

**CITY OF SANIBEL
ORDINANCE 23-014**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO REVISIONS TO ENSURE COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), BY AMENDING CHAPTER 126, ZONING, ARTICLE III, TEMPORARY USE PERMITS, SECTION 126-61, PURPOSE AND SCOPE, SECTION 126-62, APPLICABILITY, SECTION 126-63, GENERAL REQUIREMENTS, AND SECTION 126-64, SPECIAL CONDITIONS; ADDING NEW SECTIONS 126-63, SALES OFFICE, 126-64, POST NATURAL DISASTER, 126-65, STORAGE OF HEAVY EQUIPMENT, AND 126-66, COMMERCIAL BUILDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 28, 2022, Hurricane Ian made landfall on the City of Sanibel as a strong Category 4 hurricane, causing catastrophic property damage; and

WHEREAS, damages directly impacting the City of Sanibel include widespread destruction and major damage to private property; and

WHEREAS, the City of Sanibel participates in the National Flood Insurance Program (NFIP); and

WHEREAS, temporary uses must be in compliance with Chapter 94 - Floods; and

WHEREAS, the Planning Commission held a legally and properly advertised public hearing on April 25, 2023, at which the Planning Commission heard and considered comments and recommendations from the Planning Staff and the public pertaining to a draft amendment related to revisions to ensure compliance with the national flood insurance program (NFIP); and

WHEREAS, the Planning Commission found the proposed amendments to the Land Development Code as indicated below are consistent with the Sanibel Plan and meet the requirements of LDC Section 82-241, and recommended by a vote of 6 to 0 that the City Council adopt said amendments in the form of an ordinance; and

WHEREAS, the amendments included below have been updated to include the time limitations for post-natural disaster temporary uses based upon recent State of Florida legislation and Federal Emergency Management Agency (FEMA) evacuation guidance.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SANIBEL, FLORIDA:

SECTION 1. The recitals above are true and correct and made a part hereof.

SECTION 2. Chapter 126, Article III, is hereby amended to read as follows, with additions indicated by underlining and deletions indicated by ~~strikethrough~~:

Chapter 126 - ZONING

ARTICLE III. – TEMPORARY USE PERMITS

Sec. 126-61. - Purpose and scope.

- (a) Recognizing, in certain instances, the necessity of certain temporary uses, the planning commission, after application and hearing as for long-form development permit pursuant to the terms of chapter 82, may authorize temporary use permits in accordance with the requirements set forth in this Land Development Code.
- (b) In considering the issuance of a temporary use permit, the planning commission may impose reasonable standards and conditions as necessary to minimize the impact of the use authorized by such permit on surrounding lands and uses and to implement the goals and objectives of the Sanibel Plan and this Land Development Code.
- (c) Recognizing, during a state or federally-declared natural disaster ~~or within 30 days thereafter~~, the necessity of expedited approval of certain temporary uses, the city manager may authorize temporary use permits to conduct a permitted or conditional use within a temporary or existing permanent structure may be authorized by the City Manager in accordance with requirements of this article and chapter 94 - floods.

~~Sec.126-62. – Applicability.~~

~~It is the intent of this article to enable the planning commission to consider applications for temporary use permits for the following:~~

- ~~(1) Temporary use and occupancy of an approved dwelling unit or temporary structure as a sales or construction office for an approved residential development subject to the special conditions defined by subsection 126-64(1).~~
- ~~(2) Temporary use and occupancy of a temporary structure necessary to conduct a permitted or conditional use interrupted by a natural disaster and subject to the special conditions defined by subsection 126-64(2).~~
- ~~(3) Temporary use for the storage of heavy equipment which provide a service to city residents and businesses subject to the special conditions defined by subsection 126-64(3).~~
- ~~(4) Temporary use and occupancy of a temporary structure necessary to conduct an approved permitted or conditional use enabled by a commercial zoning district and consistent with site and related plans approved for the construction of permanent principal or accessory structures, whether the permanent structures are proposed on the same site as the proposed temporary structure or on another site.~~

~~In the event that the application for a temporary structure is not associated with a permanent structure, site and related plans for a permanent structures are not required.~~

~~Temporary use and occupancy of a temporary structure necessary to conduct an approved permitted or conditional use enabled by a commercial zoning district are subject to the special conditions defined by subsection 126-64(4).~~

Sec.126-623. - General requirements.

Temporary use permits may only be issued on the following conditions:

- ~~(a1) There is a demonstrated need for establishment of the proposed temporary use within the city.~~
- ~~(2) The proposed temporary use is authorized by section 129-62, applicability, and will be in compliance with section 126-64, special conditions.~~
- (b3) If the proposed temporary use is within the class of conditional uses identified in chapter 126, articles II and IV, the proposed use complies with all standards and requirements for such

conditional use.

- (c4) Any temporary structures to be used in conjunction with the temporary use comply in all respects with the city building code.
- (d5) Temporary use permits may be issued for a period not to exceed one year and, on further application to the planning commission for review, such permits may be extended, with or without additional standards and conditions required, for additional one-year periods, for good cause shown.
- (e6) The creation of a land use by temporary use permit is hereby declared to be a limited and temporary permit vesting no rights in the owner of land or operator of the temporary use to conduct the use in any manner other than specifically authorized by such permit, and all rights incident to such use shall terminate upon the expiration of the temporary use permit.
- (f7) Upon expiration of a temporary use permit, the use shall abate, any structure erected in connection therewith shall be removed, and, as far as practicable, the site shall be returned to its original condition or converted to a permitted use in compliance with all of the requirements of this Land Development Code and the Sanibel Plan.
- (g8) Where deemed appropriate, the planning commission may require such guarantees as it deems sufficient to cause the abatement or removal of the use and restoration of the site.

Sec.126-634. – Sales office. Special conditions.

~~In addition to compliance with the general requirements set forth in section 126-62, each of the following temporary uses may only be permitted in compliance with the special conditions set forth in this Land Development Code: (1) By temporary use permit, the planning commission may authorize the use and occupancy of a dwelling unit, upon a temporary certificate of occupancy, as a sales office, to be staffed on either a full- or part-time basis by persons engaged exclusively in the promotion and original sale of condominium units, dwelling units, lots, or vacation timesharing plans within an approved residential development, provided all of the following requirements are met:~~

- (a) The sales office may only be used for the original sale of condominium units, dwelling units, vacation timesharing plans, and undeveloped lots which were approved under the same development permit as the unit or lot for which the temporary use permit is approved.
- (b) The dwelling unit used for the sales office must be of substantially the same quality of construction as all other dwelling units to be sold or developed within the project.
- (c) A sales office in a model home shall provide a minimum of one parking space for each employee and a minimum of four additional spaces, with a maximum of ten and a minimum of six total spaces, on the same lot or parcel as the sales office. The sales office use may exceed the limitations of this Land Development Code with regard to vegetation clearance and may have less than any minimum required recreational open space in order to provide the parking spaces required in this Land Development Code, as long as provision of the required parking spaces will not require the clearing of native vegetation.
- (d) A sales office in a model home shall be used as such only during the hours of 12:00 noon to 6:00 p.m. on Sundays and 9:00 a.m. to 6:00 p.m. on all other days.
- (e) A sales office in a model home may not be used for any activity which interferes with the normal, quiet, and comfortable use and enjoyment of adjacent dwelling units. All activities shall be conducted inside the model home so as not to be noticeable from the outside, except for permitted street graphics.
- (f) A sales office in a model home shall not be used for:
 - (1) Rentals;
 - (2) Promoting resales of condominium units, timeshare estates, dwelling units, or lots, other than those sold to other developers for the purpose of constructing and selling dwelling units;
 - (3) The promotion or sale of any condominium unit, dwelling unit, vacation timesharing plan

which was not approved under the same development permit as the lot or unit used for the sales office; or

- (4) Any other commercial activity not specifically authorized by this subsection.
- (g) A model home used as a sales office shall be designed and constructed as a dwelling unit, with no structural or site alterations except as required in this section, other than for the incidental convenience and safety of visitors, such as railings or walkways, to accommodate the use as a sales office.
- (h) No sales office in a model home shall be permitted within unreasonable proximity to an existing or potential single-family dwelling unless the lot on which such existing or potential single-family dwelling is or will be located is under common ownership with the site of the model home at the time the original permit is issued and at the time a certificate of occupancy is issued.
- (i) No temporary use permit for a sales office in a model home may be issued or renewed so as to extend past six years from the date the development permit was issued for the development in which such model home is located.
- (j) No sales office in a model home may be permitted within a straight-line distance of 2,500 feet of any lot or parcel for which a temporary use permit for another sales office in a model home in the same development has been approved and remains valid.
- (2) ~~A temporary use permit may be granted for the erection and maintenance of a temporary structure for the conduct of a permitted use when such permitted use has been interrupted by reason of storm, fire, or other casualty. Such temporary use permit shall expire at the time the necessary repair or reconstruction of the permitted use has been accomplished or within one year, whichever occurs first. Such a temporary use permit may be issued only in compliance with the following requirements:~~
 - a. ~~The location of the temporary structure must be in an area of least visual impact, as approved by the planning commission, taking into consideration its size and type of construction.~~
 - b. ~~The structure, and its location on the site, shall be sufficiently designed and constructed to provide adequate shelter and safety for members of the public who may come upon the premises, adequate parking, and safe and efficient ingress and egress.~~
 - c. ~~All building code requirements must be met for any permitted temporary structure.~~
 - d. ~~If a mobile home or similar portable structure is authorized for the temporary use, such mobile home or portable structure must:~~
 - 1. ~~Be tied down in the manner prescribed under state law for residential uses of mobile homes;~~
 - 2. ~~Be placed on the site in conformance with the requirements of chapter 94, except for the requirement to elevate at or above the base flood elevation; and~~
 - 3. ~~Have all areas under the mobile home or portable structure screened from view on all sides by means of vegetation or another method approved by the planning commission.~~
 - e. ~~If a temporary commercial structure is authorized for temporary use, such structure must:~~
 - 1. ~~Be located on a property within the Commercial District, Special Use District, or where nonconforming commercial use is recognized as lawfully-existing by City of Sanibel prior to the disaster;~~
 - 2. ~~Be associated with a business with an existing Business Tax Receipt issued by the city prior to the disaster to legally operate a commercial use within the City of Sanibel or provide State of Florida license when local licensing is pre-empted by Florida Statutes;~~
 - 3. ~~Be no greater than the pre-disaster commercial floor area;~~
 - 4. ~~Be placed on the site in conformance with the requirements of chapter 94, except for the requirement to elevate at or above the base flood elevation; and~~
 - 5. ~~Be located within an existing approved developed area; and~~

- ~~6. Demonstrate its operation will not result in adverse impacts to adjacent residential uses.~~
 - ~~7. Temporary commercial uses may operate outside of a fully enclosed structure. However, upon any documented grievance from the public or the city's own observation of inappropriate use, the city manager or their designee may revoke authorization for temporary use.~~
- ~~(3) A temporary use permit may be issued for the storage of heavy equipment such as, but not limited to, dump trucks, grading machines, bulldozers, backhoes, construction trailers, brush chippers, boom trucks, and the like, which are not permitted to be parked in any zoning district of the city in connection with permitted uses, provided all of the following requirements are met:~~
- ~~a. The location of the temporary use shall be in an area that, because of its particular characteristics, will cause no or limited impact on the use and enjoyment of adjoining properties.~~
 - ~~b. The equipment so stored must be of a type which provides a service to city residents and businesses.~~
 - ~~c. The usual means of access to the parcel must be such that the movement of the heavy equipment to and from the site will not adversely affect residential uses through the generation of traffic, noise, light, or other nuisance.~~
 - ~~d. The lot or parcel for which the permit is approved may not be used for manufacturing, storage, or processing of any materials, and no explosive, poisonous, flammable, or other dangerous materials may be stored on the site.~~
- ~~(4) By temporary use permit, the planning commission may authorize the use and occupancy of a temporary structure necessary to conduct a permitted or conditional use authorized in a commercial zoning district and consistent with site and related plans approved for the construction of permanent principal or accessory structures, provided all of the following requirements are met:~~
- ~~a. Temporary commercial buildings shall have architectural features and patterns that; provide visual interest from the perspective of the pedestrian, bicyclist, and motorist; appear to reduce building mass; and recognize and respect local character and site conditions.~~
 - ~~b. Facades of temporary buildings shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls.~~
 - ~~c. Articulation of facades and roofing shall be used to vary the temporary building's mass, in height and width, so that it appears to be divided into distinct elements and details.~~
 - ~~d. Temporary building entryways and windows shall be located so as not to permit noise, light, and other impacts on the quiet and private enjoyment of adjacent residential uses.~~
 - ~~e. All rooftop mechanical equipment protruding from the roof must be screened from public view by integrating it into a temporary building's roof design.~~
 - ~~f. Off-street parking spaces shall be primarily at the front or side of temporary commercial buildings. The location and design of off-street parking shall not impact adjoining residential uses, conservation land, or wildlife habitat.~~
 - ~~g. Off-street loading and service areas shall be appropriately designed, located, landscaped, and screened to ensure that adjoining residential areas and environmentally sensitive land uses will not be negatively impacted.~~
 - ~~h. Functional and integrated access and internal circulation for people with disabilities shall be provided.~~
 - ~~i. Safe and efficient internal pedestrian circulation to and from on-site parking spaces shall be provided.~~
 - ~~j. All above ground utilities, equipment, and related service facilities and operations shall be designed, located, and maintained to ensure visual and physical compatibility with adjoining residential areas and other environmentally sensitive land.~~

- ~~k. Specific and detailed landscape plans shall be required for buffering and screening adjacent residential uses from negative visual and physical impacts of the commercial land uses.~~
- ~~l. The temporary use shall be located in an area that will have the least visual impact as viewed from public and private roads, shared use paths, and adjoining properties.~~
- ~~m. The temporary structure shall be supported by off-street parking and loading consistent with chapter 126, article XV, of the Land Development Code.~~
- ~~n. All building code requirements must be met for any permitted temporary structure, including all health, safety, and/or other governmental agency requirement that would be required for a permanent structure.~~
- ~~o. The temporary structure shall be appropriately located and designed to ensure safe and functional operations and accessibility during construction of the permanent principal and/or accessory structure.~~

Sec. 126-64. Post natural disaster.

A permit for a temporary structure, including recreational vehicles, necessary to conduct an approved, permitted, or conditional use interrupted by reason of storm, hurricane, tsunami, flood, fire, or other cataclysmic event resulting in damage to property may be issued by the city manager or designee subject to the following requirements:

- (a) Single-family and duplex residential. A recreational vehicle may be permitted subject to all of the following requirements:
 - (1) Limited to one recreational vehicle or park trailer per single-family residence and one recreational vehicle or park trailer per unit for lawfully existing duplex residences, unless one recreational vehicle or park trailer does not provide enough beds to accommodate the residents residing at the property prior to the natural disaster then the city manager or designee may authorize an additional recreational vehicle or park trailer.
 - (2) The recreational vehicle or park trailer shall be licensed and ready for highway use, which means the structure is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices for water, sewer, and electric, and has no permanent attachments such as additions, rooms, stairs, decks and porches.
 - (3) The recreational vehicle or park trailer may be in place for up to 36 months from a declared state of emergency or until a certificate of occupancy is issued for the permanent residential structure on the property whichever occurs first, if all of the following circumstances apply:
 - a. The resident makes a good faith effort to rebuild or renovate the damaged permanent residential structure, including applying for a building permit, submitting a plan or design to the city, or obtaining a construction loan; and
 - b. The recreational vehicle or park trailer is connected to water and electric utilities and does not present a threat to health and human safety; and
 - c. The temporary trailer is occupied by the owner and associated household members of the residential parcel on which it is placed, or by the tenant of the damaged dwelling who held a lease prior to the natural disaster (see also Sec. 94-181).
 - (4) The recreational vehicle or park trailer must be disconnected from utilities and moved off-island when the City of Sanibel is located within the hurricane forecast cone issued by the National Hurricane Center with a 72-hour forecast for landfall. After disconnecting from the sewer utility line, a sewer line cap or cleanout plug must be installed.
- (b) Commercial use. A temporary structure may be permitted subject to all of the following requirements:
 - (1) Be located on a property within the Commercial District, Special Use District, or where nonconforming commercial use is recognized as lawfully existing by the city prior to the

- disaster.
- (2) Be associated with a business with an existing business tax receipt issued by the city prior to the disaster to legally operate a commercial use within the city or provide State of Florida license when local licensing is pre-empted by Florida Statutes.
 - (3) Be no greater than the pre-disaster commercial floor existing area.
 - (4) Be located within an existing approved developed area.
 - (5) Demonstrate its operation will not result in adverse impacts to adjacent residential uses.
 - (6) Temporary commercial uses may operate outside of a fully enclosed structure. However, upon any documented grievance from the public or the city's own observation of inappropriate use, the city manager or designee may revoke authorization for temporary use.
 - (7) The structure, and its location on the site, shall be sufficiently designed to provide adequate safety for members of the public who may come upon the premises, and safe and efficient ingress and egress.
 - (8) Limited to mobile office or mobile kitchen licensed and ready for highway use, which means the structure is on wheels or jacking system, is attached to the site but has no permanent attachments such as additions, rooms, stairs, decks, and porches.
 - (9) The mobile office or mobile kitchen may be in place for up to one year from the natural disaster or the time to repair the damaged commercial structure, whichever is less.
 - (10) Extension of a temporary use permit for up to one additional year may be considered by the planning commission based upon the extent of damage incurred and limited availability of building supplies, skilled labor, or licensed contractors.
 - (11) The mobile office or mobile kitchen must be disconnected from utilities and moved off-island when the City of Sanibel is located within the hurricane forecast cone issued by the National Hurricane Center with a 72-hour forecast for landfall. After disconnecting from the sewer utility line, a sewer line cap or cleanout plug must be installed.
- (c) *Institutional use.* A temporary structure may be permitted subject to all of the following requirements:
- (1) Limited to institutional uses approved through a conditional use permit (CUP) issued prior to the natural disaster which have a current business tax receipt.
 - (2) The structure, and its location on the site, shall be sufficiently designed to provide adequate safety for members of the public who may come upon the premises, and safe and efficient ingress and egress.
 - (3) Limited to mobile office or mobile kitchen licensed and ready for highway use, which means the structure is on wheels or jacking system, is attached to the site but has no permanent attachments such as additions, rooms, stairs, decks and porches.
 - (4) The mobile office or mobile kitchen may in place for up to one year from the natural disaster or the time to repair the damaged institutional structure, whichever is less.
 - (5) Extension of a temporary use permit for up to one additional year may be considered by the planning commission based upon the extent of damage incurred and limited availability of building supplies, skilled labor, or licensed contractors.
 - (6) The mobile office or mobile kitchen must be disconnected from utilities and moved off-island when the City of Sanibel is located within the hurricane forecast cone issued by the National Hurricane Center with a 72-hour forecast for landfall. After disconnecting from the sewer utility line, a sewer line cap or cleanout plug must be installed.
- (d) *Temporary emergency housing site.* Multiple temporary structures for emergency housing (e.g. FEMA direct temporary housing assistance) may be permitted subject to all of the following requirements:
- (1) Limited to parcels that do not require the removal of native vegetation or impacts to wildlife (including but not limited to gopher tortoise burrow; active wading bird nest;

- active osprey nest; active bald eagle nest) for the installation of recreational vehicles or park trailers.
- (2) Preference will be given to sites with existing development and utility connections.
 - (3) The development intensity for the site does not need to be met, however, a site plan showing the locations of the recreational vehicles or park trailers must be submitted with the application to verify the number of temporary recreational vehicles or park trailers.
 - (4) The recreational vehicles or park trailers may be place in place for up to one year from the date of the natural disaster.
 - (5) Extension of a temporary use permit for up to one additional year may be considered by the planning commission based upon the extent of damage incurred and limited availability of building supplies, skilled labor or licensed contractors.
 - (6) The recreational vehicles or park trailers must be disconnected from utilities and moved off-island when the City of Sanibel is located within the hurricane forecast cone issued by the National Hurricane Center with a 72-hour forecast for landfall.

Sec. 126-65. Storage of heavy equipment:

A temporary use permit may be issued for the storage of heavy equipment such as, but not limited to, dump trucks, grading machines, bulldozers, backhoes, construction trailers, brush chippers, boom trucks, and the like, which are not permitted to be parked in any zoning district of the city in connection with permitted uses, provided all of the following requirements are met:

- (a) The location of the temporary use shall be in an area that, because of its particular characteristics, will cause no or limited impact on the use and enjoyment of adjoining properties.
- (b) The equipment so stored must be of a type which provides a service to city residents and businesses.
- (c) The usual means of access to the parcel must be such that the movement of the heavy equipment to and from the site will not adversely affect residential uses through the generation of traffic, noise, light, or other nuisance.
- (d) The lot or parcel for which the permit is approved may not be used for manufacturing, storage, or processing of any materials, and no explosive, poisonous, flammable, or other dangerous materials may be stored on the site.

(Editor's note: the above requirements were previously contained in Sec. 126-63(3).)

Sec. 126-66. Commercial buildings.

By temporary use permit, the planning commission may authorize the use and occupancy of a temporary structure necessary to conduct a permitted or conditional use authorized in a commercial zoning district and consistent with site and related plans approved for the construction of permanent principal or accessory structures, provided all of the following requirements are met:

- (a) Temporary commercial buildings shall have architectural features and patterns that: provide visual interest from the perspective of the pedestrian, bicyclist, and motorist; appear to reduce building mass; and recognize and respect local character and site conditions.
- (b) Facades of temporary buildings shall be designed to reduce the mass/scale and uniform monolithic appearance of large, unadorned walls.
- (c) Articulation of facades and roofing shall be used to vary the temporary building's mass in height and width so that it appears to be divided into distinct elements and details.
- (d) Temporary building entryways and windows shall be located so as not to permit noise, light, and other impacts on the quiet and private enjoyment of adjacent residential uses.
- (e) All rooftop mechanical equipment protruding from the roof must be screened from public

- view by integrating it into a temporary building's roof design.
- (f) Off-street parking spaces shall be primarily at the front or side of temporary commercial buildings. The location and design of off-street parking shall not impact adjoining residential uses, conservation land, or wildlife habitat.
- (g) Off-street loading and service areas shall be appropriately designed, located, landscaped, and screened to ensure that adjoining residential areas and environmentally sensitive land uses will not be negatively impacted.
- (h) Functional and integrated access and internal circulation for people with disabilities shall be provided.
- (i) Safe and efficient internal pedestrian circulation to and from on-site parking spaces shall be provided.
- (j) All above ground utilities, equipment, and related service facilities and operations shall be designed, located, and maintained to ensure visual and physical compatibility with adjoining residential areas and other environmentally sensitive land.
- (k) Specific and detailed landscape plans shall be required for buffering and screening adjacent residential uses from negative visual and physical impacts of the commercial land uses.
- (l) The temporary use shall be located in an area that will have the least visual impact as viewed from public and private roads, shared use paths, and adjoining properties.
- (m) The temporary structure shall be supported by off-street parking and loading consistent with chapter, 126, article XV of the Land Development Code.
- (n) All building code requirements must be met for any permitted temporary structure, including all health, safety, or other governmental agency requirement that would be required for a permanent structure.
- (o) The temporary structure shall be appropriately located and designed to ensure safe and functional operations and accessibility during construction of the permanent principal and/or accessory structure.

(Editor's note: the above requirements were previously contained in Sec. 126-63(4).)

SECTION 3. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 4. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed, and the remainder shall have full force and effect and be liberally construed.

SECTION 5. Severance. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 6. Effective date. This Ordinance shall be effective immediately upon adoption.

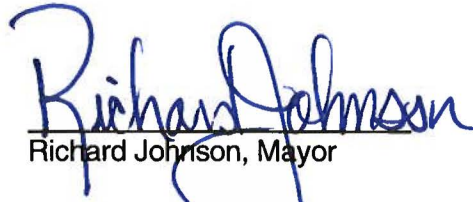
FIRST READING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THE 6TH DAY OF JUNE 2023.

ADOPTED AT SECOND READING AND PUBLIC HEARING THIS 18TH DAY OF JULY 2023.

Attest:

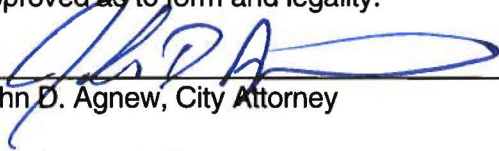


Scotty Lynn Kelly, City Clerk



Richard Johnson, Mayor

Approved as to form and legality:



John D. Agnew, City Attorney

Date filed with City Clerk: ~~July 18,~~ 2023

Vote of Council Members:

Johnson	<u>Yea</u>
Miller	<u>Yea</u>
Crater	<u>Yea</u>
Henshaw	<u>Yea</u>
Smith	<u>Nay</u>

First Reading: June 6, 2023

Publication Date: July 6, 2023

Second Reading: ~~July 18,~~ 2023