

# Joint Workshop

September 9, 2025



**CITY COUNCIL & PLANNING COMMISSION**

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- 1. Charter Considerations – City Attorney John Agnew**
- 2. Density in the Sanibel Plan and Sanibel Code – Planning Director Paula McMichael, AICP**
- 3. Overview of Transfer of Development Rights (TDR) Programs – Robert J. Mulhere, FAICP, Sr. Vice President, Bowman**
- 4. Questions**

# City Charter

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## **Section 3.10.2 - Ordinance increasing residential development intensity**

Actions to increase the residential development density as established in the Sanibel Plan, as constituted on May 4, 2004, except for rounding upward of fractional allocations of fifty percent (50%) or more to the next whole number, may be taken by the city only by ordinance approved by a majority of the qualified city electors voting at the next general election or a special election called for such purpose; provided, however, that nothing contained in this Section 3.10.2 shall preclude the city council from permitting residential densities in excess of those established in the Sanibel Plan, where the purpose is 1) to provide incentives for the Below Market Rate Housing Program, or 2) to permit redevelopment of existing parcels up to the number of existing dwelling units on May 4, 2004, provided the redevelopment is otherwise in conformance with the Sanibel Plan and the Land Development Code. Any law or regulation which is in conflict with this Section 3.10.2 is hereby repealed.

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# Definition of “Density”

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“Density” means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre.

Community Planning Act, Definitions 163.3164 (12) Florida Statutes

# Plan for Development Intensity - Background

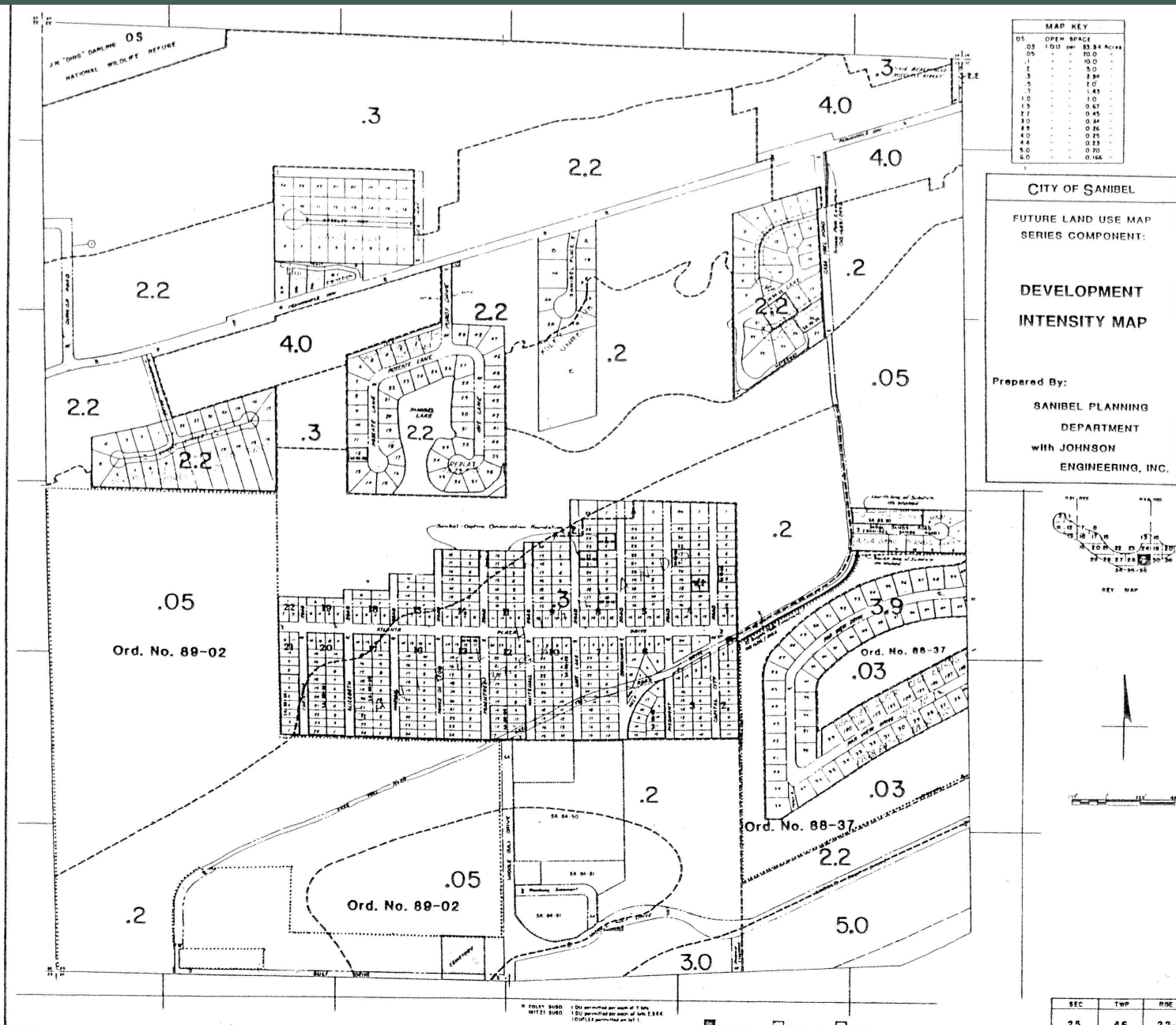
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The distribution of residential development intensity shall be in accordance with the density allocation on the Development Intensity Map of this Plan. The implementation of the Development Intensity Map is incorporated in the Land Development Code.

# Plan for Development Intensity- Provisions of the Plan

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1. Residential density computations are based on the assumption that dwelling units will have an average occupancy of 2.2 persons per unit. To the extent that dwelling units are of a type or size that will increase the average occupancy rate, the permissible number of units may vary from the number shown on the Development Intensity Map in a manner to be determined by implementing development regulations in the Land Development Code.



DEVELOPMENT INTENSITY MAP

FUTURE LAND USE MAP SERIES 2012 - 2022



# Sanibel Code

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## **Sec. 86-91 – Residential densities.**

Residential development shall be in accordance with density permitted as indicated on the development intensity map adopted as part of the Sanibel Plan and shall be calculated as follows:

(1) For the purposes of calculating the number of dwelling units permitted on a particular parcel of land, the total acreage of the parcel (exclusive of roads and rights-of-way) shall be multiplied by the development intensity indicated on the development intensity map to determine the number of dwelling units having an average occupancy rate of 2.2 individuals per dwelling unit that are permitted on the parcel ... To the extent that one or more dwelling units have an average occupancy rate that is determined, pursuant to section 86-71, to be different from the 2.2 individuals per dwelling unit, the number of dwelling units permitted on the parcel shall be the number of dwelling units that will produce the same total average occupancy (rounded to the nearest whole number of persons) as if all dwelling units had an average occupancy rate of 2.2 individuals per dwelling unit.

# Sanibel Code

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## **Sec. 86-71 – Average occupancy rate.**

(a) For purposes of this Land Development Code, dwelling units of the following types and sizes shall be presumed to have average occupancy rates as indicated in the following table:

<b>Type of Dwelling Unit</b>	<b>Presumed Average Occupancy Rate</b>
Units of resort housing uses:	
One-bedroom units	2.5 individuals per unit
Two-bedroom units	3.5 individuals per unit
Three-bedroom units	4.25 individuals per unit
Four-bedroom units	5.0 individuals per unit
Nonresort housing units	2.2 individuals per unit

# Sanibel Code

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## Example of calculating residential density– Resort Housing v. Non-resort Housing

Parcel of land designated “5.0” on the Development Intensity Map

Example property contains 3 acres

Per Sec. 86-91 “... total acreage of the parcel ... shall be multiplied by the development intensity indicated on the development intensity map to determine the number of dwelling units having an average occupancy rate of 2.2 individuals per dwelling unit that are permitted on the parcel ...”

### Nonresort housing

$5 \times 3 = \mathbf{15 \text{ dwelling units}}$  having an average occupancy rate of 2.2 individuals

### Resort housing

*Occupancy varies based on number of bedrooms*

If the proposal is for 2-bedroom units – the average occupancy rate is 3.5 individuals per unit (not 2.2)

$15 \times 2.2 = 33$  individuals

$33 \text{ individuals} / 3.5 = 9.43 \text{ units}$  – nearest whole number – rounds down to **9 dwelling units**

# Plan for Development Intensity - Background

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There are circumstances, however, under which residential density could be increased for a specific site if mitigating considerations are found to exist that would outweigh potential drawbacks and work toward achieving other objectives of the *Sanibel Plan*. These are:

- Where opportunities are provided for below market rate housing
- To implement the Plan for Commercial Development by providing alternatives to commercial development through increased residential densities
- To promote further conservation of environmentally sensitive lands by creating incentives to set aside sensitive land from development, such as the transfer of development rights
- Where unique circumstances are found to exist on a parcel, which had not been fully considered at the time of the initial adoption of the Development Intensity Map in 1976
- Where there is a resultant, overall Citywide decrease in the number of permitted dwelling units, provided that the density decrease does not originate on lands in the Environmentally Sensitive Lands Conservation District

# Plan for Hurricane Safety

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## **Objective 2**

Direct population concentrations away from coastal areas subject to storm surge and scour.

**Policy 2.1.** Development intensity for the coastal area subject to storm surge and scour will not be increased above existing densities and that currently established on the Development Intensity Map.

# Plan for Development Intensity – Provisions of the Plan

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4. To maintain the stock of short-term occupancy units in the City, existing hotels, motels and resort condominiums that are rehabilitated or redeveloped in accordance with the *Sanibel Plan* and Land Development Code are allowed to maintain up to their existing density, provided that redeveloped resort accommodations continue the short-term occupancy use of that prior development.
5. Existing dwelling units that are substantially damaged by a natural disaster are allowed to buildback.

# Plan for Housing

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4. Restrict development intensity in the Resort Housing District that is in excess of the density permitted by the Development Intensity Map of the *Sanibel Plan*; however, allow the build-back or redevelopment of existing units, up to the number of dwelling units existing on May 4, 2004, provided the units that are built back or redeveloped are in conformance with the *Sanibel Plan* and the Land Development Code.

# Sanibel Code

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## **Unified Residential Housing (Cluster Housing)**

Sec. 86-132 – Purpose.

Cluster housing provides an opportunity for alternative development and flexibility in design and layout of single-family and duplex dwelling units. Cluster housing promotes the provision of common areas and can reduce the need for roads, sewer lines and water lines to be extended. Cluster housing provides incentives for preserving open spaces.

### **Example: Island Inn Subdivision**

2.3 acres @ 2.2 un/ac= 5.06 units

Density clustered onto 0.91 ac - 1.39 ac preserved



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