

## How dense is too dense, how big is too big - Redevelopment on Sanibel

In late 2005, City Council directed the Planning Department to implement a work program to address redevelopment on the island. The primary objective is to encourage redevelopment of aging, non - conforming properties without lessening standards but by finding new routes for attaining standards. Four classes of properties are included in this part of the work program; 1. Commercial buildings in the commercial district, 2. Resort hotel, motel and related accommodations, 3. Residential structures in the Gulf Beach Zone and 4. Single family residential construction. In addition the Planning Department was asked to consider a plan for redevelopment of the "Town Center" otherwise known as "Periwinkle Way West" - the area around City Hall, Big Arts and the Library and to take a fresh look at the issue of what is sometimes called "inappropriately sized" homes.

Work to address the four identified classes of properties has not proceeded as quickly as we had anticipated. No actual proposals have yet been put forth by the Planning department. However, with input from the consulting firm of Wallace, Roberts & Todd, some preliminary proposals for part of Periwinkle Way West are being considered by the Planning Commission and City Council. The principal focus of these proposals is the Nave property and adjoining parcels occupied by St. Michael's Church, The School House Theater and Big Arts. The two proposals which have received most serious consideration thus far, "Town Center Today" and "Sanibel Commons" would, if adopted, create greater unification of the parcels in question. However, that increased unification would come at a price. It would involve significant changes to existing land use law.

First, to encourage what is known as "mixed use", that is to say, the integration of commercial and residential uses on a given parcel, both plans call for the waiver of a provision of the Land Development Code which, to discourage over development of a parcel, requires a property owner to choose between full commercial or full residential development. (Commercial properties may be used for both purposes). Here is how it works. An owner must give up 1000 sq. ft. of commercial space for every dwelling unit constructed on a commercial parcel. The effect is to prevent use of a parcel for both maximum commercial and residential purposes. Both plans under consideration would eliminate that provision as to the properties in that district.

The second proposal, "Sanibel Commons" would, in addition to dropping the 1000 sq. ft. penalty, allow an increase in the residential density permitted on the Nave property by "shifting" density allocations from the adjoining institutional properties to the Nave property. Under the Sanibel Plan residential density is to be allocated by ecological zone, on a parcel by parcel basis. Additionally, it is unclear whether owners of developed institutional parcels are entitled to transfer residential development rights.

At a joint meeting of the City Council and Planning Commission on January 15, 2008, Council members and Commissioners rejected the proposals to drop the 1000 sq. ft. penalty as well as any increase in allowable residential density on the Nave property. Instead, they directed the Planning Department to work with the affected property owners in hopes of arriving at a workable vision for the district within existing density / intensity parameters. At the meeting COTI spoke in opposition increasing residential density on the Nave property.

We understand that at City Council's request, once work is completed on the Periwinkle Way West plans, the Planning Department will focus on possible revisions to the law on "inappropriately sized" homes. The current law (Land Development Code Section 86-43)

provides that no new structure shall “interrupt the rhythm of existing structures” in a neighborhood or “be inharmonious with the general atmosphere and character” of an existing neighborhood or if none exists, the city as a whole.

There have been complaints from property owners and architects that the law is too vague and subjective and that more guidance in the form of objective design criteria, is needed to eliminate some of the uncertainty that now exists. Currently, if an owner and the Planning Department cannot agree on what would satisfy Section 86- 43, the City retains an independent architect to review the plans and make recommendations. If the parties still cannot agree and the Planning Department refuses to issue a permit, the property owner may appeal to the Planning Commission where members of the public may also be heard, then to city Council and ultimately, the courts. If plans are approved by the Planning Department the project may move forward with no opportunity for public input.