



AGENDA MEMORANDUM

Planning Department

City Council
Meeting Date: December 2, 2025

To: City Council
From: Paula McMichael, AICP, Planning Director
Date: November 20, 2025

SUBJECT: AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO EXTEND THE EXPIRATION DATE RELATED TO ADMINISTRATIVE APPROVAL OF CERTAIN LONG-FORM DEVELOPMENT PERMITS; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 82, ADMINISTRATION, ARTICLE IV, DEVELOPMENT PERMITS, DIVISION 2, PROCEDURE, SUBDIVISION III, LONG-FORM, SECTION 82-421, SUBSECTION (b), EXTENDING THE EXPIRATION DATE AS STATED IN ORDINANCE 24-017 TO DECEMBER 31, 2026, FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS.

REVIEW TIMELINE

Date	Meeting Type	Summary
10/21/25	City Council	Discussion of extending temporary allowance for staff approval of certain conditional use applications
11/18/25	Planning Commission	Unanimous approval of Resolution 25-23
12/2/25	City Council	Discussion and First Reading

PROPOSAL SUMMARY:

On October 21, 2025, City Council considered extending the temporary allowances for short-form approval of certain types of conditional uses, which would otherwise expire on December 31, 2025. The ordinance as presented would extend the deadline in the code for the sunseting of the provision to December 31, 2026.

Sanibel is and shall remain a barrier island sanctuary

BACKGROUND:

On June 11, 2024, City Council and the Planning Commission convened a joint workshop to discuss possible amendments to the Sanibel Code to assist redevelopment post disaster. Part of the discussion at the joint workshop was whether there were opportunities to expedite some applications by temporarily allowing staff review rather than requiring planning commission approval. Long-form development permit was one type of application discussed.

The Sanibel Code establishes two types of development permits – short-form, which are approved by staff, and long-form, which require approval by the Planning Commission (see Sections 82-401 and 82-421). The code currently allows three types of long-form development permits to be reviewed and approved by staff:

- (1) All applications for development which require a variance or waiver.
- (2) All applications for development requiring conditional use permits.
- (3) Building back either a nonconforming structure or a nonconforming use within a nonconforming structure which has been destroyed or substantially damaged by a natural disaster within the three-dimensional outline of the lawfully existing habitable area of the pre-disaster building, but the footprint of the lawfully existing pre-disaster building is moved in a manner that reduces the pre-disaster building's encroachment into the Gulf Beach Zone.

Variances are still heard and approved by Planning Commission; however, any implementing development permit can be approved by staff.

Waiver applications can be approved by staff under a similar proposal from the workshop, along with, under this amendment, any implementing development permit.

Conditional uses are still heard and approved by Planning Commission, with limited exceptions but the implementing development permit can be approved by staff.

These long-form development permit applications can be approved by planning staff for a limited period of time (through December 31, 2026). All the standards of review still apply.

PUBLIC COMMENT: Staff have not received public comments on this item.

FISCAL IMPACT: None.

RECOMMENDED ACTION: Discuss Ordinance 25-024.