.

The foregoing Resolution was adopted by the Planning Commission upon a motion by Planning Commission Member _____ and seconded by Planning Commission Member _____, and the vote was as follows:

Christopher Heidrick _____	Holly Smith _____
Chuck Kettelman _____	John Talmage _____
Tom Krekel _____	Michael Valiquette _____
Phillip Marks _____	

DULY PASSED AND ADOPTED this 23RD day of April 2013.

SANIBEL PLANNING COMMISSION

Signed: _____
Michael Valiquette, Planning Commission Chairman

_____ Date Signed

Approved As To Form: 
Kenneth B. Cuyler, City Attorney

4/18/13
Date Signed

Date Filed With City Manager: _____