



AGENDA MEMORANDUM

Planning Department

City Council Meeting Date: September 8, 2025

To: City Council
From: Savannah White, CFM, Senior Planner
Date: August 13, 2025

SUBJECT: 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.

REVIEW TIMELINE

Date	Meeting Type	Summary
7/8/2025	Planning Commission	Unanimous approval of Resolution 25-17
9/8/2025	City Council	Discussion and First Reading

Background:

At the June 3, 2025 City Council meeting, councilmembers recommended adding an administrative deviation for impermeable coverage and developed area impacts from solar batteries during consideration of amendments to the Land Development Code for Alternative Clean Energy Technologies. This change is incorporated into Sanibel Land Development Code Division 16—now renamed *Electrical and Mechanical Equipment*—which also has a new definition in Section 78-1 for consistency across the Code. The division has been reorganized for clarity while retaining most original content.

Key revisions include:

- **Section 126-1305** – Purpose clarified; scope expanded from only HVAC units and generators to all electrical and mechanical equipment.

Sanibel is and shall remain a barrier island sanctuary

- **Section 126-1306** – Expanded to include mechanical equipment and related platforms/stairs; streamlined short-form application; relocated technical content to 126-1308.
- **Section 126-1307** – Now applies to all electrical and mechanical equipment; sound compliance tied to existing noise regulations; new structured *administrative deviation* process covers solar systems, elevated platforms and stairs.
- **Section 126-1308** – Consolidated all generator-specific standards into one section; expanded and reformatted sound barrier wall standards; moved generator application requirements (previously in 126-1306) to this section.
- **Sections 82-401 and 30-65** – Revised for consistency with the proposed amendments to Division 16.

The proposed amendments were presented to the Planning Commission at its July 8 meeting, where they were discussed in detail. The Planning Commission moved to adopt Resolution 25-17 with a few grammar and punctual revisions, and a recommendation to keep the June 7, 2022, implementation date with respect to permanently installed generators, referenced in section 126-1307(c).

Benefits:

These amendments support renewable energy adoption by making it easier to install solar batteries and associated equipment and by simplify permitting through the administrative deviation process. This improves clarity and consistency by providing clear definitions, reorganized sections, and alignment with existing noise regulations. The expanded scope offers flexibility to accommodate evolving technologies and equipment needs, while the streamlined requirements make code compliance more straightforward for applicants and staff.

The proposed legislative text complies with the parameters of Senate Bill 250.

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

FISCAL IMPACT: None.

RECOMMENDED ACTION: Move the draft ordinance to second reading at the next scheduled City Council meeting.