



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft Planning Commission

Tuesday, June 9, 2026

9:00 AM

MacKenzie Hall - 800 Dunlop Road

1. Call To Order

The meeting convened at 9:00 a.m.

2. Pledge of Allegiance (Commissioner Burns)

Commissioner Burns led the Pledge of Allegiance.

3. Roll Call

Present: 6 - Chair Paul Nichols, Vice Chair Erika Steiner, Commissioner Tiffany Burns, Commissioner Larry Schopp, Commissioner Ken Colter, and Commissioner Lyman Welch

Absent: 1 - Commissioner Kate Sergeant

a. Motion to excuse absent member(s):

Commissioner Schopp moved, seconded by Vice Chair Steiner, to excuse Commissioner Sergeant. The motion carried.

Excused: 1 - Commissioner Kate Sergeant

4. Public Comments on Items Not Appearing on the Agenda

Deputy Planning Director Gabriel Quintas introduced Ross Halligan, the Planning Department's new planner, who came to Sanibel from Columbia, Missouri. Mr. Halligan briefly addressed the Commission, noting it was his second day with the city and that he looked forward to working with the community.

There were no public comments from the audience.

5. City Council Liaison Report

Mayor Mike Miller, serving as City Council Liaison to the Planning Commission, provided a report on the June 2nd City Council meeting. He opened with a commendation of community members who participated in the Tunnel to Tower climb, singling out John Agnew for his performance, finishing 31st overall and 5th in his gender and age group out of 51 finishers.

Mayor Miller reported that the Council approved Ordinance 26-009, which had been previously recommended by the Planning Commission, allowing homes to be elevated up to 10 feet above ground level regardless of height limitations or angle-of-light

restrictions. The Council also held a first reading on an ordinance that would prohibit swimming pool dewatering onto private property or into the city's sewer or stormwater distribution systems.

The Council held its first discussion on the Fiscal Year 2027 budget. The initial June 1 property valuation estimate from the county assessor indicated a 1.175% decrease compared to the July 1, 2025 figures used for the current year's budget. A first draft of the five-year capital improvement plan was reviewed, with total FY27 capital spending projected at approximately \$72 million - \$43 million governmental and the remainder enterprise. Mayor Miller noted that a substantial portion of the governmental capital spending, which he estimated at roughly 90%, was grant-funded, covering projects such as the police station, the East Periwinkle Bridge, road repairs, and a shared-use path. Enterprise capital spending was approximately 64% grant-funded by his calculation.

The Council also discussed a proposed e-bike registration program but decided not to move forward with it at this time. Several contracts were approved, including those for Sanibel River clearing and dredging of the East Basin of the Sanibel River, Causeway Boulevard landscaping, and engineering design work for a new fishing pier.

No questions were raised by commissioners.

6. Consent Agenda

a. Adoption of Minutes: May 26, 2026

Commissioner Schopp noted that the May 26 minutes did not clearly reflect his observation, shared at the time by Chair Nichols, that the applicant's proposal to permit miniature golf courses up to five acres under a Land Development Code amendment was excessive, given that the average miniature golf course is approximately 20,000 square feet (roughly half an acre). City Attorney John Agnew suggested the minutes be amended to reflect that multiple commissioners commented that five acres was excessive. City Clerk Scotty Lynn Kelly clarified that such amendments would appear at the end of the published minutes and would be captured in the minutes for the current meeting.

Chair Nichols also identified what appeared to be a scrivener's error on page 7, where a paragraph attributed to Commissioner Burns regarding extending a potential TDR program appeared to be out of place within the discussion of the miniature golf item. Commissioner Welch agreed the paragraph should be relocated rather than deleted, as Commissioner Burns did make those comments, simply not in that portion of the discussion.

Commissioner Colter moved, seconded by Vice Chair Steiner, to adopt the May 26, 2026 minutes with the noted amendments. The motion carried by a vote of 6-0 with Commissioner

Sergeant excused.

Excused: 1 - Commissioner Kate Sergeant

7. 9:05 - Public Hearings:

- a. Consideration of an application nominating the Sanibel Lighthouse located at 110-153 Periwinkle Way (tax parcel no. 21-46-23-T2-00038.0000) for placement on the Sanibel Register of Historic Landmarks filed pursuant to Land Development Code Section 98-33 - Procedure for placement on the local register, Section 98-34 - Criteria for listing on the local register, and Section 98-35 - Criteria for evaluation of historically significant structures as historic landmark for a structure. The application is submitted by the City of Sanibel, fee title owner. **Application No. PL20260022**

Planning Director Paula McMichael read the item into the record. The application, submitted by the City of Sanibel as fee title owner, seeks placement of the Sanibel Lighthouse, located at 110-153 Periwinkle Way (tax parcel no. 21-46-23-T2-00038.0000), on the Sanibel Register of Historic Landmarks pursuant to Land Development Code Sections 98-33, 98-34, and 98-35.

City Clerk Scotty Lynn Kelly polled the commission for site visit, ex-parte communications and conflict. There were no ex-parte communications or conflicts. Commissioners Schopp and Welch advised they had not done site visits. Clerk Kelly then swore in Kim Ruiz, Principal Planner and Staff Liaison to the Historical Preservation Committee, to present during the public hearing.

Ms. Ruiz explained that the current review arose from a broader examination of the Sanibel Plan, during which staff and the Historic Preservation Committee identified that several structures previously noted as historically significant in the 1976 Sanibel Plan had never been formally placed on the city's local historic register. The Sanibel Lighthouse, the Sanibel Cemetery, and the Wolford Cemetery were identified for nomination. The lighthouse, she noted, is currently on the National Register of Historic Places, and while most lighthouses are removed from the national register when their keepers' quarters are lost, the Sanibel Lighthouse is believed to be the first of its skeletal design type and the namesake of that design, making retention on the national register likely.

Ms. Ruiz reported that the lighthouse meets three of the four criteria for listing on the national register (historical, community, and geographic importance) and all five criteria for evaluation as a historically significant structure. The only criterion not met is archaeological importance, though only one criterion need be satisfied for listing.

Commissioner Welch asked about the structural integrity of the lighthouse following Hurricane Ian, during which one of its legs required repair. Ms. Ruiz confirmed that the replacement leg was cast to match the original and that, consistent with historic preservation standards, integrity is maintained when repairs are made to match original materials and design as closely as possible. Commissioner Welch and Vice Chair

Steiner both expressed strong support, with Ms. Steiner describing the lighthouse as "an icon of the island."

Commissioner Colter inquired about the Nutt House, which appeared on the current list of historic properties despite having been approved for demolition. Ms. Ruiz clarified that the Sanibel Plan list would be updated as part of the current amendment process: the Nutt House would be replaced by the Nutt Family Cemetery, and the White Herring House would be removed from the list entirely.

There were no public comments from the audience.

Commissioner Welch moved, seconded by Commissioner Schopp, to adopt Resolution 26-15, to close the public hearing, and to authorize the Chair to execute the resolution without bringing it back for further consideration. The motion carried by a vote of 6-0 with Commissioner Sergeant excused.

Excused: 1 - Commissioner Kate Sergeant

- b.** Consideration of an application nominating the Sanibel Cemetery located at 2001 Algiers Lane (tax parcel no. 36-46-22-T1-00007.0000) for placement on the Sanibel Register of Historic Landmarks filed pursuant to Land Development Code Section 98-33 - Procedure for placement on the local register, Section 98-34 - Criteria for listing on the local register, and Section 98-35 - Criteria for evaluation of historically significant structures as historic landmark for a structure. The application is submitted by the City of Sanibel, fee title owner. **Application No. PL20260023**

Planning Director McMichael read the item into the record. The application seeks placement of the Sanibel Cemetery, located at 2001 Algiers Lane (tax parcel no. 36-46-22-T1-00007.000), on the Sanibel Register of Historic Landmarks. The City of Sanibel is the fee title owner.

City Clerk Scotty Lynn Kelly polled the commission for site visit, ex-parte communications and conflict. There were no ex-parte communications or conflicts. Commissioners Colter, Schopp and Welch advised they had not done site visits. Clerk Kelly then swore in Kim Ruiz, Principal Planner and Staff Liaison to the Historical Preservation Committee, to present during the public hearing.

Ms. Ruiz noted that the Sanibel Cemetery is located within the city-owned Gulfside City Park and meets two of the four national register criteria, historical and geographic importance, with archaeological and architectural criteria not applicable. It meets four of the five criteria for evaluation as a historically significant structure, with the fifth not applicable.

Vice Chair Steiner asked whether the cemetery had survived Hurricane Ian intact. Planning Director McMichael confirmed that she and Deb Gleason, Chair of the Historic Preservation Committee, visited the site in October 2022 following the storm and found it essentially intact.

Chair Nichols observed that a display board at the cemetery had been washed out and was no longer legible. He suggested the Historic Preservation Committee consider replacing it, noting it would be valuable to have signage identifying those interred. Ms. Ruiz agreed to look into the matter, acknowledging that heritage trail signs generally need periodic replacement due to wear and storm damage.

Commissioner Welch raised a concern about the absence of a formal survey or map delineating the boundaries of the cemetery. Ms. Ruiz acknowledged that no such survey exists and that some burials are believed to lie outside the fenced area. Mr. Welch suggested that, at a minimum, GPS coordinates be used to map the full extent of the cemetery, including graves beyond the fence, both for the city council presentation and for potential future signage. Ms. Ruiz agreed to coordinate with local historians and the Historic Preservation Committee to develop a more complete map prior to the council meeting.

City Attorney John Agnew noted a proposed amendment to the draft resolution: the last "whereas" recital states the last burial occurred in 1967, but the PowerPoint presentation indicated the last burial was in 1974. He requested that the date be corrected accordingly.

There were no public comments from the audience.

Commissioner Welch moved, seconded by Commissioner Colter, to adopt Resolution 26-16, with the amendment to correct the date of last burial from 1967 to 1974 as suggested by City Attorney Agnew, to close the public hearing, and to authorize the Chair to execute the resolution without bringing it back for further consideration. The motion carried by a vote of 6-0 with Commissioner Sergeant excused.

Excused: 1 - Commissioner Kate Sergeant

- c. Consideration of an application nominating the Wulfert Cemetery located at located adjacent to Baltusrol Court within The Sanctuary (tax parcel no. 12-46-21-T1-00005.0000) for placement on the Sanibel Register of Historic Landmarks filed pursuant to Land Development Code Section 98-33 - Procedure for placement on the local register, Section 98-34 - Criteria for listing on the local register, and Section 98-35 - Criteria for evaluation of historically significant structures as historic landmark for a structure. The application is submitted by the City of Sanibel, fee title owner. **Application No. PL20260024**

Planning Director McMichael read the item into the record. The application seeks placement of the Wulfert Cemetery, located adjacent to Baltusrol Court within The Sanctuary (tax parcel no. 12-46-21-T1-00005.000), on the Sanibel Register of Historic Landmarks. The City of Sanibel is the fee title owner.

City Clerk Scotty Lynn Kelly polled the commission for site visit, ex-parte communications and conflict. Chair Nichols disclosed a site visit and an ex parte communication (form to be filed with City Clerk and added to the record), explaining that the cemetery was extremely difficult to locate and that he had enlisted the assistance of the Sanctuary golf course superintendent, Mr. Kyle Sweet, who showed

him the site. Chair Nichols noted that he briefly discussed with Mr. Sweet whether historic designation would affect the golf course and was told it would not. All other commissioners reported no site visit, with Vice Chair Steiner noting she had chosen not to attempt entry onto the golf course property. Clerk Kelly then swore in Kim Ruiz, Principal Planner and Staff Liaison to the Historical Preservation Committee, to present during the public hearing.

Principal Planner Ruiz presented. She explained that the city owns the parcel, which is surrounded by preserve and golf course land within The Sanctuary community. Burials occurred in the early 1900s and any grave markers that may have existed are long gone. The general location of the cemetery is known, primarily through the knowledge of the golf course superintendent, but the exact boundaries have never been formally determined. Ground-penetrating technology would be required to identify precise burial locations. The site represents a pioneering agricultural community from the north end of the island that did not survive past World War II. The cemetery meets two of the four national register criteria, historical and geographic importance, and four of five criteria for evaluation as a historically significant structure, with the fifth not applicable.

The discussion that followed was extensive. Chair Nichols shared that his site visit revealed the area to be heavily overgrown jungle with nothing visible to indicate the presence of a cemetery. He questioned the purpose of designation when there is no marker, no accessibility, and no apparent plan from the Historic Preservation Committee to improve the site. Ms. Ruiz explained that listing on the historic register is often the prerequisite step that makes grant funding and other preservation resources available, and that recognition in the official register preserves the record for future generations.

Commissioner Welch raised questions about the absence of a boundary survey, the list of individuals believed to be buried at the site and its lack of documented provenance, the landlocked nature of the city-owned parcel, and whether the city holds a formal easement to access its own property. Ms. Ruiz indicated that the city coordinates access informally through the golf course superintendent and deferred legal access questions to City Attorney John Agnew. Mr. Agnew noted he was not certain whether a formal easement by necessity exists but agreed to research the matter and, if possible, engage with The Sanctuary proactively to confirm access arrangements. Deputy Planning Director Quintas added that Florida statutes provide family members and relatives a statutory right of access and maintenance for cemeteries regardless of whether the land is privately or publicly owned.

Vice Chair Steiner expressed uncertainty about whether the available record was sufficient to act, noting she had not been able to conduct a site visit and found the historical documentation, particularly regarding the provenance of the list of persons believed to be interred, to be insufficiently substantiated. Commissioner Welch

agreed, recommending that more historical documentation be compiled from local historians before the item proceeds to city council, including better sourcing for the list of individuals interred and a clearer delineation of the parcel's extent.

Commissioner Colter inquired whether the Commission could simultaneously designate the site as historic and restrict access to authorized personnel only. City Attorney Agnew confirmed that historic designation does not require public access, citing examples of privately held historic homes that never had public access.

Commissioner Schopp asked what the consequences would be of not designating the cemetery. Ms. Ruiz noted that historic designation provides cemeteries with an additional layer of formal recognition and makes them eligible for preservation resources, and that the Wulfert Cemetery represents the sole remaining remnant of an entire community. Planning Director McMichael added that the parcel was set aside by the city as part of the planning for The Sanctuary development, suggesting the historical record supporting the site's identity as a cemetery may be found in the original development property records, and that she would pull those records before the city council presentation.

Given the number of unresolved questions, including the need for more documented historical provenance, clarification of the city's access rights, and additional information from local historians, the Commission determined that continuation was appropriate.

There were no public comments from the audience.

Commissioner Welch moved, seconded by Vice Chair Sergeant, to continue the public hearing on the Wulfert Cemetery (Application No. PL20260024) to a date uncertain, to allow time for additional historical documentation, access research, and direct testimony from knowledgeable local historians. The motion to continue carried by a vote of 6-0 with Commissioner Sergeant excused.

Excused: 1 - Commissioner Kate Sergeant

Staff indicated the item would need to be re-advertised prior to the continued hearing.

8. Report from Planning Department

- a.** Upcoming meeting dates:
 - i. Planning Commission - Tuesday, June 23, 2026
 - ii. Report to City Council - Tuesday, July 21, 2026 - Commissioner Sergeant

- b.** Planning Reports
 - i. Planning Permit Review Report

 - ii. Planning Projects

iii. Plan Application Status Report

Planning Director McMichael advised the Commission of the following:

- The next Planning Commission meeting is scheduled for Tuesday, June 23, 2026, with two public hearing items on the agenda.
- The Report to City Council is scheduled for Tuesday, July 21, 2026, with Commissioner Sergeant as the designated liaison.
- The Planning Permit Review Report, Planning Project List, and Plan Application Status Report were attached to the agenda for commissioner review.

Commissioner Welch asked when the Island Cow miniature golf conditional use application would return to the Commission. Planning Director McMichael indicated the target is the second meeting in July, though the timeline is dependent on receipt of revised language from the applicant's attorney.

9. Report from Commission Members

Commissioner Schopp reported that he attended the afternoon session of the most recent public meeting of the Sanibel Plan review process. He found the format constructive but was somewhat disappointed by the turnout at the session he attended, contrasting it with an earlier, more animated community engagement session held when the city manager first came on board. He attributed the difference in part to summertime and a reduced snowbird population.

Commissioner Welch offered three items. First, he reported on his liaison presentation to the City Council, noting that Council Member De Bruise raised Commissioner Burns's prior suggestion to include commercial development as part of the transfer of density rights (TDR) framework. The Council voted unanimously to formally direct city staff to further explore TDR for commercial buildings alongside the resort housing already under study. Second, Commissioner Welch also attended the afternoon session of the Sanibel Plan workshop and offered a somewhat more favorable assessment than Commissioner Schopp, noting that five of six discussion tables were filled and that the facilitating firm appeared to gather useful feedback on the three focus questions presented. He noted the evening session was reportedly smaller, with only two tables. He acknowledged that additional outreach may still be needed to capture the full range of community input on high-level planning concepts. Third, Commissioner Welch informed the Commission that he will be absent from the June 23rd meeting due to a family vacation.

Chair Nichols raised a concern about inaccurate information circulating on social media regarding Planning Commission matters, specifically a false report that the miniature golf application had been denied. He noted that the City's Public Information

Officer (PIO) does monitor social media and encouraged the city to continue correcting misinformation, while acknowledging the inherent limitations of engaging in social media debates. City Attorney Agnew acknowledged the difficulty of the issue and suggested that encouraging community members to attend meetings in person remained the most constructive approach.

10. Public Comment

There were no public comments from the audience.

11. Adjournment

There being no further business, the meeting adjourned at 10:11 a.m.