



City of Sanibel

Planning Commission

Planning Department Agenda Memorandum

Planning Commission: July 8, 2025

To: Planning Commission

From: Savannah White, Senior Planner

Date: July 1, 2025

TITLE: Consideration of a resolution recommending that City Council adopt an ordinance amending the Code of Ordinances to create an administrative waiver process to provide an exemption to developed area and impermeable coverage limitations as it relates to solar equipment installations; amending Subpart B, Land Development Code; Chapter 126 Zoning; Article XIV Supplementary District Regulations; Division 16 Electrical Power Generators and HVAC, and renaming to Electrical and Mechanical Equipment; for the purpose of updating land development code regulations.

PROPOSAL SUMMARY

City Council has recommended an amendment to the Land Development Code to allow for an administrative deviation from impermeable coverage and developed area requirements related to the installation of solar batteries, with consideration given to public safety needs.

BACKGROUND

During staff's presentation of a proposed ordinance to amend the Land Development Code to address Alternative Clean Energy Technologies, City Council recommended including an administrative deviation provision for impermeable coverage and developed area associated with solar batteries. This amendment is proposed within Division 16, Electrical Power Generators and HVAC, of Article XIV, Supplementary District Regulations, which contains a similar administrative deviation for those systems adopted in 2022 by Ordinance No. 22-004.

Division 16 has been renamed "Electrical and Mechanical Equipment" and a definition for "electrical and mechanical equipment" has been added to Section 78-1 to support consistency across the Code. The division has been reorganized for improved clarity and flow, while retaining the majority of its original content.

Section 126-1305 *Purpose* has been revised for improved clarity. The scope has been broadened from 'heating, ventilation, and air conditioning (HVAC) units and electrical power generators' to 'electrical and mechanical equipment'.

Section 126-1306 key changes:

1. Expanded scope to include "mechanical equipment" (not just generators), including associated platforms and stairs if required by FBC.

2. Clarified the short form application applies to *any* generator that meets Sec. 126-1308 standards (formerly Sec. 126-1307).
3. Relocated application content for generators (site plan, noise data, etc.) to Section 126-1308.
4. The sound pressure equation and correction tables have been relocated from 126-1306 to 126-1308 for better organization.

Section 126-1307 key changes:

1. Renamed and broadened to apply to all electrical and mechanical equipment—not just emergency generators.
2. General sound compliance is now explicitly linked to Ch. 30, Art. III, Sec. 30-64, unless superseded by 126-1308.
3. Administrative waiver replaced by a more structured “administrative deviation” process, now including:
 - Solar energy systems
 - Elevated platforms and stairs
 - This deviation does not require a separate permit application and is not subject to a fee.

The question for the Planning Commission is whether to retain the current implementation date of June 7, 2022, for Section 126-1307(c)(1), or to revise it to reflect the future date of adoption of this section?

Section 126-1308 key changes:

1. Consolidated all generator-specific standards in one section
2. Expanded and reformatted sound barrier wall standards
3. Application requirements for generators (previously in 126-1306) are now in 126-1308

Sections 82-401 and 30-65 have been revised for consistency with the proposed amendment to Division 16.

The proposed amendment is not more restrictive or burdensome and complies with the strictures of Senate Bill 250.

Staff finds the proposed amendment is not in conflict with Section 3.10.5. - Ordinances increasing permitted impermeable coverage, vegetation removal or developed area of the City Charter.

RECOMMENDATION

Approval of the resolution recommending approval to City Council of the proposed amendment to the land development code.