



## AGENDA MEMORANDUM *Planning Department*

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**Planning Commission Meeting Date: July 9, 2024**

**To:** Planning Commission  
**From:** Paula McMichael, AICP, Planning Director  
**Date:** July 3, 2024

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**SUBJECT:** Resort Housing District height limitations - Consideration of a recommendation to City Council for an ordinance amending the Code of Ordinances to adjust height limitations within the Resort Housing District, amending Subpart B Land Development Code, Chapter 86 – Development Standards, Article III. – Residential, Division 3. – Unified Residential Housing (Cluster Housing) and Multifamily Housing, Subdivision III. – Multifamily Housing, Section 86-169. Architectural design standards and examples, and Chapter 126 – Zoning, Article XII. – Resort Housing District, Sec. 126-637. Development and redevelopment regulations, and Article XIV. – Supplementary District Regulations, Sec. 126-932. Height exceptions, for the purpose of land development code regulations.

**BACKGROUND:** The city began a review of height limitations last fall. City Council directed a review of height regulations at their regular meeting of September 11, 2023, directing Planning Commission to make the review their top priority and to schedule special meetings as necessary. Planning Commission hosted a workshop on October 19, 2023, and reviewed draft code amendments on October 24, 2023.

At the Planning Commission meeting of October 24, 2023, commissioners requested that City Council direct them to further investigate two issues related to building height. The third listed below was raised by Vice Mayor Miller.

1. Review angle of light and whether it should be measured only at side yard setbacks (not front or rear) (moved forward at a vote of 4-3).
2. Review architectural standards for resort housing, specifically, if a building incorporates rooftop recreational open space, does this negate the architectural design standard requiring “the roof shall be sloped at a minimum pitch of 4:12 unless the pitch of the new roof is intended to match an existing roof pitch that is less than 4:12” [Sec. 86-169(d)(4)(a)(3)] for the entire roofline (moved forward at a vote of 7-0).
3. Change in building height limitations within Resort Housing District to include consideration of architectural standards versus building heights.

City Council hosted a workshop related to building heights on November 1, 2023. At that workshop, city council reviewed these possible amendments to height limitations, and directed Planning Commission to address and make recommendations regarding all three as listed.

*Sanibel is and shall remain a barrier island sanctuary*

The Land Development Code subcommittee of the Planning Commission met June 11, 2024, and reviewed potential amendments to address items #2 & #3 as listed above. Based on the discussion and motion from the subcommittee, staff has prepared amendments to height in the resort housing district which strike the limitation of 49.8 ft. NAVD/ 51 ft. NGVD; increase the height above base flood elevation from 33 feet to 35 feet; and remove the requirement for a sloped roof. As a comparison, the recent amendments that increased permitted heights for residential and institutional properties resulted in, on average, an additional five feet in permitted height. Based on further public input after the meeting, staff has also included an amendment that would provide an exception to the height limitation for an elevator overrun if it is providing ADA compliant access to resort housing rooftop recreational facilities.

**FUNDING SOURCE: N/A**

**RECOMMENDED ACTION:** Adopt the resolution that recommends approval of an ordinance amending the Land Development Code for consideration by City Council, to amend the height limitations in the Resort Housing District.