CITY OF SANIBEL

ORDINANCE 14-001

AN ORDINANCE AMENDING THE SANIBEL CODE OF ORDINANCES, SUBPART B, LAND DEVELOPMENT CODE, CHAPTER 126 ZONING, ARTICLE XIV SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBSECTION 1. IN GENERAL, AND ADDING A NEW SECTION 126-855. INTER- AND INTRA-CONNECTIVITY; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has adopted a Land Development Code to implement the goals, objectives and policies of the Sanibel Plan; and

WHEREAS, a procedure has been established to revise and amend regulations in the Land Development Code in a manner consistent with the Sanibel Plan; and

WHEREAS, the City Council deems it necessary to make such revisions to the Land Development Code, as outlined in this ordinance; and

WHEREAS, all required public notices and public hearings for such revisions have been properly given and held; and

WHEREAS, such revisions have been referred to the Planning Commission for a recommendation as to the consistency of such revisions with the Sanibel Plan.

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

SECTION 1. A new section 126-855 is added to read as follows in its entirety:

Sec. 126-855. Inter- and Intra-connectivity

(a) In the interest of public safety and the general welfare, providing Inter-connectivity and Intra-connectivity is encouraged and shall be accommodated. To that end, the city manager or the manager's designee is authorized to approve deviations from limits on coverage with impermeable surfaces and developed area and from vegetation buffer requirements to facilitate the issuance of a development permit for Inter-connectivity and Intra-connectivity. Such deviations may be issued only upon a finding by the city manager, or the manager's designee, that the following standards have been met.

(1) Alternatives to avoid the need for the deviation have been explored and found to be impracticable.
(2) The deviation is the minimum necessary to provide Inter-connectivity and Intra-connectivity.
(3) The Inter-connection or Intra-connection path is located, designed and constructed in a safe, practical and convenient manner such that the public interest is served.
(4) The Inter-connection or Intra-connection path meets all requirements of Division 4 of Chapter 126 of the Sanibel Code.
(5) The Inter-connection or Intra-connection path meets all drainage standards of Article IV of Section 118 of the Sanibel Code.
(6) The Inter-connection or Intra-connection path meets all signage standards of Chapter 106 of the Sanibel Code.
(7) The vegetation impacted by an Inter-connection or Intra-connection path has been included in a mitigation plan that identifies the treatment, relocation, replacement or removal of any such plants.

(b) The city manager or the manager's designee is authorized to attach conditions to the approval, as necessary, to assure compliance with the standards set out above.
(c) In addition to the standards set out above, in considering applications for deviations under this section, no deviation approved under this section shall frustrate the underlying purpose and intent of this section or policies of the city, including the Sanibel Code and Sanibel Plan.
(d) City Council may adopt and, from time to time, amend an illustrated guide of Inter-connectivity and Intra-connectivity guidelines to aid in the administration and interpretation of the above standards.
(e) Definitions: The following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this subsection:

(1) *Inter-connectivity* means a pedestrian and bicycle connection to the shared use path system.
(2) *Intra-connectivity* means a pedestrian and bicycle connection between adjacent properties.

SECTION 2. Codification

The city manager is hereby authorized and directed to cause the amendment approved herein to be incorporated into the adopted Land Development Code.

SECTION 3. Conflict

If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severance

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any Court or competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 5. Effective Date

This ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida this _____ day of _____, 2014.

AUTHENTICATION:

_____ _____

Kevin Ruane, Mayor Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler, City Attorney Date 4/18/14

Vote of Council Members:

Ruane _____
Congress _____
Denham _____
Harrity _____
Jennings _____

First Reading _____
Publication Date _____
Second Reading _____

Date Filed with City Clerk: _____

INTER- AND INTRA-CONNECTIVITY INTERPRETIVE GUIDELINES

Prepared by: The City of Sanibel Planning Department

March 6, 2014

DRAFT

Introduction

One of the City Councils goals adopted for the fiscal year of 2013-2014 was to conduct a redevelopment work plan study for the for the City's Commercial District. The intent of this study focuses upon the examination of potential Land Development Code amendments that would ensure and maintain the future success and stability of the City's Commercial District. One key element coming out of this study was the development of specific guidelines to assist property owners with the installation of Inter- and Intra-connectivity paths that would provide both pedestrian and bicycle ingress and egress to the City's Shared Use Path system and between adjacent properties and land uses.

Herein, Inter-connectivity and Intra-connectivity shall be defined to mean the following:

- **Inter-connectivity:** Pedestrian and bicycle connections to the shared use path system

- **Intra-connectivity:** Pedestrian and bicycle connections between adjacent properties.

Intent

The goals of these interpretive guidelines for Inter- and Intra-connectivity are as follows:

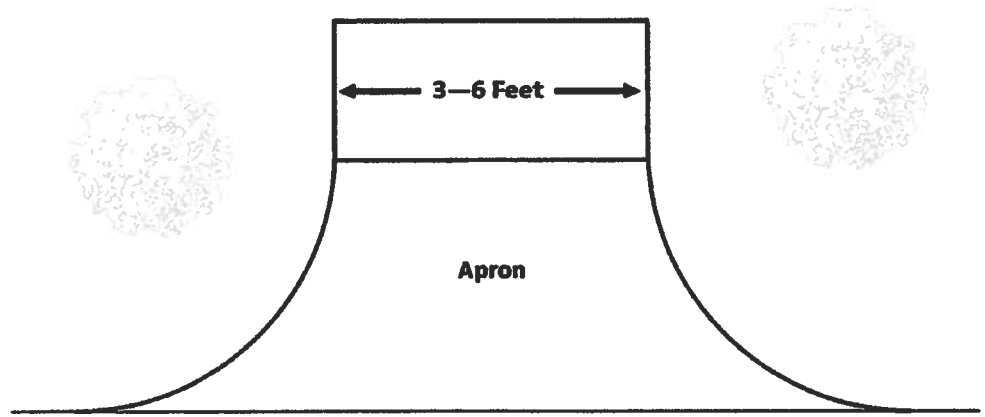
- To remain consistent with the goals, objectives and policies of the Sanibel Plan.
- To build upon the success of the shared use path system.
- To ensure pedestrian, bicyclists and motorist safety by providing unobstructed sight lines at points of ingress and egress.
- To mitigate vehicular traffic volumes by continuing to promote walking and bicycling.
- To improve safety by eliminating conflict points between automobiles and pedestrians and bicyclists.
- To enhance pedestrian and bicyclist access to properties within the commercial district.
- To encourage opportunities for shared parking, thus reducing the need for large parking lots.

This document is intended to serve as a guide to aid interested property owners and other similar entities with the permitting and installation of Inter and Intra-connectivity paths for pedestrian and bicycle use.

Width

The width of Inter- and Intra-connection paths should be a minimum of three (3) feet, or the minimum width standard as defined in the ADA Accessibility Guidelines (ADAAG), and a maximum of six (6) feet, as measured from the outside edges of the Inter- or Intra-connection path (See Figure 1).

Figure 1: Width



Surface Materials

The surface materials utilized in the construction and installation of Inter and Intra-connection paths may consist of any the following or similar substances:

- Asphalt
- Concrete
- Wood
- Pavers
- Gravel
- Stone
- Shell

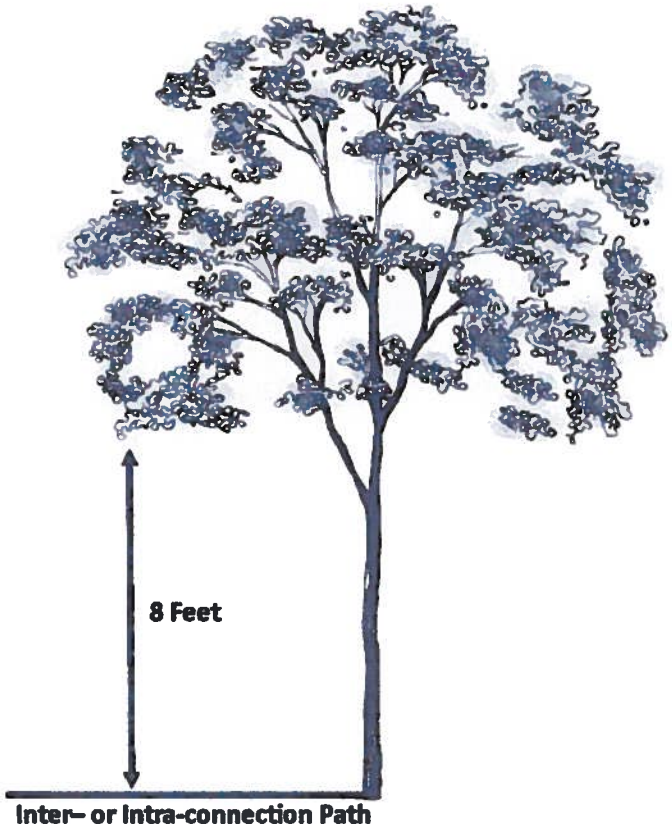
Vertical Clearance

The recommended vertical clearance provided and maintained for pedestrian and bicycle use should be no higher than eight (8) feet, as measured from the surface area of the Inter- or Intra-connection path up to the lowest elevation of the nearest overhead obstruction (See Figure 2).

Number

There are not a recommended number of Inter- or Intra-connection paths that a property may provide; however, the number of paths should be the minimum reasonably necessary to provide safe pedestrian and bicycle ingress and egress to either the shared use path or between one property and another.

Figure 2: Vertical Clearance



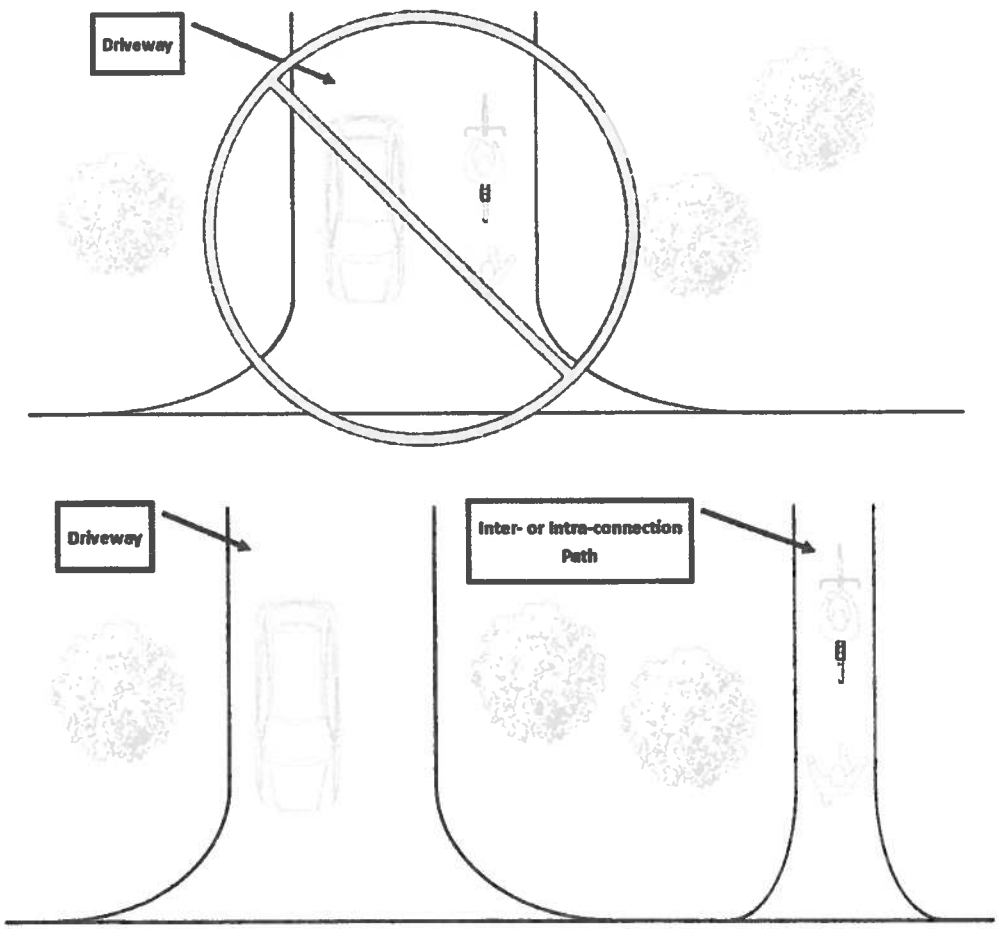
Location

The actual location of all Inter- or Intra-connection paths should be situated to ensure the safe and efficient circulation and movement of pedestrians and bicyclists both on and off-site.

Driveway Separation

There should be sufficient separation established between existing driveways used to provide vehicular ingress and egress to a property and Inter- and Intra-connection paths (See Figure 3).

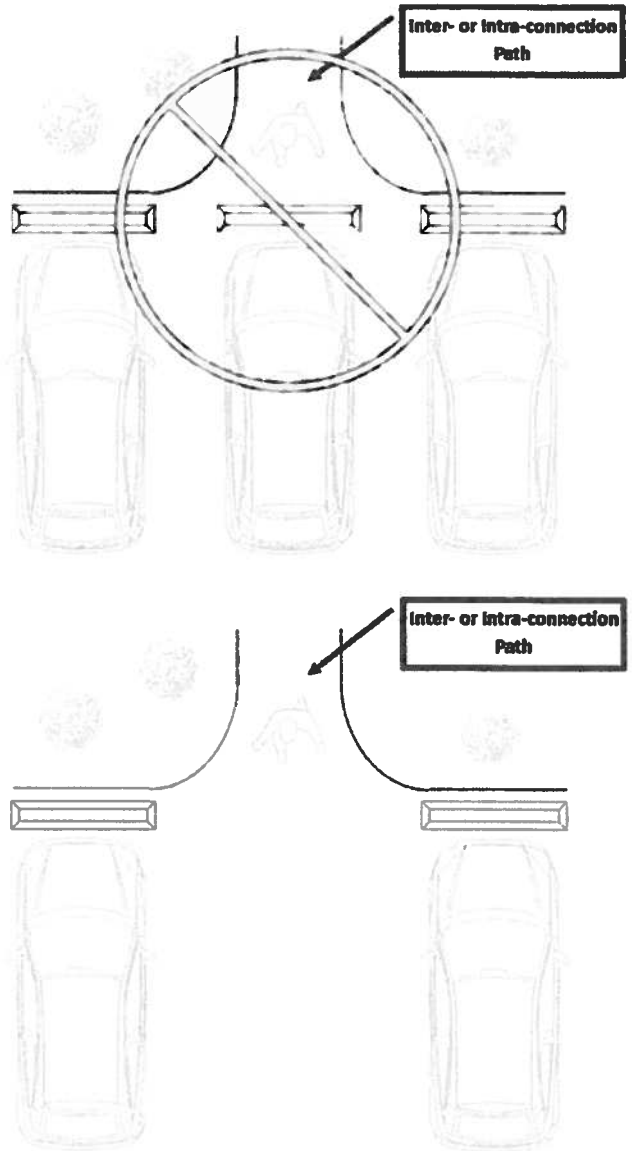
Figure 3: Driveway Separation



Obstructions

The point at which an Inter- and Intra-connection path enters property should not lead pedestrians or bicyclists into an off-street parking space, loading area or other areas where there is a conflict with vehicular parking, movement or ingress/egress. (See Figure 4).

Figure 4: Unobstructed Entry



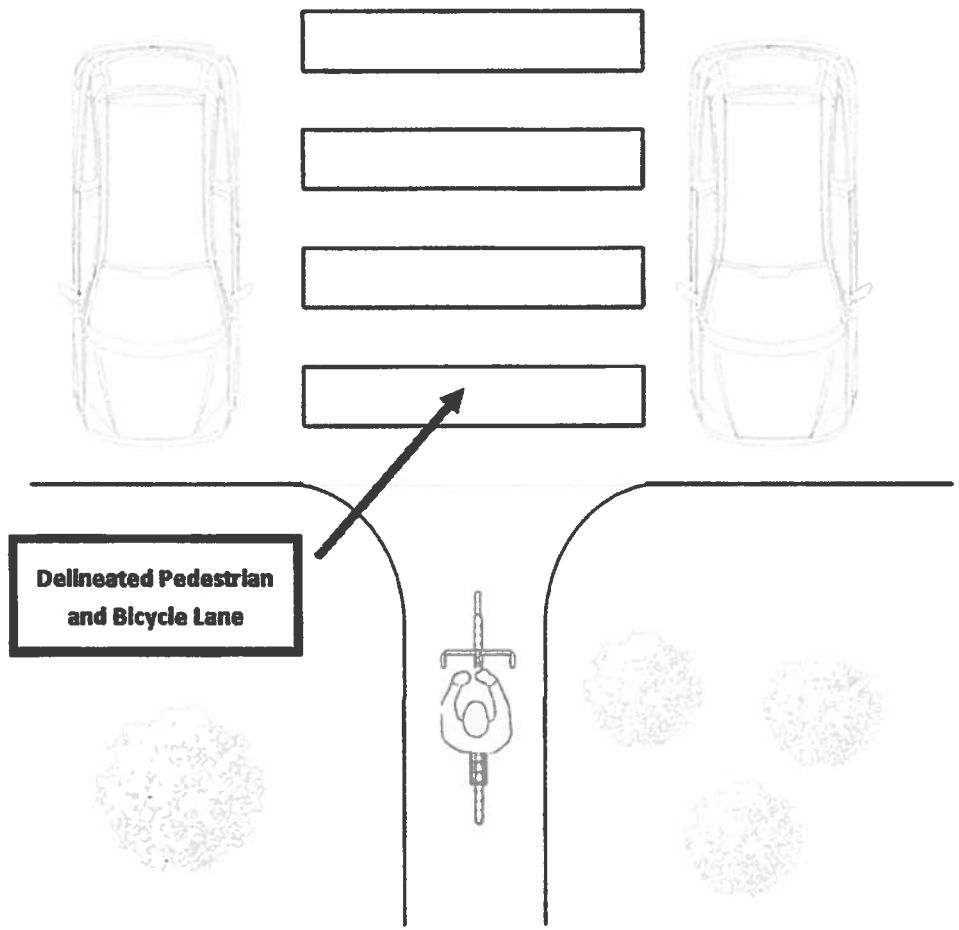
Visibility

In order to ensure the safety of pedestrians, bicyclists and motorists alike, unobstructed visibility should be taken into consideration when installing Inter- and Intra-connection paths.

Pedestrian and Bicycle Lanes

Parking lots with a hard surface, such as asphalt, concrete or pavers, are encouraged to properly delineate all pedestrian and bicycle lanes, with surface striping or marking. Such striping or markings should begin at the ingress/egress point of the Inter- or Intra-connection path onto the property (See Figure 5).

Figure 5: Delineated Pedestrian and Bicycle Lane



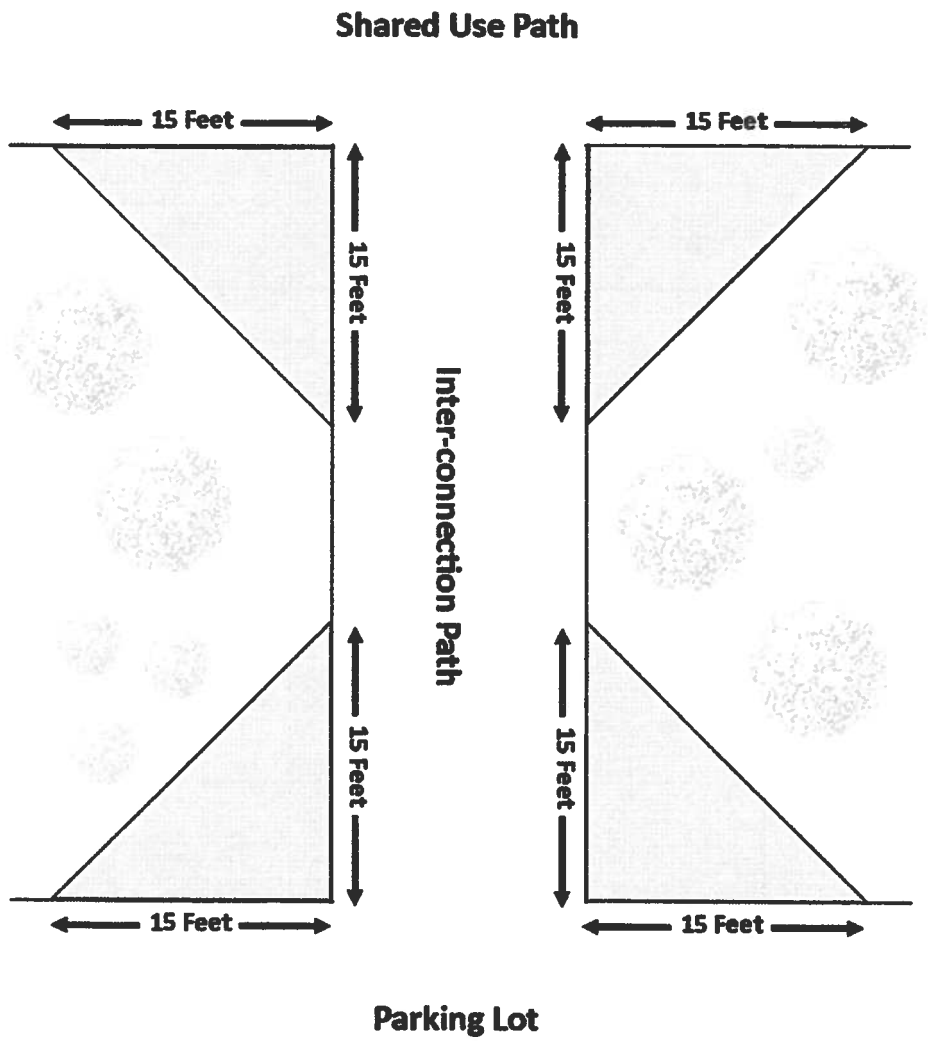
Line of Sight

It is recommended that Inter-connection paths meet the requirements for traffic visibility at driveway intersections standards from Section 126-935 of the Sanibel Code (See Figure 6). As applied to Inter-connection paths, it is recommended:

- The establishment of a sight triangle formed by the point of intersection of the lines established by the edge of the interconnection and the edge of the shared use path or parking lot and the points on each such lines 15 feet from the point of the intersection.
- No structure, including street graphic, vegetation or other visual obstruction may intrude at a height of between 30 inches and 60 inches above ground level within this sight triangle.

Due to the nature of Intra-connection paths, adhering to the traffic visibility at driveway intersections standards may not always be practical; therefore, it is recommended that a clear sightline devoid of visual obstructions be provided to the extent possible.

Figure 6: Inter-connection Sight Triangle



Design

Inter- and Intraconnection paths should be clearly delineated. Inter-connection paths should be installed perpendicular to the shared use path to the extent possible and a hard surfaced apron, designed to accommodate the turning movements of bicycles, should be installed where the Inter-connection path abuts the shared use path (See Figure 7).

If the Inter-connection path is comprised of a loose material, such as gravel, stone or shell, the apron should be designed appropriately to keep the material from spilling or being tracked onto the shared use path (See Figure 8).

Figure 7: Inter-connection Apron Designed for Turning Movements

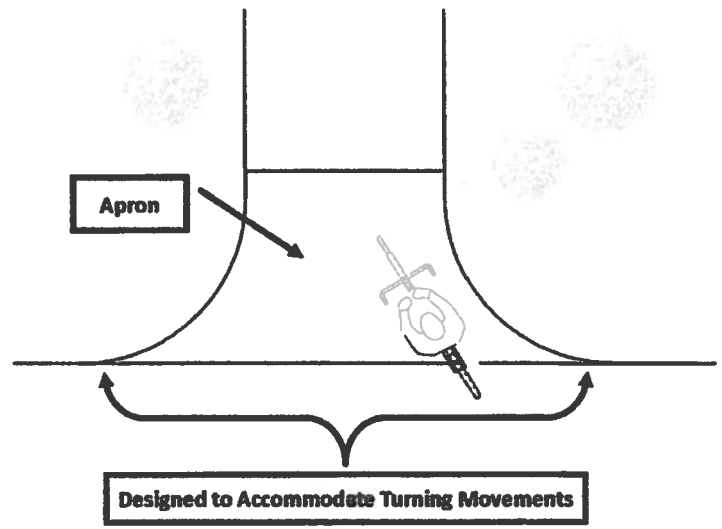
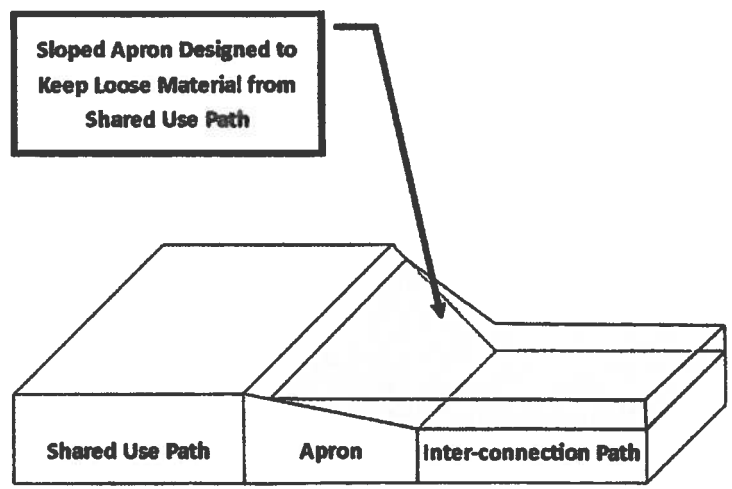


Figure 8: Inter-connection Loose Material Apron



Lighting

All lighting associated with the installation of Inter- and Intra-connection paths are required to meet the outdoor lighting standards of Division 4 of Chapter 126 of the Sanibel Code, with the exception that lighting installed for Intra-connection paths may trespass onto the adjacent property joined by the Intra-connection path.

Drainage

Where Inter- and Intra-connection paths are installed on a site with an approved or exiting storm-water management system all drainage features must be maintained in compliance the drainage design standards of Article IV of Section 118 of the Sanibel Code.

Signage

All way-finding and directional signage associated with the installation of Inter- and Intra-connection paths are required to meet the sign standards found in Chapter 106 of the Sanibel Code.

Coverage and Developed Area

Inter- and Intra-connection paths may deviate from limitations on coverage and developed area if the Inter- or Intraconnection path is found to meet all standards of Section 126-### of the Sanibel Code.

Cross Access

For all properties that are joined together via an Intra-connection path are required to establish a cross access agreement between them. The cross access agreement between the properties must contain provisions for the maintenance of the Intra-connection path and be recorded with the Lee County Clerk of Court.

Note: City council may, from time to time, amend this illustrated guide to aid in the administration and interpretation of the above guidelines for Inter-and Intra-connectivity.

RESOLUTION NO. 14-05

CITY OF SANIBEL
PLANNING COMMISSION

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ENTITLED: AN ORDINANCE AMENDING THE SANIBEL CODE OF ORDINANCES, SUBPART B, LAND DEVELOPMENT CODE, CHAPTER 126 ZONING, ARTICLE XIV SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBSECTION 1. IN GENERAL, ADDING A NEW SECTION 126-855. INTER- AND INTRA-CONNECTIVITY; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. APPLICATION NO. 14-7897LDC

WHEREAS, public hearings on the pending ordinance addressing Inter- and Intra-connectivity were legally and properly advertised and held on October 22, 2013, December 10, 2013, February 11, 2014, February 25, 2014 and March 11, 2014 before the Sanibel Planning Commission; and

WHEREAS, the Planning Commission has heard and considered comments and recommendations from the Planning Department staff and public; and

WHEREAS, the Planning Commission finds the proposed amendment to be consistent with the Sanibel Plan; and

WHEREAS, the Planning Commission may recommend to the City Council amendments to regulations of the Land Development Code, in accordance with the following standards, as set forth in LDC Section 82-241:

(1) The Planning Commission shall make reference to the Sanibel Plan to determine if the proposed amendment to the land development regulations is consistent with the intent and purpose of the Sanibel Plan.

(2) The Planning Commission shall determine whether 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 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 adversely affect the character and stability of the present and future land use and development of the community;

e. Will 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.

(3) If the Planning Commission determines that a proposed amendment is inconsistent with the Sanibel Plan or its intent and purpose, the Planning Commission may, nevertheless, recommend approval of the proposed amendment, along with a corresponding amendment to the Sanibel Plan, if the Planning Commission determines that the proposed amendment should be approved based upon a consideration of all of the factors specified in subsection (2) of this section.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission finds that proposed ordinance No. 14-001 is consistent with the Sanibel Plan and meets the above referenced requirements and recommends that the City Council adopt said Ordinance No. 14-001, the title of which is provided in this Resolution.

The foregoing Resolution was adopted by the Planning Commission upon a motion by Com. Ketteman and seconded by Vice Chair Mackes and the vote was as follows:

Chris Heidrick	Yes	Holly Smith	Yes
Chuck Ketteman	Yes	John Talmage	Yes
Tom Krekel	Yes	Michael Valiquette	Yes
Phillip Marks	Yes		

DULY PASSED AND ADOPTED this 8th day of April 2014.

SANIBEL PLANNING COMMISSION

Signed: Michael Valiquette, Planning Commission Chair — 4/8/2014 Date Signed

Approved As To Form: Kenneth B. Cuyler, City Attorney — 4/4/14 Date Signed

Date Filed With City Manager: 4/8/2014