

COMMERCIAL REDEVELOPMENT Non-CONFORMING COMMERCIAL PROPERTIES

Sanibel Planning Commission

January 27, 2015

BACKGROUND

COMMERCIAL REDEVELOPMENT WORK PLAN

- Update Permitted and Conditional Uses
- Support Inter & Intraconnectivity
- Address Non-conforming structures
- Examine Parking Design Standards

COMMERCIAL REDEVELOPMENT ACCOMPLISHMENTS TO DATE

- Approved Commercial Redevelopment Vision statement
- City's strengths and challenges have been identified
- Conducted inventory of regional off-island and their impact upon Sanibel's commercial properties and conducted on-Island inventory
- Updated permitted and conditional use sections of the Land Development Code
- Updated the Land Development Code to accommodate and enhance Interconnectivity & Intraconnectivity
- Modified off-street parking design standards for 90 degree parking

REMAINING ISSUES

HOW TO ADDRESS NON-CONFORMING COMMERCIAL PROPERTIES

GOAL

To provide an equitable process for re-developing non-conforming properties that existed at the time of incorporation to redevelop thru a transparent process without expanding existing non-conformities

THE ISSUES WE ARE ADDRESSING THROUGH THIS LEGISLATION

- ✘ At the time the City of Sanibel incorporated forty years ago a portion of today's commercial developments were already in place
- ✘ Many of these non-conforming properties are the very essence of the character & uniqueness of Sanibel
- ✘ Current codes & permitting process may create a disincentive to improve or redevelop these non-conforming developments resulting in a tired, shabby & dated appearance

RECOMMENDATION

OPTIONS

1. Continue status quo
2. Overlay district
3. Develop a Process for the Planning Commission to consider Site Specific Waivers for Nonconforming Commercial Properties wishing to Redevelop

RECOMMENDATION

- ✘ To create a transparent site specific waiver system that provides a process that increases conformity and encourages reinvestment.
- ✘ The property owner will work with the City staff to develop a plan that is tailored to each property & is approved by the Planning Commission

ADVANTAGES OF SITE SPECIFIC WAIVERS

- ✘ Protects the character & uniqueness of Sanibel
- ✘ Provide a Transparent Process before the Planning Commission
- ✘ Flexibility to meet the Various Non-Conformities in existing commercial properties
- ✘ Removes Economic Disincentives
- ✘ Creates an atmosphere which encourages owners to reinvest into non-conforming commercial properties

STANDARDS FOR WHICH WAIVERS CAN NOT BE GRANTED.....

Furtherance of existing non-conformity
specifically:

- + Expansion of Total Floor Area
- + Drainage
- + Signage
- + Parking

DIFFERENCES BETWEEN THE CURRENT PROCESS & THE PROPOSED ADDITIONAL OPITONAL PROCESS

	Current Process	Proposed Additional Optional Process
Protects pre-incorporation non-conforming structures that define Sanibel's unique character	No	Yes
Lessens existing non-conformities	No	Yes
Encourages reinvestment to improve non-conforming structures	No	Yes
Provides Transparency	Yes	Yes
Provides opportunity for site specific planning	No	Yes
Fee structure disincentive	Yes	No
Provides Flexibility	No	Yes

NEXT STEPS

- ✘ Review the proposed draft legislation for amending the Land Development Code to allow the Planning Commission to grant waivers to lawfully existing nonconforming commercial properties and structures located within the General, Town Center General and Town Center Limited Commercial Districts.
- ✘ After today's discussion and review direct staff to return on the February 10, 2015 with a final draft ordinance and resolution forwarding the same to City Council for adoption

QUESTIONS & DISCUSSION