



AGENDA MEMORANDUM *Planning Department*

Planning Commission Meeting Date: December 3, 2024

To: City Council
From: Paula McMichael, AICP, Planning Director
Dana A. Souza, City Manager
Date: November 25, 2024

SUBJECT: RESOLUTION 24-074 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, DEFERRING THE INSTALLATION OF LANDSCAPING REQUIRED BY THE CODE OF ORDINANCES, CHAPTER 122, VEGETATION, ARTICLE II, LANDSCAPING, DIVISION 2, COMMERCIAL AND INSTITUTIONAL USES, SECTION 122-47 (VEGETATION BUFFERS REQUIRED), AND DIVISION 3, RESIDENTIAL DEVELOPMENT ALONG ARTERIAL AND COLLECTOR ROADS, SECTION 122-72 (LOCATION AND SIZE OF VEGETATION BUFFERS) FOR A MAXIMUM PERIOD OF 36 MONTHS, COMMENCING DECEMBER 3, 2024, THROUGH DECEMBER 31, 2027; AND PROVIDING AN EFFECTIVE DATE.

BACKGROUND: At the November 12, 2024, City Council meeting, Vice Mayor Miller requested a future agenda item for the City Council to consider a deferment of the required vegetation buffer standards to help businesses recover from the effects of Hurricanes Ian, Helene, and Milton. The Vice Mayor also asked to have staff review the requirements of vegetation buffer plantings considering the effects of recent flooding events on Sanibel.

In response, staff offers Resolution 24-074 for consideration which provides for the following:

1. With an approved application, defers the installation of vegetation buffers for commercial and institutional uses (Section 122-47) and for residential development, with more than five units, (Section 122-72) for a maximum period of 36-months.
2. Applicants must submit a vegetation buffer plan, as required by Section 82-382 of the LDC, with the deferment application for review and approval by staff.
3. Approved applicants must sign a Stipulation of Deferred Vegetation Buffer Requirements, as prepared by the City Attorney, to ensure future compliance with the LDC.
4. Approved applicants must agree to begin implementing the approved vegetation buffer on or before the expiration of the approved deferment period and must complete the installation of the approved vegetation buffer within 6-months from the expiration of the approved deferment period.
5. Directs staff to review Chapter 122 Vegetation, Article II, Landscaping, and recommend possible amendments considering the impact of recent hurricanes on Sanibel's vegetation.

Sanibel is and shall remain a barrier island sanctuary

The proposed Resolution attempts to find a balanced approach that helps owners of commercial, institutional, and multi-family (greater than 5-units) properties recover from the impacts of multiple hurricanes through the vegetation buffer deferment, while continuing to maintain the character of Sanibel as envisioned in the Sanibel Plan.

It is important to note that the Sanibel Plan emphasizes the importance of vegetative buffers for scenic preservation and requires that vegetation buffers between commercial developments and roadways and along property lines to enhance compatibility of buildings with the community. Additionally, the Sanibel Plan states that development standards should assure commercial developments contribute to the maintenance of the character of the community by maintaining substantial vegetation buffers.

Staff will work to ensure an expedited application process for property owners wishing to benefit from the vegetation buffer deferment.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Discussion. Approve Resolution 24-074.