

Part 3.6. Land Use

This part of the *Sanibel Plan* is a product derived from the other elements of the Plan, including the preceding parts of this article.

This part of the *Sanibel Plan* contains the Housing Element and the Future Land Use Element. This part of the *Sanibel Plan* establishes goals, objectives and policies for housing and future land use.

Section 3.6.1. Housing Goals, Objectives and Policies

Pursuant to Section 163.3177, Florida Statutes.

Background Discussion

The purpose of the Housing Element is to develop appropriate plans and policies which demonstrate the commitment of the City of Sanibel in meeting existing and projected deficits that are identified in the supply of housing. These plans and policies address government activities as well as provide direction and assistance to the efforts of the private sector.

The data and analyses for this element of the *Sanibel Plan*, pursuant to *Section 163.3177(6)(f), Florida Statutes* is provided in this subsection.

Private sector activities are currently effective in conserving and maintaining the existing housing stock. The City is located in the one of the regions of the country that has been most significantly affected by the economic downturn in the housing

market. Housing values peaked in 2006 and have subsequently declined. Even during the economic downturn, most existing housing on Sanibel has been well maintained. However, during the 42 month period between September 2008 and June 2012, over 100 properties were auctioned or became bank-owned foreclosures. During the same time period, two substandard units have been condemned and demolished.

In accordance with the Development Intensity Map, a limited number of additional dwelling units, approximately 640, are projected.

Historically, limited land resources available to satisfy all housing demands presented a significant constraint to the provision of housing for very low, low and moderate income people. Partially in response to this situation, the City has implemented a Below Market Rate Housing Program.

The City of Sanibel is a small, distinct component of the Regional housing market. The City supports the provision of housing to meet a diversity of housing needs. Yet, some housing needs are best satisfied by the housing stock outside the City in the larger Regional housing market.

The housing inventory is comprised of data from the 2010 Census of Population and Housing, other Commerce Department data and Local sources. The information from these distinct sources is consistent but not readily compatible. Census data excludes motels and units for short-term occupancy from the housing stock and does not reflect the seasonal population component of the functional population. Local data includes the housing stock for both the resident and seasonal population. The Sanibel housing stock totaled approximately 8,285 dwelling units in 2011, compared with the 2010 Census estimate of 3,359 owner and rented occupied primary residence households. This wide

disparity dramatizes the seasonal nature of occupancy and accompanying high out-of-season vacancy rates.

Characteristics of the Housing Stock

In the Regional housing market, the City of Sanibel represents a small yet distinct component. The number of dwelling units in the City of Sanibel comprises a small percentage (less than two percent) of the total number of dwelling units in Lee County. This percentage is projected to decline, as indicated by the projected growth rates for Lee County and for the City of Sanibel.

Approximately 51 percent of the housing stock in the City of Sanibel is in multi-family structures, chiefly condominiums. Approximately 48 percent of the housing stock is in single family houses. Mobile homes are one percent of the housing stock. There are 246 campsites for recreational vehicles located in the trailer park. Over 53 percent of the housing stock in the City of Sanibel has been constructed since 1975.

Most existing housing is well maintained. Sanibel has no pockets of housing deterioration or abandonment.

Affordable Housing

The *Sanibel Plan* continues to provide opportunities for a diverse housing stock with a wide range of housing types permitted. Single family and multi-family structures are specifically permitted. However, mobile homes are discouraged, because such housing would be very dangerous in heavy weather.

Development of all housing units is affected by the Land Development Code, building codes and other land use regulations. These regulations are designed to accommodate the

Island's housing needs while respecting the environmental fragility of its natural systems and its vulnerability to tropical storms. Because of high land costs and the need for construction techniques that provide storm protection, housing costs on Sanibel tend to be well above the average for residential building.

There are approximately 8,285 dwelling units currently in the City of Sanibel. Nearly 60 percent of these units are occupied by tourists and the nonresident seasonal population. The participation of nonresidents and businesses in the Sanibel housing market has significantly contributed to the high cost of housing in Sanibel.

Relative to the surrounding region the cost of housing is high in the City of Sanibel. The 2010 Census and the 2006-2010 Commerce Department American Community Survey (ACS) data identified 124 dwelling units (two units or less per structure) in the City valued under \$100,000. The ACS reported an average value for single family and duplex units of \$392,594 slightly up from \$392,400 in 2000. The Commerce Department American Community Survey reported median rent at \$1,128, up \$128 from 2000. There were 124 units with contract rents under \$750 in the City of Sanibel reported in the 2006-2010 American Community Survey.

In spite of the large percentage of high valued dwellings in the existing housing stock, there are units in the City of Sanibel that are available to moderate income households. There are approximately 25 modest apartments located in association with commercial developments, and one 13-bedroom employee housing complex with shared kitchen facilities. There are 80 manufactured homes in Periwinkle Park. There are also approximately 70 moderate-value non-waterfront condominium units.

The high cost of housing is impacted by the limited supply of vacant developable land. Less than 640 dwelling units are projected to be added to Sanibel's housing stock at "build-out". About 540 of the additional units are anticipated as infill development on existing vacant residential lots. The other approximately 100 units are anticipated on undeveloped (unsubdivided) lands.

From the inventory of existing vacant residential lots, four lots were sold for \$100,000 or less since 2006. In the inventory of raw undeveloped residential land, estimated to allow a total of 100 units, land values under \$100,000 a unit would be hard to find and the cost of improvements would increase the total per unit cost.

The situation of high land values is an important factor in assessing opportunities for providing affordable housing. The high cost of vacant land has contributed to the lack of moderate cost housing provided by the private sector.

It is evident from an analysis of the existing housing stock and the vacant developable land inventory, that the private sector is unable, without major City support and philanthropic effort, to provide housing on Sanibel that is affordable to very low, low and moderate income households. In fact, assistance programs are generally unable to cost-effectively bridge the gap between the money available for housing by very low, low, and moderate income households and the high cost of (to purchase or rent) housing in the City of Sanibel.

Subsidized Housing

In the City of Sanibel, there are no privately owned renter-occupied housing units currently using Federal Section 8 rental subsidies. There are 88 units currently in the City's Below

Market Rate Housing Program (BMRH). Currently, there are 14 limited equity ownership units and 74 renter-occupied units.

Fifty-four of these units are in the single family and duplex category and 34 are in the multi-family category.

City of Sanibel's Below Market Rate Housing Program

Provision for moderate-income housing has had to rely on assistance from the City in cooperation with the private sector. In response to the need, and in compliance with the provisions of this Plan and the State's Local Government Comprehensive Planning Act of 1975, the City of Sanibel enacted a Below Market Rate Housing (BMRH) program, which was the first such program in the State. This program, established more than 15 years before the Vision Statement was added to the *Sanibel Plan*, is consistent with that expression of the community's aspiration for its future. The Below Market Rate Housing program, reflective of the values of the community, provides affordable housing opportunities for residents of moderate incomes or less.

Sanibel is nationally known for its dedication to remaining a "sanctuary" Island for humans and wildlife. Less well-known, but just as important, is the City's commitment to maintaining a strong, diversified sense of community.

As specified in its Vision Statement, Sanibel "cherishes its ... economic diversity," and "will endeavor to maintain it." Though the City might hypothetically satisfy State standards by providing low-income housing opportunities in nearby jurisdictions, it would in so doing fail to meet its own higher standard. Through the adoption of a Vision Statement in 1996, the citizens of Sanibel have reiterated their desire to maintain an economically diverse community.

To require that lower-income members of the community move to other jurisdictions to benefit from the City's Below Market Rate Housing program would contradict the City's Vision Statement and defeat the very purpose of the BMRH program. The effect of having an off-Island housing program would be to establish a two-tier system. Providing for affordable housing off-Island would mean that some of the lower income members of this community may be denied the opportunity to participate as full voting citizens. Additionally, the children of lower income members of the community may be denied the opportunity to attend the "Blue Ribbon" Sanibel School. Senior members of our community with limited assets and lower incomes may be denied the opportunity to remain among lifelong friends and associates.

Sanibel's BMRH program deliberately breaks with many of the patterns established by public housing programs elsewhere. To underscore the fundamental equality of all citizens, BMRH units are constructed and landscaped to be virtually indistinguishable from the rest of the community. That eliminates the stigma that is usually attached to being in public housing, ensures that such housing conforms to the aesthetic standards of the community, and thereby fosters a well-earned sense of civic pride. It is the City's goal to maintain that emphasis, as expressed in the Goal Statement for Housing and Policy 3.1 in this section.

The BMRH program has evolved to the present 88 program units. Thirteen of these program units have been sold and 1 additional unit is available for sale through the limited equity ownership program. These limited equity ownership units must be re-sold to CHR to ensure that they remain in the Below Market Rate Housing Program.

Community support of the City's relationship with Community Housing and Resources, Inc. in the administration of the Below Market Rate Housing Program was affirmed in a 1996 referendum.

CHR Program's Rental Units

Development	Type of Unit	Number of Units	Bedrooms
Airport Way	6 Duplexes	12 Units	Mix of 2 and 3 Bedrooms
Mahogany Way	7 Duplexes	14 Units	Mix of 2 and 3 Bedrooms
Woodhaven	Multi Family	12 Units	2 Bedrooms
Casa Mariposa	Multi Family	12 Units	2 Bedrooms
Lake Palm	2 Duplexes	4 Units	1 Bedroom
Riverview	Multi Family	10 Units	4 Studios, 6 one Bedroom
Beach Road	Single Family	1 Unit	2 Bedroom
Sanibel Highlands	Single Family	1 Unit	3 Bedroom
Centre Place	3 Duplexes	6 Units	Mix of 2 and 3 Bedrooms
Algiers (City owned)	Single Family	1 Unit	1 Bedroom
Rabbit Road (Privately owned)	Duplex	1 Unit	1 Bedroom
Total Rentals		74 Units	

CHR Program's Limited Equity Ownership Units

Development	Type of Unit	Number of Units	Bedrooms
Beach Road	2 Duplexes	4 Units	Mix of 1 and 2 Bedrooms
Sanibel Highlands	1 Duplex	2 Units	2 Bedrooms
Centre Place	4 Duplexes	8 Units	Mix of 2 and 3 Bedrooms
Total LEO's		14 Units	

Historically, the City has provided funds (recently \$275,000 or more annually) for the administrative costs and rent free office space for CHR. Key elements of the BMRH ordinance permit relaxation of density in specified ecological zones and allow residential use in connection with commercial development (mixed use), all on a case-by-case basis. City contributions toward infrastructure (e.g. roads, sewer, and water) would be additionally supportive of moderate income housing.

The present 88 units, are committed to the City's BMRH program in perpetuity, currently provides affordable housing for approximately 101 adults and 37 children.

Thirty-eight BMRH units have been added to the program since 2001, representing 11 percent of the dwelling units built in that time frame. In 2012, one BMRH unit was sold from the program at market value and is no longer committed to CHR's affordable housing inventory.

Other Housing

In the City of Sanibel there are currently no group homes or foster homes licensed by the State of Florida. Group homes and foster homes are permitted in residential districts. Due to

concerns for hurricane evacuation safety, only small scale group homes or foster homes are appropriate on the Island. Large and medium size congregate living facilities are inappropriate on a barrier island, with evacuation constraints such as those present on Sanibel.

There is one mobile home park in the City of Sanibel. This lawfully existing use contains 80 mobile homes and 246 park sites for recreational vehicles. Unless constructed in strict compliance with the Sanibel Building Code, new mobile homes are inappropriate for a barrier island such as Sanibel.

In the City of Sanibel there are no historic districts. An inventory of historically significant housing is provided in the Historic Preservation Element of the Plan.

Housing Needs

To achieve consistency with other elements of this Plan, particularly the Safety, Coastal Zone Protection and Conservation Elements, the supply of additional housing must be controlled. In 2012, approximately 93 percent of the housing stock anticipated in the City of Sanibel at "build-out" has already been constructed.

In general, there is a demand for Sanibel housing that has produced high property values and resulted in scarcity of very low, low and moderate income housing on the Island. Because of the high value of the existing housing stock and exceptionally high land and construction costs, government assistance will continue to be necessary to address the need, by young and old alike, for this type of housing on Sanibel.

Community Housing and Resources plans to further evaluate the current and long-term need for housing by conducting a needs

assessment and feasibility analysis. This needs assessment and feasibility analysis will broadly consider the components of affordable housing (e.g. BMRH, Senior, Essential Workers, etc.).

Land Requirements for Housing Needs

The Future Land Use Element, reflecting all the elements of this Plan, has incorporated the concept of build-out that has always been a foundation of the *Sanibel Plan*.

The concept of build-out was established in recognition of constraints imposed by the need for hurricane safety, adequate delivery of services and natural resource protection. These constraints clearly demonstrate that unlimited future growth would be hazardous to the health, safety and welfare of the public. This discussion of density and intensity of use, used to establish the objectives of the *Sanibel Plan*, helps demonstrate the limited land resources available in the City of Sanibel. Housing needs can be satisfied only within the constraints imposed by limited land resources. This limit on future growth, always part of the *Sanibel Plan*, is reflected in the Development Intensity Map and the build-back and redevelopment regulations in the Land Development Code.

The supply of additional housing, permitted in accordance with the Development Intensity Map, is expected:

- To be predominately single family residences and a small amount of relatively small scale multi-family structures
- Predominately high value (cost and rent) units for middle and upper income households.

The provision of moderate cost housing will continue to require the cooperation of the public and private sectors. The provision

of housing for households with very low, low and moderate incomes will continue to require the cooperation of other local governments where land is more available and affordable.

Adequate Sites for Very Low, Low and Moderate Income Housing

As clearly established by the *Sanibel Plan*, there are many valid reasons for limiting the intensity of land use in the fragile ecosystem of the City of Sanibel. Valid reasons that have not only received extensive community support, but reasons that have been accepted, and to some extent endorsed by, the Southwest Florida Regional Planning Council and the Florida Department of Economic Opportunity. The 2011 “*Community Planning Act*” provides further support for the City’s position to address Sanibel determined affordable housing needs.

Consequently, as the City of Sanibel reaches 93 percent of its projected “build-out” for residential and non-residential land uses, there are few opportunities to provide affordable housing in a community where land use patterns are so established and land values are so high.

There are many factors that must be considered, incorporated and reflected in a realistic affordable housing needs assessment for the City of Sanibel. These factors include valid limitations on the intensity of land use throughout the Island, valid growth management regulations for the protection of natural resources and valid concerns for safe hurricane evacuation, all resulting in a valid threshold for community “build-out”. Other factors, such as the high cost of existing housing, the predominant occupancy of existing housing by nonresidents and the limited availability and high cost of vacant land must also be reflected.

It is critical to note that in, and consistent with, the *Sanibel Plan*, are projections for about 640 additional dwelling units.

The City's commitment to the Below Market Rate Housing Program is a re-affirmation of the Vision Statement, which includes the following:

"Community"

"Sanibel is and shall remain a small town community whose members choose to live in harmony with one another and with nature, creating a human settlement distinguished by its diversity, beauty, uniqueness, character and stewardship."

Diversity: The City of Sanibel cherishes its cultural, social, ecological and economic diversity and will endeavor to maintain it."

Currently there are 88 BMRH units, representing about 2.6 percent of Sanibel resident households. The 2004 / 2005 Evaluation and Appraisal Report suggests a program target for BMRH units of 3 percent of Sanibel's residential households. Based on changing conditions in the housing market and constraints cited throughout this plan, CHR will perform a needs assessment and feasibility study including a reevaluation of the program suggested target. In addition CHR will provide recommendation to the City for any update in support of establishing a new program target that is both attainable and sustainable.

Economic conditions play a significant role in the demand for Below Market Rate Housing. Since the last Evaluation and Appraisal Report of the Sanibel Plan, CHR has increased its BMRH stock by 24 additional units, from 64 to 88. Consequently,

this significant increase in housing stock requires a clearer focus on the maintenance of these existing units.

This change in focus towards maintenance does not preclude the future development of additional BMRH units.

To assist in providing sites for moderate-income housing, the City allows density increases in accordance with specified conditions for dwelling units in the City's BMRH Program. To provide sites for very low, low and moderate income housing, the City has purchased land for below market rate housing constructed by the Housing Foundation, including acquiring a site for affordable housing for seniors, who do not require assisted living arrangements, in keeping with the goals and provisions of the *Sanibel Plan*.

There are no regulatory barriers created by the City that are intended to prevent the provisions of affordable housing in the City of Sanibel. There are no local public sector impediments pertaining to fair housing.

Since housing is a Regional resource, the City of Sanibel will cooperate with other Local governments to address housing needs identified on a Countywide and Regional basis. However, the City's primary focus will continue to be on its on-Island BMRH program, in accord with Sanibel's adopted Vision Statement supporting a community which *"cherishes its... economic diversity"* and *"will endeavor to maintain it"*.

The City of Sanibel will continue to evaluate its BMRH Program to seek opportunities for its continuation in a manner that is both cost-effective in its use of available local subsidies and consistent with the objectives and policies of the *Sanibel Plan*.

Plan for Housing

No community housing goal is complete without concern for equity which few communities can claim to have achieved. Sanibel is not alone in having grown without specific attention to housing for people with varying means. The City of Sanibel's Plan for Housing is to include the following provisions:

Provisions of the Plan

1. Actively pursue ways to ensure equal access to an open housing market for all persons regardless of age, race, religion, gender, color, national origin, marital status, disability or place of birth.
2. Avoid establishing regulatory barriers to the provision of affordable housing.
3. Discourage additional resort housing from occurring outside of currently established resort housing areas.
4. Restrict development intensity in the Resort Housing District that is in excess of the density permitted by the Development Intensity Map of the *Sanibel Plan*; however, allow the build-back or redevelopment of existing units, up to the number of dwelling units existing on May 4, 2004, provided the units that are built back or redeveloped are in conformance with the *Sanibel Plan* and the Land Development Code.
5. Allow for provision of adequate sites for foster family homes, adult congregate living homes, residential childcare, and similar specialized housing facilities, while assuring that these facilities are

small-scale and appropriately coordinated in the City's Hurricane Evacuation Plan.

6. Consider introducing a mechanism for providing assistance in assembling the necessary rights-of-way and easements for certain infrastructure, such as road and drainage improvements, that may be required for BMRH projects.

Goals, Objectives and Policies

Goal Statement

Provide safe and decent housing in adequately serviced neighborhoods to meet the needs of the present and future residents of the City of Sanibel.

Objective 1

Maintain in the adopted Land Development Code, consistent with the *Sanibel Plan*, incentives for the private sector to provide adequate and affordable housing to meet the needs of the present and future residents of the City of Sanibel.

Policy 1.1. While providing for the health, safety and welfare of the residents of Sanibel, improve coordination with private, including nonprofit, sector efforts to provide housing which meets the needs of present and future residents, particularly those with special housing needs, by reviewing the regulations contained in the Land Development Code.

Policy 1.2. The Planning Commission will annually review the permitting process for private sector housing

to determine if improvements in the permit process are warranted.

Policy 1.3. Prior to issuing a development permit for new housing, the developer will demonstrate to the City that the infrastructure and public facilities needed to support that housing are in place or will be in place prior to occupancy of the housing.

Objective 2

Conserve and maintain the City's sound and aesthetic housing stock by requiring permits for work done on existing structures and inspections for compliance with the Land Development Code and the Building Code.

Policy 2.1. Maintain standards in the Sanibel Land Development Code that ensure quality housing that is safe and structurally sound and promotes stable neighborhoods.

Objective 3

Increase the total number of housing (dwelling) units that are available to persons of very low, low, and moderate income in addition to providing essential services workforce housing based on needs.

Policy 3.1. Provide for Sanibel-determined affordable housing needs through continuation of the City's on-Island BMRH Program.

Policy 3.2. Annually review the effectiveness of the City's BMRH (affordable housing) program and implement warranted revisions.

Policy 3.3. Support and assist the efforts of the Housing Foundation to maintain the program's existing housing stock and evaluate the need to increase the number of BMRH (affordable housing) units.

Policy 3.4. Maintain the provision of the Land Development Code allowing conditional use increased density (additional bonus units) for BMRH units.

Policy 3.5. Distribute BMRH units on Sanibel to provide a variety of residential settings and avoid undue concentration for very low, low and moderate income housing.

Policy 3.6. Apply for assistance under Federal and State housing programs when it appears the City may qualify for assistance.

Policy 3.7. Ensure that BMRH units continue to be developed and maintained in a manner that is compatible with the character of the community.

Policy 3.8. Evaluate opportunities for mixed commercial and residential developments in the commercial sector to provide housing opportunities for the Island workforce.

Policy 3.9. Due to unusually high property values in the City, the City's location entirely within the coastal high-hazard area and the City's nearness to "build-out", there are a very limited number of sites available for any additional housing, including private sector-provided affordable housing. Consequently, if the City is unable to meet Sanibel-determined affordable housing needs on-Island through its BMRH program, the

City will request that Lee County incorporate the unmet need in the County's affordable housing program.

Policy 3.10. Encourage that the employee housing provided at the South Seas Resort on Captiva Island be retained within the density cap for Captiva Island that is administered by Lee County and not replaced with resort units.

Objective 4

Maintain provisions for small-scale group homes and foster care facilities licensed or funded by the Florida Department of Children and Families permitted in accordance with the standards and requirements of the Land Development Code.

Policy 4.1. Allow for provision of adequate sites for group homes and foster care homes that are small-scale and appropriately coordinated in the City's Hurricane Evacuation Plan. Due to concerns for hurricane evacuation safety, large and medium size congregate living facilities and facilities that provide custodial care are inappropriate for location within the City of Sanibel.

Policy 4.2. Ensure that, by continued implementation of the development regulations of the Land Development Code, group homes and foster care facilities are not excluded from or over concentrated in any residential district or area.

Objective 5

Consistent with State Statutes and the Lee County Comprehensive Plan, new mobile home parks, mobile home condominiums, mobile home cooperatives and mobile home

subdivisions, are not permitted on barrier islands, including the City of Sanibel.

Policy 5.1. New mobile home construction or installation will comply with the regulations and standards of the Sanibel Land Development Code and the Florida Building Codes.

Objective 6

Historically significant housing will be protected and preserved for residential use, by incorporating incentives for the private sector in the Land Development Code.

Policy 6.1. Incorporate in the Land Development Code regulations that will permit the preservation, improvement and continued residential use of historically significant housing.

Policy 6.2. Maintain historically significant housing as identified on the Local Register of Historic Sites and Structures.

Objective 7

Require substandard housing conditions to be eliminated when work is done on a house under a City permit.

Policy 7.1. For any substandard dwelling unit (i.e., structurally unsound and an immediate threat to health, safety and welfare) in the City of Sanibel, the owner will be cited for the violations and ordered to comply with the appropriate requirements of the Sanibel Building Code.

Policy 7.2. Continue code enforcement activities.

Objective 8

Although no household (dwelling unit) displacement is projected in this Plan, if people are ever displaced by City programs, ensure that equitable treatment is provided to displaced people consistent with Section 421.55, Florida Statutes.

Policy 8.1. Should displacement by City programs occur, a program will be developed to ensure that standard housing is available to people displaced by City programs, prior to their displacement.