



# City of Sanibel Planning Commission

## Planning Department Staff Report

**Planning Commission Meeting:** February 24, 2026  
**Application Number:** PL20250011 and PL20260006  
**Applicant:** Blake Bartholomew  
**Address:** 2407 Periwinkle Way

### PUBLIC HEARING DESCRIPTION

Consideration of applications filed pursuant to Land Development Code Chapter 82, Article III, Division 3, Subdivision V – Conditional Uses, Section 82-201. – Authorization, and Section 82-204. – Application and hearing, for Conditional Use Permits to allow bicycle rentals and a formula retail store (Unlimited Biking) to operate in unit 3 of the Islander Center, located within the TCG – Town Center General Commercial District, at 2407 Periwinkle Way, tax parcel (STRAP) no. 26-46-22-T2-00004.0070. The application is submitted by Blake Bartholomew (the applicant), on behalf of 2407 Periwinkle Sanibel LLC (the property owner). **Applications No. PL20250011 and PL20260006.**

### ISSUES

Pursuant to Sanibel Code Section 82-202. – Requirements and Section 82-203 – Conditions, the subject application has been referred to the Planning Commission to address the following issues:

1. Does the proposed development comply with the general requirements of a conditional use provided in Sanibel Code Section 126-82 – general requirements?
2. Does the proposed development comply with the specific requirements provided in Sec. 126-94. – Vehicle rental and leasing?
3. Does the proposed development comply with the specific requirements provided in Sec. 126-102. – Formula retail stores?
4. If the Planning Commission approves the application, what additional conditions should be required?

### ATTACHMENTS

A	Applicant’s narrative response to general requirements (Sec. 126-82) and specific requirements (Sec. 126-94 and Sec. 126-102)
B	Survey/Site Plan
C	Floor Plan
D	Traffic & Parking Narrative Statement
E	Traffic Impact Statement (2021) prepared by Jim Strothers, PE, PLS

F	Formula Retail Store Inventory updated February 2026
G	Planning Commission Resolution 21-04
H	Ordinance 24-019

**BACKGROUND**

The subject parcel located at 2407 Periwinkle Way is 1.35 acres and is within the TCG – Town Center General Commercial District.

Contiguous parcels and their uses include:

- MHK Architecture, a professional design firm, is located to the east;
- A vacant commercial building is located to the west;
- Sanibel Captiva Community Bank is across Shared Use Paths and Periwinkle Way to the north; and
- Frannie’s Preserve is to the south.

The Islander Center was developed in 1985 and presently includes six (6) units for commercial tenants. Per city records, Unit #3 was last occupied by Ninon Boutiques, a retail clothing and jewelry business. The current tenancy of the Islander Center is summarized below:

- Unit 1: Sanibel Sprout
- Unit 2: Private Physicians Group
- Unit 3: Vacant
- Unit 4: Island Time Wines
- Unit 5: Vacant; an active conditional use permit allows for a future restaurant with 50 flex seats to operate at this location subject to applicable conditions.
- Unit 6: Vacant

...

The applicant previously submitted applications 21-12559CUP and 12-12562DP to allow a bicycle rental with a total inventory of 100 bicycles at unit #3 of the Islander Center. Staff recommended approval of the applications with conditions. However, Planning Commission voted 7-0 to deny approval of the applications. Planning Commission made the following findings for the record, that the proposal did not meet requirements 1, 2, 5, and 6 of Sec. 126-82. – General requirements:

- a. Requirement 1: the proposed use associated with the development is incompatible with other uses in the Islander Center;
- b. Requirement 2: the site development plan does not include interconnectivity plans;
- c. Requirement 5: the nature of the site for the proposed use is not compatible with the adjoining uses and vehicular access and circulation.
- d. Requirement 6: (i) the proposed use and development is not internally compatible with other existing uses on the same site, because of traffic volume and patterns and safety-related reasons; and (ii) there is not sufficient parking for the use.

In its review, staff noted that while the application did not meet minimum parking requirements in place at the time, the Traffic Impact Statement concluded no additional vehicle trips would be caused by the proposed use and therefore found existing parking supply to be adequate.

Since this decision, City Council adopted Ordinance 24-019 (see Attachment H), which substantially reduced minimum parking requirements for permitted and conditional uses; and struck combined parking requirements that assigned minimum parking requirements to each separate use at a commercial center for exclusive use of each unit, among other code revisions. Planning Commission voted 6-0 to recommend adoption of an ordinance to reduce non-residential minimum parking requirements. In its presentations to Planning Commission and City Council, staff found consistency with applicable provisions of the Sanibel Plan and cited “less rigidity,” “flexibility for multiple occupancy centers,” and “(recognition of) overlapping parking demand among uses/units at a center” as reasons for recommendations to amend Article XV. – Off-Street Parking.

The applicant has also addressed one of the previous objections by providing inter-connectivity of the Islander Center to the Shared Use Path. Planning staff recently received and approved a site plan to install an inter-connectivity path to satisfy one of the required conditions of a Conditional Use Permit (Island Time Wines).

...

Vegetation buffers are required to be installed in association with any commercial use or change of use per Sec. 122-46. – General requirements. In July, the Planning Department issued a Development Permit authorizing Conditional Use Permit application CUP-2025-000268 (Island Time Wines). The applicant/property owner is required to obtain waiver approval within 6 months for landscaping and to subsequently implement an approved landscape plan in compliance with applicable standards. The property owner is working with a landscape contractor and has been in communication with staff to submit plans for staff review and complete the required installation in a timely manner.

...

Formula Retail stores are allowed in the TCG – Town Center General Commercial District as a conditional use subject to permitting requirements and conditions. Section 78-1 provides the following definition of a formula retail store:

Formula retail store means a type of retail sales activity or retail sales establishment, with three or more store locations, that maintains any of the following, which are distinctive to, or standardized among, some or all other locations:

- Name of business;
- Business signage;
- Exterior design or architecture;
- Array of merchandise;
- Trademark or logo;
- Uniforms.

For the purposes of the city's commercial land use regulations, formula retail stores do not include establishments providing professional services, including, but not limited to, real estate offices, medical offices, dental offices, offices of health practitioners, banks, savings and loan associations, mortgage and

securities brokers, accounting services, appraisers, cable television services, insurance agents, and interior decorators.

Formula retail stores do not include grocery stores, hardware stores, gasoline service stations and restaurants; however, see the definition of formula restaurant.

Furthermore, retail stores that have more than one location, but that had their original location in the city, are not defined as formula retail stores. The second location of a retail store, that had its original location in the city, is not defined as a formula retail store.

The Planning Department maintains an inventory, updated annually or as needed, to document the balance and mix of businesses as it relates to formula retail stores. The current cumulative commercial floor area devoted to formula retail stores is 40,875 square feet. This total includes Eileen Fisher, which is not open for business and does not have an active business tax receipt. However, the use has not been abandoned due to policies while under a state of emergency. A copy of the Formula Retail Store inventory is included as **Attachment F**.

<b>Table 1. Sanibel Plan policies</b>
Plan for Development Intensity 7. Limit the intensity of conditional uses to the extent that these uses generate traffic impact to a significantly greater extent than permitted uses
Future Land Use Element 5. In an effort to maintain a proper balance between the resident-serving and resort (tourist) segments of the commercial sector of the community, the City has amended its commercial land use regulations. These regulations establish and implement the following: <ul style="list-style-type: none"><li>• A maximum percentage of commercial floor area (balance and mix of businesses) occupied by formula retail stores</li><li>• A limit on the size of specific commercial retail units</li><li>• A limit on the size of commercial buildings</li><li>• A requirement that developments of new commercial centers and redevelopments of existing commercial centers, that contain more than 12,000 square feet of retail floor area, must demonstrate that no adverse economic or other consequence would result to this unique Island community from the development or redevelopment of the center</li></ul>
Future Land Use Element 6. All commercial uses, including formula retail uses, shall retain the historical and visual character of the commercial sector and the unique and diverse service and retail base in the local economy.

## **PROPOSAL**

The applicant proposes a bicycle rental and retail sales business, Unlimited Biking, to operate within unit #3 of the Islander Center. The applicant proposes a rental inventory of 150 bicycles (including electric bicycles), stored entirely inside the commercial unit. The business also intends to operate with delivery service to customers.

Unlimited Biking is a formula retail store, as defined in Section 78-1, with 19 other locations.

## ANALYSIS

Staff reviewed the subject application relative to general requirements of conditional uses in Section 126-82 and specific requirements in Section 126-94. – Vehicle rental and leasing and Section 126-102. – Formula retail stores. The tables below include references of notable standards and staff review notes.

<b>Table 2. Analysis of Sec. 126-82. General Requirements (Conditional Uses)</b>		
<b>Sanibel Code Requirement</b>	<b>Staff Comments</b>	<b>Requirement met?</b>
<b>Sec. 126-82. – General Requirements</b>	Please reference <b>Attachment A</b> alongside the corresponding staff comments below.	Yes.
(a) The proposed development shall not adversely affect compatibility with other uses, either on, adjacent to, or nearby the parcel; and shall not adversely affect the health, safety and welfare of the community or its goals and objectives. The proposed development shall not adversely affect the traffic flow to a significantly greater extent than permitted uses; however, there shall be a rebuttable presumption of no such relative adverse effects, absent competent, substantial evidence presented to the contrary.	The proposed use is generally compatible with surrounding commercial land uses.  The applicant provided a copy of the Traffic Impact Statement (2021), prepared by Jim Strothers, PE, PLS, as <b>Attachment E</b> which concludes this use, with an inventory of 100 bicycles, adds no additional trips for this site.	Yes.
(b) A request for conditional use approval shall be accompanied by a site development plan prepared in accordance with the requirements of subsection <a href="#">82-382(13)</a> .	A site plan has been submitted with all necessary information for review of this application.	Yes.
(c) In reviewing requests for conditional uses, the planning commission may impose, as necessary, conditions to protect adjacent or nearby parcels and in furtherance of the public interests, with regard to location, design, intensity of use, architectural treatment, siting, landscaping, maintenance, and operation of the uses.	Planning staff recommend conditions relating to intensity of use, including a limitation on bicycle inventory, finding the 2021 Traffic Impact Statement to be a valid and accurate assessment in support of the compatibility of this use with an inventory of 100 bicycles, as well as a condition clearly limiting commercial activity outside of the commercial unit.  Other recommendations relate to the operation of the use by reinforcing other policies of the Land Development Code and Sanibel Plan, as well as conditions to provide safety, wayfinding and etiquette information to its customers.	Yes.
(d) The developer must demonstrate that the proposed use is coordinated, to the greatest extent possible, with adjoining developments.	Staff do not find any opportunities to coordinate the proposed use or existing	Yes.

<p>Where applicable, this coordination shall include examination of all opportunities to share or combine drives and entry points, parking areas, sewage treatment facilities, pedestrian walkways, and other service facilities.</p>	<p>development with adjoining developments in a manner that serves the public interest.</p>	
<p>(e) The planning commission shall consider the nature of the site, its size, and its configuration to determine whether the parcel is adequate to:</p> <p>(1) Accommodate the placement and arrangement of structures so as to promote the best possible vehicular and pedestrian access and internal circulation;</p> <p>(2) Maximize energy efficiency and compatibility with adjoining uses on and off the site; and</p> <p>(3) Minimize the need for additional off-site transportation improvements.</p>	<p>There is no need for off-site transportation improvements.</p>	<p>Yes.</p>
<p>(f) In considering a proposed conditional use for approval, the planning commission shall evaluate the proposal in consideration of the following factors:</p> <p>(1) <i>Conformance with Sanibel Plan.</i> No conditional use may be approved unless it is in accord with the Sanibel Plan.</p> <p>(2) <i>Internal compatibility.</i> Any proposed conditional use must be compatible with other existing or proposed uses on the same site; that is, no use may have any undue adverse impact on any neighboring use. An evaluation of the internal compatibility of a conditional use should be based on the following factors:</p> <p>a. The streetscape;</p> <p>b. The existence or absence of, and the location of, open spaces, plazas, recreational areas, and common areas;</p> <p>c. The use of existing and proposed landscaping;</p>	<p>(f)(1) Staff finds the proposed use to be consistent with the Future Land Use Element of the Sanibel Plan.</p> <p>(2) There are no undue adverse impacts on any neighboring use.</p>	<p>Yes.</p>

- d. The treatment of pedestrian ways;
- e. Focal points and vistas;
- f. The use of the topography, physical environment, and other natural features;
- g. Traffic and pedestrian circulation pattern;
- h. The use and variety of building setback lines, separations, and buffering;
- i. The use and variety of building groupings;
- j. The use and variety of building sizes and architectural styles;
- k. The use and variety of materials;
- l. The separation and buffering of parking areas and sections of parking areas;
- m. The variety and design of dwelling types;
- n. The particular land uses proposed, and the conditions and limitations thereon;
- o. The form of ownership proposed for various uses; and
- p. Any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of any existing or proposed use on the site.

(3) *External compatibility.* All proposed conditional uses must be compatible with existing and planned uses of surrounding properties; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use. An evaluation of the external compatibility of a proposed conditional use should be based on the following factors:

- a. All of those factors listed in subsection (f)(2) of this section;
- b. The particular uses proposed, and the conditions and limitations thereon;
- c. The type, number, and location of surrounding external uses;
- d. The Sanibel Plan designation and zoning on surrounding lands; and
- e. Any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of lands surrounding the proposed conditional use and any existing or planned use of such lands.

(3) There are no undue adverse impacts on any existing or planned surrounding use based on the factors listed in subsection (f)(2) and (3).



<p>of increased flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of soil, water level, drainage, and topography shall all be appropriate to the pattern and intensity of development intended.</p> <p>(6) <i>Off-street parking.</i> Sufficient off-street parking, for bicycles and other vehicles as well as cars, shall be provided. The specific requirements of this Land Development Code shall be used as a guide only. Parking areas shall be constructed in accordance with such standards as are approved by the planning commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses.</p>	<p>(6) The applicant prepared a Traffic and Parking Narrative Statement (<b>Attachment D</b>), which concludes 55 existing, delineated parking spaces, is sufficient to meet the parking demand needs for the Islander Center and its tenants at full occupancy of its six units.</p> <p>The applicant also provided a copy of the Traffic Impact Statement (2021), prepared by Jim Strothers, PE, PLS, which concludes this use, with an inventory of 100 bicycles, adds no additional trips for this site.</p> <p>The property owner is already required to maintain bike parking at the subject building and intends to maintain bike parking at the other building once occupied by a new tenant.</p> <p>Staff concur with information provided by the applicant. However, staff notes that the 2021 Traffic Impact Statement references a total inventory of 100 bicycles. Therefore, staff recommend a condition that bicycle inventory does not exceed 100 bicycles at this location, instead of 150 bicycles proposed by the applicant.</p>	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<b>Table 3. Analysis of Sec. 126-94. – Vehicle rental and leasing.</b>		
<b>Sanibel Code Requirement</b>	<b>Staff Comments</b>	<b>Requirement met?</b>
<b>Sec. 126-94. – Vehicle rental and leasing.</b>	Please reference <b>Attachment A</b> alongside the corresponding staff comments below.	Yes.
1. All areas in which rental cars, mopeds, bicycles, and boats are parked or stored shall be located behind minimum required setbacks and shall be counted toward the maximum permitted developed area for the parcel.	The applicant is proposing to store all bicycles inside.	Yes.
2. Conditional use permits shall not be issued for the rental of bicycles or other human-powered vehicles which exceed 36 inches total width.	Bicycles greater than 36 inches total width are not proposed.	Yes.

<b>Table 4. Analysis of Sec. 126-102. – Formula retail stores.</b>		
<b>Sanibel Code Requirement</b>	<b>Staff Comments</b>	<b>Requirement met?</b>
<b>Sec. 126-102. – Formula retail stores.</b>	Please reference <b>Attachment A</b> alongside the corresponding staff comments below.	Yes.
1. The formula retail store shall be compatible with existing land uses on the same site as the formula retail store and with existing and permitted, adjacent and nearby land uses.	Unlimited Biking is compatible with the variety of other uses at the center including restaurant, retail, and office uses.	Yes.
2. The formula retail store shall be designed and operated in a non-intrusive manner that preserves and is consistent with the historic, architectural, visual character and ambiance of the commercial sector of the community. Formula, standardized, "cookie-cutter" architecture, including architectural features, is prohibited.	Unlimited Biking will operate out of an existing structure and does not propose exterior renovations to its unit, except that the business will maintain a sign, subject to permitting.	Yes.
3. The floor area of the formula retail store shall not exceed 2,000 square feet of commercial floor area.	Unit #3 is 1,452 square feet. There is no outdoor storage proposed.	Yes.
4. The proposed development intensity of the formula retail store shall not exceed that of other low and moderate intensity retail uses that are permitted on the site of the formula retail store.	The proposed use is consistent with low and moderate intensity retail uses.	Yes.
5. The formula retail store shall not imbalance the variety and mixture of retail, office, and service uses that make up the commercial sector of the community.	The city's formula retail store inventory calculates a total of 40,875 square feet of commercial floor area – lower than (68% of) the 60,000-sf threshold.	Yes.

<p>A conditional use application for a new formula retail store that results in the total commercial floor area used by formula retail stores in all of the city's commercial districts to exceed 60,000 square feet, or as may be adjusted pursuant to section 126-1024 of this Code, requires planning commission review and city council approval, subject to the following conditions, in addition to the prior five conditions listed in this section.</p>	<p>Conditions #6-10 are not applicable.</p>	<p>Yes.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------	-------------

**PUBLIC COMMENT**

Staff have not received any public comment on this item.

**RECOMMENDATIONS AND CONDITIONS**

Staff have made the following findings in support of its recommendations:

- Staff find the proposed use complies with all general requirements (Sec. 126-82).
- Staff find the proposed use complies with all specific requirements (Sec. 126-94 and Sec. 126-102).
- Conditions are recommended to establish appropriate limitations including total inventory (100, based on the inventory provided in the 2021 Traffic Impact Statement), e-bike inventory, outdoor storage and display of merchandise.

Staff, therefore, recommend approval of applications PL20250011 and PL20260002 subject to the following conditions:

1. The total number of bicycles available to rent shall not exceed 100 bicycles. Available inventory is limited to bicycles and electric bicycles are allowed to be driven on the Shared Use Paths per Section 66-165. – Driving on a bicycle path.
2. The business shall not deliver bicycles to public parks or public beach parks. Commercial activity is strictly prohibited in public places.
3. Maintain at least 55 off-street parking spaces and bike parking facilities at each building of the Islander Center.
4. No retail or rental merchandise is permitted to be displayed or stored outside of the commercial unit, except as may be permitted by special events permit; or for temporary staging of bicycles associated with pick-ups and drop-offs.
5. The applicant shall obtain a Development Permit and Building Permit for change of use and other improvements, as necessary.
6. The applicant shall obtain a Business Tax Receipt for the bicycle rental business prior to operation.
7. The applicant shall obtain a Sign Permit prior to operation. The design required to comply with the sign format of the Islander Center per Sec. 106-275. – Same – Format for multiple occupancy complexes.
8. The business shall not rent bicycles or other human-powered vehicles that are greater than 36 inches total width.

9. The business shall be required to provide appropriate head gear to all riders.
10. The business shall be required to provide City of Sanibel wayfinding maps, bike safety and etiquette educational information to all rental customers.

Conditions contained herein are in addition to the requirements of the Sanibel Code. The applicant is required to comply with all regulations of the City of Sanibel. Some conditions stated herein reflect the current code requirements applicable at the time of approval of this permit. After the issuance of the completion certificate for this development or upon expiration of the development permit, any subsequent development or change of use for the parcel must comply with the regulations in effect at that time.



**Hakan Ugdur**

Founder & Chief Executive Officer  
212-960-8383 | Hakan@UnlimitedBiking.com  
www.unlimitedbiking.com

**City of Sanibel**

Planning Department  
Planning Commission

Dear City of Sanibel Planning Team,

My name is Hakan Ugdur, and I am the Founder and CEO of Unlimited Biking, an international bicycle rental and tour company currently operating in 19 cities worldwide.

We are preparing to open a new location in Sanibel and would like to provide clarity regarding our planned operations to ensure full transparency as part of the review process.

At this location, we anticipate maintaining a fleet of approximately 150 bicycles. Importantly, this store will not function as a traditional, high-traffic walk-in rental shop. Based on our operating model and historical performance in similar hospitality-driven markets, we expect that approximately 65% of our rentals will be delivery-based, serving residential homes, vacation properties, and local hotels.

Customers primarily reserve bicycles online in advance. Our staff delivers and retrieves bicycles directly from guests' accommodations, which substantially reduces in-store foot traffic, on-site parking demand, and localized congestion. The storefront itself will operate primarily as a staging and logistics hub, supporting bicycle storage, maintenance, delivery operations, and limited walk-in service.

This delivery-focused model has been successfully implemented in comparable coastal and resort communities and allows us to serve visitors efficiently while minimizing impacts to surrounding businesses, traffic patterns, and public spaces.

We are committed to operating in a manner that aligns with Sanibel's unique character, emphasizing safety, organization, and minimal disruption to the community.

Thank you for your consideration. We are happy to provide any additional information or clarification as needed.

Sincerely,

**Hakan Ugdur**

Founder & Chief Executive Officer  
Unlimited Biking

# General Conditional Use Requirements

(LDC §126-82)

## (1) Compatibility; Traffic; Health, Safety and Welfare

The proposed conditional use shall not adversely affect compatibility with other uses, either on, adjacent to, or nearby the parcel; shall not adversely affect traffic flow to a significantly greater extent than permitted uses; shall not adversely affect the health, safety, and welfare of the community or its goals and objectives; and shall be inherently beneficial to the community or reasonably necessary to its convenience.

### a. Compatibility; Health, Safety and Welfare

Unlimited Biking is proposed as a **Bicycle Sales and Rental** use within the Islander Center, located at **2407 Periwinkle Way**, within the Town Center General Commercial (TCG) District.

The proposed use is compatible with surrounding and adjacent uses. To the west are existing commercial uses including Sanibel Sprout and office/retail properties, as well as vacant commercial parcels. To the south is City-owned preserved land. To the north, across Periwinkle Way, are established commercial uses including Sanibel Captiva Community Bank, Gene's Books, and CVS Pharmacy. Farther west along Tarpon Bay Boulevard is the former/future Bailey's Shopping Center retail area.

The proposed bicycle rental and sales use is consistent with, and complementary to, existing commercial and recreational uses in the area. As Sanibel is a tourist-oriented community with an extensive shared-use path network, bicycle rentals provide an active recreational service that is inherently beneficial and reasonably necessary to the convenience of residents and visitors alike. Locating this use within an established commercial center supports the City's goals of concentrating activity in designated commercial areas and reducing off-island vehicle trips associated with recreational services.

The proposed use will not adversely affect the health, safety, or welfare of the community and is fully compatible with the surrounding commercial and recreational context.

### b. Traffic Impacts

The proposed bicycle rental use will occupy an **existing retail unit** within the Islander Center. No outdoor storage is proposed. Bicycles will be provided to customers from within the building and accessed from the rear/side of the structure in a manner consistent with prior operations.

The use will not adversely affect traffic flow to a greater extent than other permitted retail uses. A **Traffic Impact Statement (TIS) and Parking Analysis completed in 2021** evaluated traffic generation for this use and concluded that the bicycle rental operation generated **no additional**

**traffic beyond what was already permitted** for the existing retail space. The proposed use and operational scale remain consistent with that analysis.

## **(2) Site Development Plan**

Pursuant to LDC §126-82 and §82-382(13), a survey and site development plan for the Islander Center are provided. The Islander Center is an existing commercial shopping center with office, restaurant, and retail uses already developed and permitted.

Re-occupancy of an existing retail unit within the shopping center does not alter the overall site design or circulation. Consistent with LDC §126-492(5), the reuse of existing commercial space within a shopping center does not necessitate re-evaluation of the entire site. Where applicable, waiver requests have been submitted as requested by staff.

## **(3) Conditions of Approval**

The applicant acknowledges that the Planning Commission may impose reasonable conditions of approval as necessary to protect adjacent or nearby parcels and to further the public interest with respect to location, design, intensity, landscaping, maintenance, or operation. The applicant is amenable to such conditions if deemed appropriate.

## **(4) Coordination with Adjoining Developments**

The Islander Center is an existing, multi-tenant shopping center with shared access, parking, and circulation already provided in accordance with the Sanibel Land Development Code. Opportunities for shared parking and access are fully realized within the site.

Pedestrian connectivity is provided via existing sidewalks along the front of the buildings. The site has **direct access to the Shared Use Path along Periwinkle Way**, allowing bicycle users to access adjacent commercial uses and recreational destinations without crossing Periwinkle Way, thereby enhancing non-vehicular connectivity.

## **(5) Site Adequacy**

The size, configuration, and existing development of the site are adequate to accommodate the proposed use. The existing arrangement of structures, parking, and circulation promotes safe vehicular and pedestrian access and minimizes the need for off-site transportation improvements.

The site is already served by utilities and infrastructure consistent with commercial development, and no off-site improvements are required to support the proposed use.

## **(6) Additional Evaluation Factors**

### **a. Conformance with the Sanibel Plan**

The proposed bicycle rental use is located within an area designated as **Commercial** under the Sanibel Plan and is consistent with the Plan's goals and policies for commercial activity within the TCG District.

### **b. Internal Compatibility**

The proposed use will not adversely affect internal site compatibility. All bicycles will be stored indoors, and no changes to existing buildings, landscaping, or streetscape are proposed. The use does not introduce noise, lighting, or visual impacts inconsistent with other commercial uses in the center.

### **c. External Compatibility**

The proposed use is compatible with existing and planned surrounding commercial uses and provides an additional recreational service within an established commercial corridor.

### **d. Intensity of Development**

The intensity of the proposed use is consistent with the anticipated level of commercial activity for the site and surrounding area. The use does not increase building coverage, density, or demand for utilities beyond what is already accommodated by the existing development.

### **e. Environmental Constraints**

The site is fully developed and suitable for the proposed use. No environmental impacts, hazards, or site disturbances are anticipated.

### **f. Off-Street Parking**

Sufficient off-street parking is provided within the Islander Center to accommodate the proposed use. The **2021 Parking Analysis**, prepared in accordance with LDC §126-1361, demonstrated that parking requirements for bicycle rentals are minimal and that the center contains adequate parking supply to serve existing and proposed uses within a shared-parking context.

Bike racks may also be provided to encourage non-vehicular access consistent with City goals.

**Specific Conditional Use Requirements for Bicycle Rental (LDC §126-94)**

Sec. 126-94. - Vehicle rental and leasing. ... [R/ental of bicycles shall be permitted as conditional uses subject to the following conditions set forth in this section:

(1) No access driveway to any parcel on which such use is located shall be any closer than 200 feet to the intersection of Periwinkle Way with Causeway Road, Beach Road, Donax Street, Dixie Beach Boulevard, Casa Ybel Road, Palm Ridge Road, or Tarpon Bay Road, or the intersection of Tarpon Bay Road with Palm Ridge Road, as measured from the closest outermost edge of the intersecting access driveway, not including the turning radius, as extended to the centerline of the intersected street to the closest outermost edge of the intersecting street, not including the turning radius, as extended to the centerline of the intersected street.

(2) All areas in which rental cars, mopeds, bicycles, and boats are parked or stored shall be located behind minimum required setbacks and shall be counted toward the maximum permitted developed area for the parcel.

(3) Conditional use permits shall not be issued for the rental of bicycles or other human-powered vehicles which exceed 36 inches total width:

1. The access drive on Periwinkle Way for the Islander Center is not closer than 200' to any of the intersections listed.

2. The bicycles being sold and rented will be located inside the store and will meet all required setbacks and the permitted developed area for the Islander Center will not change.

3. The bicycles being rented will be not exceed 36 inches in width.

## **Response to Sec. 126-102 – Formula Retail Stores Specific Conditional Use Requirements**

### **Applicability**

Unlimited Biking acknowledges that the proposed use meets the City's definition of a Formula Retail Store and that Conditional Use approval is required pursuant to Sec. 126-102. This response addresses the applicable criteria for Formula Retail Stores as set forth in the Land Development Code.

City staff has confirmed that the cumulative commercial floor area occupied by Formula Retail Stores within the City of Sanibel does not exceed 60,000 square feet. Accordingly, Conditions (6) through (10) are not applicable to this application. Responses below address Conditions (1) through (5) only.

### **(1) Compatibility with Existing Land Uses**

The proposed Formula Retail Store is located within an existing multi-tenant commercial center (Islander Center) and is compatible with existing and permitted retail, office, and service uses on the site and in the surrounding area. The use operates within an existing commercial unit and does not introduce land use conflicts with adjacent or nearby properties.

### **(2) Design and Operational Compatibility**

The proposed use will operate entirely within an existing commercial building and will not introduce formula or standardized "cookie-cutter" architecture. No exterior building modifications are proposed. Existing architectural character, scale, and visual appearance of Islander Center will be preserved and remain consistent with the established commercial character of the area.

### **(3) Floor Area Limitation**

The proposed Formula Retail Store will occupy approximately ±1,452 square feet, which is below the maximum 2,000 square feet permitted by Sec. 126-102(3).

### **(4) Development Intensity**

The proposed development intensity will not exceed that of other low- and moderate-intensity retail uses permitted on the site. The use does not expand the building footprint, increase density, or intensify site development beyond what is currently approved for Islander Center.

### **(5) Retail Mix and Balance**

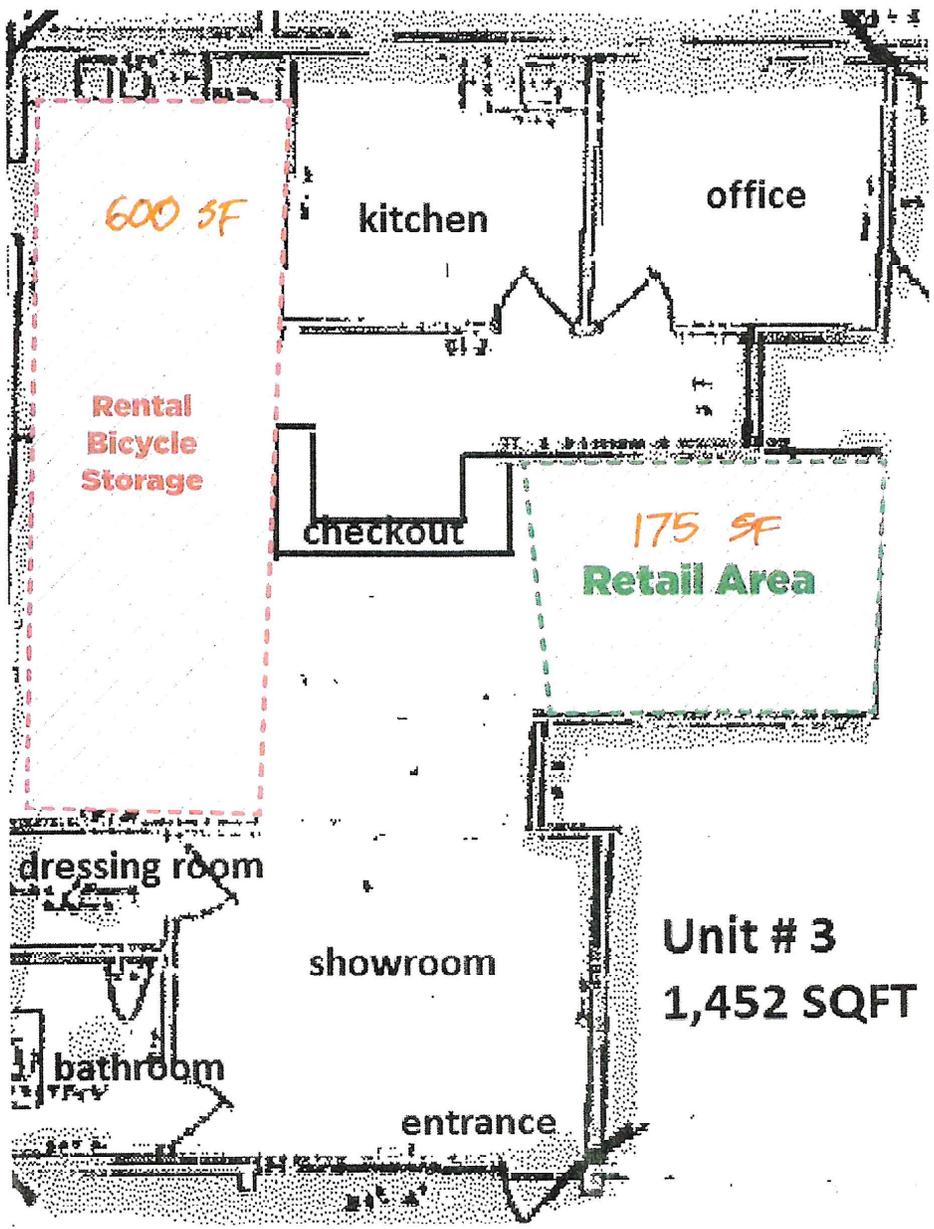
The proposed Formula Retail Store will not imbalance the existing mixture of retail, office, and service uses within the commercial sector of the community. The use is complementary to existing businesses within Islander Center and contributes to the variety of visitor-serving and service-oriented commercial activity without displacing or dominating local uses.

### **Conditions (6) – (10)**

Not Applicable. City staff has confirmed that the City's cumulative Formula Retail square footage does not exceed 60,000 square feet. As such, Conditions (6) through (10) of Sec. 126-102 do not apply to this application.



**Attachments**  
UNLIMITED BIKING - CUP & DP  
Unit 3 Floor Plans



**Unit # 3**  
**1,452 SQFT**

# Traffic & Parking Impact – Executive Summary

## Unlimited Biking – Islander Center (Unit 3)

City of Sanibel Conditional Use Application

**Prepared for:** Islander Center | 2407 Periwinkle Way | City of Sanibel, Lee County, Florida

## Key Findings

- The proposed use is supported by the 2021 Traffic Impact Statement (TIS), prepared by a **licensed traffic engineer**, which concluded that the retail use generates **no additional external vehicular trips**.
- Since 2021, code amendments to LDC Sec. 126-1361 have eliminated minimum parking requirements for vacant office and vacant retail uses (applicable to Unit 6), reflecting findings that prior standards resulted in oversupply of parking.
- Parking demand is evaluated using conservative assumptions and a 55-space benchmark consistent with staff guidance.
- Unlimited Biking experiences short-duration demand spikes during predictable morning pickup and afternoon return windows; outside of these windows, demand subsides due to limited staffing, short dwell times, and a delivery-based operating model.
- Islander Center utilizes on-site bicycle racks. While no formal bicycle parking credits are applied in this analysis pursuant to LDC Sec. 126-1362 (10 bicycles = 1 vehicular space), the presence of bicycle parking further supports reduced vehicular demand and aligns with City policy encouraging alternative transportation.

*Detailed tenant operations, delivery model explanation, flex seating context, and weekday/weekend parking demand tables are provided below.*

# Traffic & Parking Impact – Comprehensive Narrative & Peak Demand Analysis

**Site:** Islander Center (Unit 3) | 2407 Periwinkle Way | City of Sanibel, Lee County, Florida

## ***1. Purpose of This Submission***

This submission supplements the 2021 Traffic Impact Statement (TIS) completed by James H. Strothers, PE (FL. Lic #42292) and integrates operational details, code amendments, and parking demand modeling discussed with City staff. The intent is to provide a transparent and conservative depiction of parking demand under current conditions without materially changing prior conclusions.

## ***2. Differences Between 2021 TIS and Present Conditions***

Since preparation of the 2021 Traffic Impact Statement, several conditions relevant to traffic and parking demand at Islander Center have changed or been further clarified.

For purposes of this analysis, a conservative total of **55 on-site parking spaces** is assumed, consistent with staff guidance

Unit 4 (Island Time Wine) is now operating with evening-oriented peak hours that do not significantly overlap with daytime office or retail activity.

Amendments to LDC Sec. 126-1361 now classify vacant office space and vacant retail uses under the same parking designations, with no minimum parking requirement specified for permitted uses. This change directly affects Unit 6 and reflects the City's determination that prior minimum parking standards resulted in an oversupply of parking.

## ***3. Relevant Conclusions from the 2021 Traffic Impact Statement***

The 2021 Traffic Impact Statement, prepared by a **licensed traffic engineer**, evaluated the proposed retail use and remains applicable to the current proposal. The study concluded that **no additional external vehicular trips** are generated by the proposed use. The TIS further determined that application of internal trip capture, bicycle trips, and peak-hour traffic characteristics reduced parking demand by approximately six (6) spaces, as documented within the report.

## ***4. Existing Tenants and Uses – Islander Center***

**Unit 1 – Sanibel Sprout:** Fast-casual vegan restaurant open Monday–Saturday from approximately 8:00am to 5:00pm. Typical customer dwell time is 20–30 minutes, with peak activity from 8:00am–2:00pm.

**Unit 2 – Private Physicians Group:** Appointment-only medical office open Tuesday–Thursday from approximately 8:00am–2:00pm, with limited, predictable parking demand (generally 3–4 occupants at any given time).

**Unit 3 – Unlimited Biking:** Bicycle rental operation open Sunday–Saturday, with short-duration customer visits tied to predictable pickup and return windows. **Peak pickup** activity occurs between approximately **8:00am–10:00am**, and **peak return/drop-off** activity occurs between approximately **4:00pm–6:00pm**. Typical staffing levels consist of one to two employees, and outside of these peak windows, on-site parking demand is minimal.

**Unit 4 – Island Time Wine:** Wine retail shop operating primarily during afternoon and evening hours (generally after 1:00pm through 8:00pm), with tasting activity concentrated in the late afternoon and early evening.

**Unit 5 – Restaurant Space (Approved CUP):** Vacant space with an active Conditional Use Permit for a restaurant with **50 flex seats**, meaning seats may be arranged between indoor and outdoor areas. This approval predates current bonus outdoor dining provisions that exempt up to 16 outdoor seats from parking and floor area calculations. Historical aerial imagery (2016–2020) indicates actual outdoor seating of approximately 12–16 seats. If bonus

outdoor dining provisions were applied, parking demand for this use could be reduced by approximately 3–5 spaces. This context is provided solely as anecdotal consideration within a conservative parking demand analysis.

**Units 6/7 – Office Space:** Boutique general office space currently vacant. Under the former LDC, this use would have required approximately 9 parking spaces; however, minimum parking standards were amended due to findings that they resulted in oversupply.

### ***5. Unlimited Biking Operations, Delivery Model, and Bicycle Parking***

Unlimited Biking operates using a hybrid walk-in and scheduled delivery model that materially reduces on-site parking demand. The Sanibel location will maintain a substantial bicycle inventory stored indoors; however, not all inventory will be present on-site at any given time. Scheduled delivery and pickup to nearby lodging distributes demand and shortens dwell times.

This operating model is used at other Unlimited Biking locations, including Hilton Head Island, where bicycle delivery is a core component of daily operations (see: <https://unlimitedbiking.com/rentals/hilton-head-bike-deliveries/>).

Local operators on Sanibel Island, including Billy's Rentals and Finnimore's Cycle Shop, similarly utilize delivery services, making this approach consistent with established island practices.

Islander Center utilizes on-site bicycle racks. While no formal bicycle parking credits are applied in this analysis pursuant to LDC Sec. 126-1362 (10 bicycles = 1 vehicular space), the availability of bicycle parking further supports reduced vehicular demand and aligns with City policy encouraging alternative transportation.

### ***6. Parking Lot Dynamics and Conservative Assumptions***

The parking lot spans the front of the property along Periwinkle Way and serves two primary buildings. While the site physically contains 58 striped parking spaces, this analysis conservatively relies on 55 spaces as currently counted in the parking plan. The remaining three spaces are located adjacent to the dumpster enclosure at the rear of the west building and have historically functioned as usable parking without impeding service operations. For purposes of this application, however, parking adequacy is demonstrated without reliance on those additional spaces.

### ***7. Parking Demand Summary***

Based on the continued applicability of the 2021 TIS, amendments to the Land Development Code, internal trip capture, and bicycle usage, conservative assumptions for restaurant and office uses, and updated Unlimited Biking operating characteristics, the proposed use does not create a parking deficiency. Aggregate parking demand does not exceed **55 spaces** at any time shown.

## Typical Weekday Peak Parking Demand

Tenant / Unit	Unit#	8am	9am	10am	11am	12pm	1pm	2pm	3pm	4pm	5pm	6pm
Sanibel Sprout	1	8	8	8	8	8	8	8	8	8	8	0
Physicians	2	4	4	4	4	4	4	4	0	0	0	0
Unlimited Biking	3	7	7	7	4	4	4	4	4	7	7	7
Island Time Wine	4	0	0	0	0	0	4	4	4	4	15	15
Restaurant (Approved)	5	8	20	20	25	25	25	20	10	10	20	25
Office (6/7)	6/7	10	10	10	10	10	10	10	10	10	0	0
<b>TOTAL PARKING DEMAND</b>		<b>37</b>	<b>49</b>	<b>49</b>	<b>51</b>	<b>51</b>	<b>55</b>	<b>50</b>	<b>36</b>	<b>39</b>	<b>50</b>	<b>47</b>

Weekday demand reflects standard office occupancy combined with short-duration retail and restaurant activity. Unlimited Biking demand peaks are limited to brief pickup and return windows; outside these windows, demand subsides quickly. Aggregate parking demand remains within the 55-space benchmark at all times.

## Typical Weekend Peak Parking Demand

Tenant / Unit	Unit#	8am	9am	10am	11am	12pm	1pm	2pm	3pm	4pm	5pm	6pm
Sanibel Sprout	1	8	8	8	8	8	8	8	8	8	8	0
Physicians	2	0	0	0	0	0	0	0	0	0	0	0
Unlimited Biking	3	10	10	10	6	6	6	6	6	10	10	10
Island Time Wine	4	0	0	0	0	0	4	4	4	4	15	15
Restaurant (Approved)	5	8	20	20	25	25	25	20	10	10	20	25
Office (6/7)	6/7	2	2	2	2	2	2	2	2	2	0	0
<b>TOTAL PARKING DEMAND</b>		<b>28</b>	<b>40</b>	<b>40</b>	<b>41</b>	<b>41</b>	<b>45</b>	<b>40</b>	<b>30</b>	<b>34</b>	<b>53</b>	<b>50</b>

Weekend demand reflects reduced office activity and increased recreational use. Higher Unlimited Biking demand during peak weekend windows is offset by lower office occupancy, resulting in aggregate demand that remains within available parking supply.

# TRAFFIC IMPACT STATEMENT & PARKING ANALYSIS

Prepared for  
Unit 3  
Islander Center  
2407 Periwinkle Way  
City of Sanibel, Lee County, Florida

Prepared By  
James H. Strothers, PE  
FL. Lic #42292  
46 Timberland Circle S  
Fort Myers, FL 33919

File: 99-130-3

Date: 10-8-20



# 1 CONTENTS

---

Project Description  
Sources of Information  
Trip Generation  
Summary  
Conclusion  
Parking Analysis  
Conclusion  
Site Plan

## List of Tables

Table 1 Unit Data  
Table 2 AM Trip End Generations  
Table 3 PM Trip End Generations  
Table 4 Internal Trip Capture  
Table 5 External Trips Generated by Site  
Table 6 Existing Parking Computations  
Table 7 Future Parking Computations

## 2 PROJECT DESCRIPTION

---

This project is to determine the impact on the traffic that would be generated by a change in use of Suite 3 of the Islander Center. The report also analyzes the parking requirement of the site with the new change of use.

Currently there are 6 units in this center consisting of multiple uses. Information was obtained from a previous study by this office on the various uses and square footage breakdown. An onsite inspection was made to confirm the current tenants and use of each of the units. This information is listed in Table 1. In order to account for trip generations and parking requirements all units that are currently vacant have been designated as retail uses. Various land use codes from the ITE Trip Generation Manual were used for this project. The attached Site Plan prepared by this office dated 10-8-20 is used as reference of the available parking spaces for the parking analysis.

The use of Suite 3 is proposed as a bike rental facility. The tenant's proposal is to have one hundred (100) bikes at this location.

The ITE Trip Generation Manual does not list this specific type of use. Accordingly, it was assigned Land Use Code 820 Specialty Retail.

Table 1		
	UNIT DATA	
	2407 Periwinkle Way	Islander Center
	Suite	Current Tenant
		Sq. Ft. Floor Area
	1	Sanibel Sprout
	2	Concierge Medicine
	3	Vacant (subject suite)
	4	Cape Nails
	5	Clam Shack
	6	Vacant
	Total	7896

### 3 SOURCES OF INFORMATION

---

The following sources of information were used as part of this Traffic Impact Statement.

ITE Trip Generation Manual (10<sup>th</sup> Edition)  
ITE Trip Generation Handbook (3<sup>rd</sup> Edition)  
Land Use Code 820  
Land Use Code 720  
Land Use Code 933  
Land Use Code 918  
Land Use Code 932

Sanibel Public Works Traffic Count 2014

## 4 TRIP GENERATION

---

Review of the most current Traffic Count from the City of Sanibel for Periwinkle Way west of Palm Ridge Road indicated the peak AM traffic occurred at 11:00 AM and the peak PM volume at 12:00 PM. The various Land Use Codes were applied to the individual units for both the current usage and the proposed use of Suite 3. The results of these calculations provided the total trips generated for the site along with the distribution for entering and exiting. It should be noted that the Land Use Code for Suite 3 does not change from the existing use to the future use. Therefore, the trip generations would be the same for both the existing and proposed use. Calculations were for both the AM and PM Peak Hour of Adjacent Street Traffic. These values are shown in Tables 2 and 3.

As mentioned this Center contains a mix of different uses. With numerous uses within a site there are internal trips generated between the different uses. This basically means a trip generated externally for one use moves to another use within the site. This does not generate an external trip for the second use. This site is also located adjacent to a major Shared Use Path which would allow bicycle traffic being able to reach various uses within the center. Applying the Internal Capture computation including Non-Motorized Traffic a final trip generation was obtained for both the existing and future conditions. The results are shown in Table 4.

Table 2

TRIP END GENERATIONS

Calculated for: Islander Center  
 ITE Land Use Varies  
 Average Vehicle Trips Ends (AVTE) vs: 1000 Sq. Ft. Floor Area

On a: Weekday  
 AM Peak Hour of Generator

Suite	Sq. Ft. Floor Area	ITE Land Use	AVTE	Trips	% Enter	Trips	% Exit	Trips
1	980	933	47.66	46.71	53	24.75	47	21.95
2	820	720	3.53	2.89	62	1.79	38	1.10
3	1452	820	3.00	4.36	54	2.35	46	2.00
4	843	918	1.21	1.02	54	0.55	46	0.47
5	1587	932	14.04	22.28	60	13.37	40	8.91
6	2214	820	3.00	6.64	54	3.59	46	3.06
			3.00					
Total	7896			83.90		46.41		37.49
				83		46		37
		Office		2		1		1
		Retail		12		6		5
		Resturant		68		38		30

Table 3

TRIP END GENERATIONS

Calculated for: Islander Center  
 ITE Land Use Varies  
 Average Vehicle Trips Ends (AVTE) vs: 1000 Sq. Ft. Floor Area

On a: Weekday  
 PM Peak Hour of Generator

Suite	Sq. Ft. Floor Area	ITE Land Use	AVTE	Trips	% Enter	Trips	% Exit	Trips
1	980	933	48.70	47.73	50	23.86	50	23.86
2	820	720	4.10	3.36	39	1.31	61	2.05
3	1452	820	4.21	6.11	50	3.06	50	3.06
4	843	918	1.94	1.64	38	0.62	62	1.01
5	1587	932	17.41	27.63	52	14.37	48	13.26
6	2214	820	4.21	9.32	50	4.66	50	4.66
Total	7896			95.79		47.88		47.91
				95		47		47
		Office		3		1		2
		Retail		17		8		8
		Restaurant		75		38		37

Table 4

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Islander Center	Organization:	
Project Location:	2407 Periwinkle Way	Performed By:	James H. Strothers, PE
Scenario Description:	Existing & Future	Date:	10/5/2020
Analysis Year:		Checked By:	
Analysis Period:	AM Street Peak Hour	Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs <sup>1</sup>	Quantity	Units	Total	Entering	Exiting
Office				2	1	1
Retail				11	6	5
Restaurant				68	38	30
Cinema/Entertainment				0		
Residential				0		
Hotel				0		
All Other Land Uses <sup>2</sup>				0		
<b>Total</b>				<b>81</b>	<b>45</b>	<b>36</b>

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office	1.05		1%	1.08		3%
Retail	1.14		3%	1.09		3%
Restaurant	1.90		1%	1.88		1%
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses <sup>2</sup>						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		1	0	0	0
Restaurant	0	1		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	142	80	62
Internal Capture Percentage	3%	3%	3%
External Vehicle-Trips <sup>3</sup>	77	43	34
External Transit-Trips <sup>4</sup>	0	0	0
External Non-Motorized Trips <sup>4</sup>	2	1	1

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	0%	0%
Retail	14%	20%
Restaurant	1%	2%
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	N/A	N/A

<sup>1</sup> Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

<sup>2</sup> Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

<sup>3</sup> Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

<sup>4</sup> Person-Trips

\*Indicates computation that has been rounded to the nearest whole number.

*Estimation Tool Developed by the Texas Transportation Institute*

Project Name:	Islander Center
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.05	1	1	1.08	1	1
Retail	1.14	6	7	1.09	5	5
Restaurant	1.90	38	72	1.88	30	56
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	0	0	1.00	0	0
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	1	0	0	0
Retail	1		1	0	1	0
Restaurant	17	8		0	2	2
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		2	17	0	0	0
Retail	0		36	0	0	0
Restaurant	0	1		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	14	0		0
Hotel	0	0	4	0	0	

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles <sup>1</sup>	Transit <sup>2</sup>	Non-Motorized <sup>2</sup>
Office	0	1	1	1	0	0
Retail	1	6	7	5	0	0
Restaurant	1	71	72	37	0	1
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses <sup>3</sup>	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles <sup>1</sup>	Transit <sup>2</sup>	Non-Motorized <sup>2</sup>
Office	0	1	1	1	0	0
Retail	1	4	5	4	0	0
Restaurant	1	55	56	29	0	1
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses <sup>3</sup>	0	0	0	0	0	0

<sup>1</sup>Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A  
<sup>2</sup>Person-Trips  
<sup>3</sup>Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator  
\*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Islander Center	Organization:	
Project Location:	2407 Periwinkle Way	Performed By:	James H. Strothers, PE
Scenario Description:	Existing & Future	Date:	10/5/2020
Analysis Year:		Checked By:	
Analysis Period:	PM Street Peak Hour	Date:	

Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs <sup>1</sup>	Quantity	Units	Total	Entering	Exiting
Office				3	1	2
Retail				16	8	8
Restaurant				75	38	37
Cinema/Entertainment				0		
Residential				0		
Hotel				0		
All Other Land Uses <sup>2</sup>				0		
<b>Total</b>				<b>94</b>	<b>47</b>	<b>47</b>

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office	1.05		1%	1.08		3%
Retail	1.14		3%	1.14		3%
Restaurant	1.90		1%	1.88		1%
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses <sup>2</sup>						

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		100	100			
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		3	0	0	0
Restaurant	0	5		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

	Total	Entering	Exiting
All Person-Trips	163	82	81
Internal Capture Percentage	10%	10%	10%
External Vehicle-Trips <sup>3</sup>	82	41	41
External Transit-Trips <sup>4</sup>	0	0	0
External Non-Motorized Trips <sup>4</sup>	2	1	1

Land Use	Entering Trips	Exiting Trips
Office	0%	0%
Retail	56%	33%
Restaurant	4%	7%
Cinema/Entertainment	N/A	N/A
Residential	N/A	N/A
Hotel	N/A	N/A

<sup>1</sup>Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.

<sup>2</sup>Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator

<sup>3</sup>Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

<sup>4</sup>Person-Trips

\*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Islander Center
Analysis Period:	PM Street Peak Hour

Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.05	1	1	1.08	2	2
Retail	1.14	8	9	1.14	8	9
Restaurant	1.90	38	72	1.88	37	70
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	0	0	1.00	0	0
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		3	0	2	0
Restaurant	2	29		6	13	5
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	0	0		0
Hotel	0	0	0	0	0	

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	1	0	0	0
Retail	0		21	0	0	0
Restaurant	0	5		0	0	0
Cinema/Entertainment	0	0	2		0	0
Residential	1	1	10	0		0
Hotel	0	0	4	0	0	

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles <sup>1</sup>	Transit <sup>2</sup>	Non-Motorized <sup>2</sup>
Office	0	1	1	1	0	0
Retail	5	4	9	4	0	0
Restaurant	3	69	72	36	0	1
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses <sup>3</sup>	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles <sup>1</sup>	Transit <sup>2</sup>	Non-Motorized <sup>2</sup>
Office	0	2	2	2	0	0
Retail	3	6	9	5	0	0
Restaurant	5	65	70	34	0	1
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses <sup>3</sup>	0	0	0	0	0	0

<sup>1</sup> Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P  
<sup>2</sup> Person-Trips  
<sup>3</sup> Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator  
\*Indicates computation that has been rounded to the nearest whole number.

## 5 IMPACT TO EXISTING TRAFFIC

---

To check the impact of any projected increase in externally generated trips would have on the existing traffic on Periwinkle Way the most *current* (2014) traffic counts from the City of Sanibel were utilized. The information was obtained for Periwinkle Way west of Palm Ridge Road. This study showed a total AM Peak Hour volume of 907 vehicles and a PM Peak Hour volume of 938 vehicles.

Studies have indicated not all traffic entering or exiting a site is necessarily new traffic *added* to the street system. The actual amount of new traffic is dependent upon the purpose of the trip and the route used from its origin to its destination. Multiple use sites tend to attract a portion of their trips from traffic passing the site on the way from an origin to an ultimate destination. Accordingly, these "Pass-By" trips do not add new traffic to the adjacent street system and would reduce the total external trips generated by the site.

A "Non-Pass-By" trip is simply any trip generated by a site that is not a "Pass-By" trip. Information obtained for Land Use Code 820 shows that an average "Non-Pass-By" trips is 34 percent of the total external trips generated. Using this data, it was determined under the existing conditions 26 of the AM trips and 27 of the PM trips would be "Non-Pass-By" trips. Since the future use of Suite 3 is the same as the proposed use the trips generated by the site would be the same. See Table 5.

As a result, there is no additional traffic to be added into the existing traffic on Periwinkle Way for the proposed use of Suite 3.

## 6 SUMMARY

---

Summarizing the results of the calculations it was found that the proposed change to allow the proposed use of Suite 3 adds no additional trips for this site.

## 7 CONCLUSIONS

---

The conclusion of this analysis is that the proposed change from the current retail to the proposed bike rental retail use would have no impact on total traffic generated for this site and does not adversely affect traffic flow to a significantly greater extent than permitted uses.

Table 5

EXTERNAL TRIPS GENERATED BY SITE

Calculated for: Islander Center  
 ITE Land Use 820

On a: Weekday  
 Peak Hour of Generator

Non-Pass-by percentage of total trips: 34 percent

Existing AM

	Total	Entering	Exiting
External Vehicle Trips	79	44	35
Non-Pass-by trips	27	15	12

Existing PM

	Total	Entering	Exiting
External Vehicle Trips	81	41	40
Non-Pass-by trips	28	14	14

Future AM

	Total	Entering	Exiting
External Vehicle Trips	79	44	35
Non-Pass-by trips	27	15	12

Future PM

	Total	Entering	Exiting
External Vehicle Trips	81	41	40
Non-Pass-by trips	28	14	14

## 8 PARKING ANALYSIS

---

The Site Plan for this project shows there are 58 total spaces provided on the site. These spaces are broken down into 55 standard spaces and 3 Handicap spaces.

The parking requirements were computed to determine the parking spaces to comply with Section 126-1361 of the Sanibel Code for the present usages of the units. For calculation purposes the units currently vacant were considered to be retail use. It should be noted that the change of use designation of Suite 6 increased the required parking by 2 spaces from the previous report by this office due to now being vacant. Table 6 shows the result that using the direct application of the code the minimum required spaces would be 61. Based upon the internal capture, which includes bicycle trips, a reduction of 1 space could be applied to reduce the actual parking demand to 60 during the AM hour and a reduction of 6 to reduce the actual PM parking demand to 55..

Computing the required spaces with the proposed change of use for Suite 3 it was found 65 spaces would be required due to the proposed change of use. This is shown in Table 7. Reducing for internal capture by 1 brings the AM parking demand to 64. Reducing for the internal capture by 6 brings the PM parking demand to 59 spaces

Using the information obtained in the trip generations it was found the peak traffic occurs during the PM Peak Hour. Since this is the peak of trip generation it can be estimated this is also the peak demand for parking. It is shown that 10% of the trips are internal capture which leaves 90% generated externally. Using the externally generated percentage it can be estimated the peak demand for parking would be 59 spaces. This would occur at the PM Peak Hour of Adjacent Street Traffic.

## 9 CONCLUSION

---

In conclusion applying strict compliance of the Sanibel LDC for off street parking would require a total of 65 spaces for the proposed change of use of Suite 3 also accounting for the change of use of Suite 6.

Taking a practical approach to the parking requirements applying additional factors of internal trip capture, bicycle trips and Peak Hour Traffic it is shown that 59 spaces would be required. It should be noted again that a contributor to this increase in required parking as determined by a previous study by this office last dated June 20, 2016 is the change of use assigned to Suite 6. This use changed from office to now vacant retail which required 2 additional parking spaces, Disregarding

the increase due to the change of use of Suite 6 this site would require 57 spaces. As previously stated there are 58 spaces available on the site.

Therefore, considering all the above factors and the deminimis increase of one space the site has adequate parking for the proposed change of use for Suite 3.

Table 6

PARKING COMPUTATIONS

Calculated for:

Islander Center

Current Uses

Minimum per Code per unit

Suite	Tenant	Sq. Ft. Floor Area	Use	Req. Spaces
1	Sanibel Sprout	980	Food Store	8.0
2	Concierge Medicine	820	Medical Office	5.0
3	Vacant	1452	Retail	7.3
4	Cape Nails	843	Service	5.0
5	Clam Shack	1587	Resturant (50 seats)	25.0
6	Vacant	2214	Retail	11.1
<b>Total</b>		<b>7896</b>		<b>61.4</b>

PM Internal Capture Trips

10%

6

Adjusted PM Parking Required

55

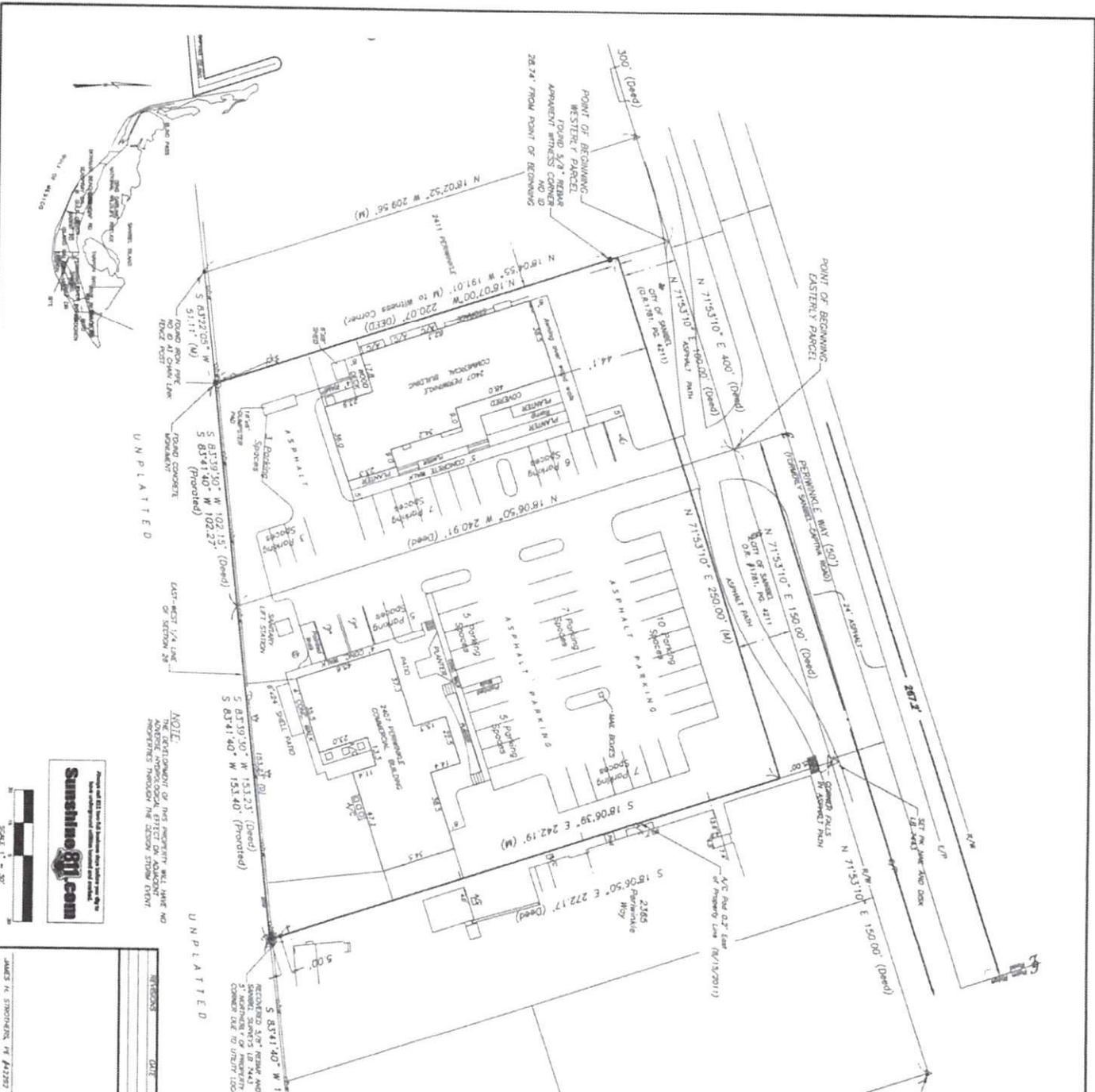
Total Spaces per Site plan

58

Table 7

PARKING COMPUTATIONS

Calculated for: <b>Future Uses</b>	Minimum per Code per unit	Islander Center		
Suite	Tenant	Sq. Ft. Floor Area	Use	Req. Spaces
1	Sanibel Sprout	980	Food Store	8.0
2	Concierge Medicine	820	Medical Office	5.0
3	Unlimited Biking	1452	Bike Rental (100 units)	11.0
4	Cape Nails	843	Service	5.0
5	Clam Shack	1587	Resturant (50 seat)	25.0
6	Vacant	2214	Retail	11.1
<b>Total</b>		<b>7896</b>		<b>65.1</b>
	PM Internal Capture Trips	10%		6
	Adjusted PM Parking Required			59
	<b>Total Spaces per Site plan</b>			<b>58</b>



REVISIONS	DATE

<p><b>Specific Purpose Site Plan</b></p> <p><b>Islander Center</b></p> <p>2407 Fernside Way</p> <p>Section 26, Township 44 South, Range 22 East</p> <p>City of Seaside, Lane County, Oregon</p> <p><b>JAMES H. STROTHERS, PE</b></p> <p>Professional Civil Engineer, No. 13919</p> <p>1000 NE Oregon Street, Seaside, OR 97138</p>		<p>SCALE: 1" = 30'</p> <p>DATE: 10-8-20</p> <p>SHEET: 1</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	-------------------------------------------------------------

<p><b>SYMBOLS:</b></p> <ul style="list-style-type: none"> <li>○ - LOCUMENT AS NOTED</li> <li>■ - CONCRETE FOUNDATION</li> <li>▲ - WALL AND DOOR</li> <li>▭ - WATER METERS</li> <li>⊕ - WATER VALVE</li> <li>⊙ - FIRE HYDRANT</li> <li>⊞ - CATCH BASIN</li> <li>⊠ - CONCRETE POWER POLE</li> <li>⊡ - WOOD POWER POLE</li> <li>⊞ - OIL ANCHOR</li> <li>⊞ - LAMP</li> <li>⊞ - STORM SEWER MANHOLE</li> <li>⊞ - SANITARY SEWER MANHOLE</li> <li>⊞ - SEWER CLEAN OUT</li> <li>⊞ - TELEPHONE TICKETS</li> <li>⊞ - CABLE TELEVISION RECEPTION</li> <li>⊞ - 240 VOLT ELECTRIC SERVICE</li> <li>⊞ - REMEDIATION</li> </ul>	<p><b>ABBREVIATIONS:</b></p> <ul style="list-style-type: none"> <li>D - PER DEED</li> <li>P - PER PLAT</li> <li>M - AS MAPPED</li> <li>E/P - EASE OF PASSENGER</li> <li>A/C - AIR CONDITIONER</li> <li>CH - OVERHEAD WIRE</li> <li>UE - UTILITY EQUIPMENT</li> <li>PE - PUBLIC UTILITY EQUIPMENT</li> <li>DE - DRAINAGE EQUIPMENT</li> <li>R/W - RIGHT-OF-WAY</li> <li>C - CENTERLINE</li> <li>OR - OFFICAL RECORDS BOOK</li> <li>NS - NAD83</li> </ul>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**NOTES:**

- THIS IS NOT A BOUNDARY SURVEY.
- BOUNDARY LOCATIONS OBTAINED FROM PLAT OR SAME SURVEY LAST DATED 8-1-18.
- PARKING FIELD SURVEY BY JAMES H. STROTHERS, PE ON 8-27-20.
- REPRODUCTION OF THIS DRAWING AND ANY SCALED MEASUREMENTS THEREFROM ARE PROHIBITED.
- THIS PLAN IS FOR THE SPECIFIC PURPOSE USE WITH PRIVATE CONTRACT STAKEHOLDERS AND SHOULD BE USED FOR CONTRACT PURPOSES ONLY.
- EXTENSIONS ARE NORTH-NORTHWEST CORNER OF 1998 (AND 80).

	Address	Unit(s)	Unit Size* (Square Feet)	Business	BTR (# if active)	
GC	7-Eleven Store #17305A	1521 Periwinkle Way		2,640	SAME	MERC-010064
	Eileen Fisher	2055 Periwinkle Way	3-4	2,330	VACANT	MERC-001634 (inactive)
	Emoceen Beachwear	362 Periwinkle Way	1	5,001	SAME	MERC-003039
	Everything But Water	2075 Periwinkle Way	12	1,172	SAME	MERC-010311
	J. McLaughlin	1616 Periwinkle Way		1,500	SAME	MERC-007880
	Mango Bay Beach Company	1711 Periwinkle Way	1-9	8,451	SAME	MERC-004143
	Naples Soap Company	2075 Periwinkle Way	5	750	SAME	MERC-001177
	Synergy Sportswear of Florida Inc.	1981 Periwinkle Way		1,200	SAME	MERC-005132
	Tiki Jims	2075 Periwinkle Way	41	1,000	SAME	MERC-010429
	Wilford and Lee	2009 Periwinkle Way		1,600	SAME	MERC-001242
Flip Flop Shops (Sanibel Flip Flops)	2075 Periwinkle Way	31	875	SAME	MERC-003953	
<b>General Commercial District</b>			<b>26,519</b>		<b>2026</b>	
TCG	Winds	2353 Periwinkle Way		4,000	SAME	MERC-004148
	<b>Town Center General Commercial District</b>			<b>4,000</b>		<b>2026</b>
TCL	CVS Pharmacy	2331 Palm Ridge Road		10,356	SAME	MERC-003604
	<b>Town Center Limited Commercial District</b>			<b>10,356</b>		<b>2026</b>
<b>Total Formula Retail Square Footage</b>				<b>40,875</b>		<b>2026</b>

\* Unit size based upon BTR records or Lee County Property Appraiser if not listed on BTR

\* Vacant businesses that are not yet abandoned area included in the total square footage

City of Sanibel Ordinance 06-022 establishing formula retail standards was adopted in 2007

**Last Updated 12 February 2026**

**RESOLUTION 21-04**

**CITY OF SANIBEL  
PLANNING COMMISSION**

**IN THE MATTER OF:** Consideration of a request for a **Conditional Use Permit**, filed pursuant to Land Development Code Sections 126-81, Purpose and Scope, 126-82, General Requirements, and 126-94, Vehicle Rental and Leasing, to allow for the operation of a new bike rental and retail business and associated improvements at Unit 3 of the Islander Center; and Consideration of a request for **Development Permit**, filed pursuant to Land Development Code Section 82-421, Application, to implement the proposed Change of Use and associated improvements. Islander Center, Unit 3 is located at 2407 Periwinkle Way (tax parcel no. 26-46-22-T2-00004.0070). The applications are submitted by Steven C. Hartsell, Esq., Pavese Law Firm, on behalf of applicant Unlimited Biking Sanibel Island, LLC, and property owner 2407 Periwinkle Sanibel, LLC. **Application Nos. 21-12559CUP & 21-12562DP; and**

Consideration of a request for **Waiver**, filed pursuant to Land Development Code Section 82- 351, Authorization, to allow for less than the required installation, location, numbers, types, size and variety specified for commercial vegetation buffers and landscaping, as required by Division 2, Commercial and Institutional Uses, Land Development Code Section 122-46, General Requirements; and Consideration of a request for **Waiver**, to allow for modifications and improvements to lawfully-existing nonconforming parcels of land, buildings or structures, that are situated within the minimum front, side or rear setback. The application is submitted by Steven C Hartsell, Esq., Pavese Law Firm, on behalf of applicant Unlimited Biking Sanibel Island, LLC, and property owner 2407 Periwinkle Sanibel, LLC. **Application No. 21-12561WVR**

**APPLICANT:** Steven Hartsell, Esq. on behalf of applicant Unlimited Biking Sanibel Island, LLC, and property owner 2407 Periwinkle Sanibel LLC

**APPLICATION NO(S):** 21-12559 CUP, 21-12562DP, & 21-12561WVR

**DATE OF HEARING:** February 9, 2021

**ADOPTION OF RESOLUTION:** March 9, 2021

**WHEREAS**, the Planning Commission heard consideration of an application filed pursuant to Sections 126-81, Purpose and Scope, 126-82, General Requirements, and 126-94, Vehicle Rental and Leasing, to allow for the operation of a new bike rental and retail business and associated improvements at Unit 3 of the Islander Center; and

**WHEREAS**, the Planning Commission heard consideration of an application filed pursuant to Land Development Code Section 82-421, Application, to implement the proposed Change of Use and associated improvements; and

**WHEREAS**, the Planning Commission heard consideration of an application filed pursuant to Land Development Code Section 82- 351, Authorization, to allow for less than the required installation, location, numbers, types, size and variety specified for commercial

vegetation buffers and landscaping, as required by Division 2, Commercial and Institutional Uses, Land Development Code Section 122-46, General Requirements; and

**WHEREAS**, the Planning Commission heard consideration of an application filed to allow for modifications and improvements to lawfully-existing nonconforming parcels of land, buildings or structures, that are situated within the minimum front, side or rear setback; and

**WHEREAS**, a public hearing was legally and properly advertised and held on **February 9, 2021** before the Sanibel Planning Commission; and

**WHEREAS**, on February 9, 2021 the Sanibel Planning Commission considered the information presented by the Community Services Department including its Staff Report; the testimony and evidence of the Applicant and its representatives; and public comments and documents on file with the City; and

**WHEREAS**, Chair Roger Grogman, Vice Chair Eric Pfeifer, and Commissioners Laura DeBruce, Matt Kirchner, Paul Nichols, Karen Storjohann and Ty Symroski were present at the February 9, 2021 hearing; and

**WHEREAS**, the Planning Commission finds that the applications are complete; and

**WHEREAS**, the Planning Commission finds the proposed use does not meet the requirements of Land Development Code Sections 126-81 Purpose and Scope, 126-82 General Requirements/126-33 Institutional Uses, and 82-421 Application; and

**WHEREAS**, the Planning Commission finds the Applicant's first waiver request (front setback requirements) but not the second request (commercial vegetation buffer requirements) to meet the requirements of Land Development Code Section 82-351, Authorization; and

**WHEREAS**, the Planning Commission, after full and complete consideration of the evidence presented during the hearing, at which written minutes were taken, makes the finding that the Record (without exhibits) is substantially as follows:

Director Williams read into record the description of Applications 21-12559CUP and 21-12562DP.

The Commissioners were polled for site visits, ex-parte communications, and conflict:

- Chair Grogman	Site Visit	No Ex-parte	No Conflict
- Vice Chair Pfeifer	Site Visit	No Ex-parte	No Conflict
- Commissioner Kirchner	Site Visit	No Ex-parte	No Conflict
- Commissioner Nichols	Site Visit	No Ex-parte	No Conflict
- Commissioner Storjohann	Site Visit	No Ex-parte	No Conflict
- Commissioner DeBruce	Site Visit	Ex-parte	No Conflict
- Commissioner Symroski	Site Visit	No Ex-parte	No Conflict

Commissioner DeBruce stated her communications were via the applicant's website while registering to rent a bike as well as speaking to the property manager while doing a site visit.

Scotty Lynn Kelly, City Clerk, swore in the following:

- Keith Williams, City of Sanibel, Director of Community Services

- Steve Hartsell, Pavese Law Firm, Attorney on behalf of applicant Unlimited Biking Sanibel Island, LLC, and property owner 2407 Periwinkle Sanibel LLC
- Josh Ooyman, City of Sanibel, Planner
- Craig Chandler, City of Sanibel, Planner
- Holly Milbrandt, City of Sanibel, Natural Resources Department
- Leigh Gevelinger, Landscape Designer
- Joel Caouette, City of Sanibel, Natural Resources Department
- Hakan Ugduur, Business Owner, Unlimited Biking Sanibel Island, LLC
- Jim Strothers, Transportation Engineer
- Billy Kirkland, Business Owner, Billy's Bikes

Mr. Ooyman gave a brief report stating the request was for approval to establish a new bicycle rental and retail sales business with a total inventory of 100 bicycles to be stored entirely inside the commercial unit. The proposed bicycle rental and sales business will be located within an existing commercial building that is nonconforming with current flood regulations, landscape buffers, coverage and developed area limits, and setback requirements.

All commercial activities associated with the proposed rental use is proposed to be conducted completely within the existing 1,452 square foot commercial unit with no increase in commercial floor area. The applicant will utilize an existing door at the rear of the building, leading to an area near the existing dumpster pad, to bring bicycles to customers and to receive returns. Except for bicycle pick-up and returns, no commercial activities associated with the proposed business will be allowed within any parking area or anywhere else outside the subject commercial unit.

During a site visit, staff verified that two of three existing angled parking spaces near the dumpster were being utilized as designated parking spots. The third spot obstructs access to the dumpster and vehicular egress of one of the parked vehicles. The Applicant has indicated that the lease for the commercial unit provides them exclusive access to the two parking spaces nearest the dumpster and those spaces would be employee parking. Bicycle racks added in the proposed pick-up area should alleviate issues with bicycles being parked in a way that obstructs vehicular access to the parking spaces. The applicant has stated plans to include bike racks in the back area along the wall for temporary bicycle parking during the return and pick-up processes.

The applicant's engineer has addressed traffic impact and parking requirements for the proposed use. Staff concurs with the applicant's determination that the Islander Center does not provide a conforming total number of off-street parking spaces based on the total requirements of existing land uses. The proposed use requires 11 off-street parking spaces, which is greater than the parking otherwise required for the previous retail use of the unit. City Engineer Keith Williams expressed his belief that trips generated will not increase with the proposed use, but that existing parking demand exceeds existing parking supply at the proposed location. Staff further concurs with the applicant's narrative response that there are no apparent opportunities for shared parking at adjacent land uses.

Staff finds support for bike rental use at the proposed location with a maximum rental inventory of 70 bikes, which would result in a parking demand of less than 7.3 parking spaces. Staff also recommends the property owner supplement bike parking facilities, which currently provide support for only 13 bikes.

Staff acknowledges the applicant's determination that the proposed use does not constitute Formula Retail by definition, however staff does not find this explanation meets the spirit of the

regulation and recommends consideration of amending the Formula Retail definition separate from this public hearing.

No public comments have been received regarding the subject applications.

If the Planning Commission finds the proposed bicycle rental business at the Islander Center meets the general and specific conditional use requirements, staff recommends the nine conditions listed in the staff report be included with any approval of the conditional use and development permits to implement the conditional use.

Mr. Chandler spoke to condition number 4 limiting the number of bicycles to 70 and that the number of required parking spaces would be 8 for this use.

Commission inquired about the traffic study being from 2007, which Director Williams noted was the last time the City recorded traffic conditions in the area. Discussion ensued regarding the number of bikes available for rent and sale, adequacy of parking spaces, sidewalks being uneven and a trip hazard, confirming mopeds were not included in the request and could be removed as a reference from the proposed conditions, and if bike racks were being added. Mr. Chandler noted the development permit in conjunction with the Conditional Use Permit would be issued to the property owner, not the business owner and would be addressed in that permit.

Discussion ensued regarding whether the business qualified as formula retail. Director Williams clarified there are no general prohibitions for formula retail, just a cap for square footage limitations. Staff intends to recommend to Council that the definition of formula retail be updated and that businesses such as this that would qualify under the updated definition would then be added to the formula retail inventory.

There are only two employees planned to be at the store, and employee parking spots are included in the parking inventory. There is no additional formulation for employee parking. Further discussion ensued regarding if there was a code requirement that lights be provided on rental bikes, and it was confirmed there are no code requirements, but this requirement could be added as a condition. Concerns were raised that the parking spots next to the dumpster were not safe, which the applicant had suggested would be for staff parking. Additional concerns were raised relating to the storage of the bicycles, the business catering to visitors, where the maintenance of the bikes would occur, whether there would be a vehicle for transporting bikes to renters or helping renters with a breakdown or flat tire, and concerns regarding traffic flow and parking issues as two other units in the center are restaurants.

Steve Hartsell, Attorney on behalf of the applicant, provided a brief PowerPoint Presentation and provided a copy for the record. Mr. Hartsell explained Hakan Ugduur will be operating the business, Leigh Gevelinger provided the landscape design and Jim Strothers prepared the traffic study which was reviewed by the City Staff. The shopping center met the codes at time of construction, so it is grandfathered, despite codes having changed. Mr. Ugduur does not intend to have outdoor storage and plans to use the area near the dumpster for bike pickup and drop-off. All bikes are within the width requirements as stated by code. The original request was for 100 bikes and parking requirements were based on that. Each use in the center has to provide an adequate number of parking spaces. The shopping center met parking requirements when built, and there is no room for additional spots. The unit has eight parking spaces associated allowing for only 70 bicycles. Mr. Hartsell spoke to condition 7a being a total of 100 bikes which included rental and

retail; however, if only 70 rentals were allowed that was acceptable to Mr. Ugdur. Mopeds could be stricken from any allowance or condition, as they are not part of the business plan.

Mr. Hartsell began speaking to the waiver applications for the landscaping issues. As this was the next scheduled hearing, staff and Commission requested to open the next hearing and hold it concurrently.

Director Williams read into record the description of Application 21-12561 WVR.

Scotty Lynn Kelly, City Clerk, swore in the following:

- Keith Williams, City of Sanibel, Director of Community Services
- Josh Ooyman, City of Sanibel, Planner
- Craig Chandler, City of Sanibel, Planner
- Holly Milbrandt, City of Sanibel, Natural Resources Department
- Joel Caouette, City of Sanibel, Natural Resources Department
- Leigh Gevelinger, Landscape Designer
- Billy Kirkland, Business Owner, Billy's Bikes
- Hakan Ugdur, Business Owner, Unlimited Biking Sanibel Island, LLC
- Steve Hartsell, Pavese Law Firm, Attorney on behalf of applicant Unlimited Biking Sanibel Island, LLC, and property owner 2407 Periwinkle Sanibel LLC

Mr. Ooyman gave a brief report regarding the two waiver requests, one for the commercial structure to be set back no less than 100 feet from the centerline of Periwinkle Way, and the other relating to front, side, and rear vegetation buffers. Regarding the first request, staff has no objection, and the proposed use will not increase coverage or developed area on site, will not modify the existing structure, and the subject commercial suite is not located within the encroachment area. Staff does not support the second request. The front buffer vegetation plan increases compliance of the existing buffer but fails to bring it into full compliance, falling short by 25 trees, eight shrubs, and 135 groundcovers. The City's Natural Resources Department finds that there is sufficient area to fully comply with the types, varieties, and numbers of plants required and recommends that a revised vegetation plan be submitted that demonstrates full compliance with front commercial buffer standards. The existing side (east and west) and rear (south) vegetation buffers do not comply with the size and location of the required buffers, nor do they comply with the types, varieties, and numbers of plants required. Natural Resources finds that there is insufficient room for the property to fully comply with the City's buffer standards along the side and rear property boundaries and does not oppose the waiver request for these vegetation buffers.

Staff supports the waiver request to the required front setback for the existing nonconforming commercial structure to remain as is; however, staff finds that based upon the sufficient size and location of the front vegetation buffer, full compliance with all commercial buffer standards can be achieved and should be required at that location. Therefore, staff does not support the waiver request specific to the front vegetation buffer. Staff supports granting waivers to the side and rear vegetation buffers, subject to the removal of invasive plants and revegetation with native species.

Should the Planning Commission find that the waiver applications meet all the waiver standards of LDC Section 82-351, then the Planning Department recommends the two conditions included in the staff report with any approval.

Commission inquired if the interconnectivity was part of the shared use path. Mr. Chandler stated

it was a staff request for administrative deviation to include interconnectivity with the bike path. Discussion ensued regarding line of sight and height restrictions for the vegetation and trees which does not change the requirements for the vegetation buffer. The closest point from the building to the shared use path is where the interconnectivity would be located. Mr. Hartsell noted that the neighbor to the west would also have to agree for there to be cross access easements. Mr. Chandler spoke to difficulties of creating the cross access easement and the closeness of the shared use path. Director Williams spoke to the front walk-way having steps and being elevated which would include crossing a retention area if extended, creating engineering issues that are site specific.

Discussion ensued regarding the survivability of plants in relation to planting guidelines, not having bikes on the sidewalks as the walkway is uneven, and the entrance should have sign that says "walk bikes from here". Further discussion ensued regarding the staff report and application not speaking to the planting beds directly in front of the building and where the interconnectivity path was being proposed. Mr. Hartsell stated it was an approximately 25-30-foot extension of the sidewalk on the north side of the building connecting to the bike path. Director Williams noted the sidewalk extension would be a separate throughway than the entry and exit to each unit. Mr. Hartsell noted the applicant was in agreement with the proposed interconnectivity path.

Additional discussion ensued regarding timeline for the landscaping to be completed in relation to the opening of the business, which Mr. Hartsell stated was a condition of the development permit and would be within 120 days. Mr. Hartsell, asked Leigh Gevelinger, Landscape Architect, to give a brief report regarding the proposed landscape plans. Ms. Gevelinger stated that the original plan was provided on December 18, 2020 and upon conducting a site inventory sited 57 trees with 60 trees required, the entire buffer area is a stormwater retention swale which limits the survivability of the plantings, the proposed plan would bring the tree species to 90% native and the ground and shrub species to 100% native throughout the front buffer and does not have the punchout for the bike path access. An updated plan will be submitted for review.

The Commissioners were polled for site visits, ex-parte communications, and conflict regarding the waiver application:

- Chair Grogman	Site Visit	No Ex-parte	No Conflict
- Vice Chair Pfeifer	Site Visit	No Ex-parte	No Conflict
- Commissioner Kirchner	Site Visit	No Ex-parte	No Conflict
- Commissioner Nichols	Site Visit	No Ex-parte	No Conflict
- Commissioner Storjohann	Site Visit	No Ex-parte	No Conflict
- Commissioner DeBruce	Site Visit	Ex-parte	No Conflict
- Commissioner Symroski	Site Visit	No Ex-parte	No Conflict

Commissioner DeBruce noted her ex-parte communications disclosure was to the same as described for the first hearing.

Public Comment:

Billy Kirkland - spoke to the necessity of vegetation being low enough to allow bikers and traffic to see each other

Mr. Hartsell stated they were in agreement with the conditions included in the staff report and spoke to the conditions of the waiver, again stating that they were in agreement to provide additional enhanced vegetation without being able to reach 100% compliance. Discussion continued regarding the back and side yards being updated to meet compliance. Ms. Gevelinger stated they have worked with Natural Resources and would remove 4 Mahoe trees and bring

vegetation into full compliance in the east buffer. Mr. Chandler spoke to there being six standards that must be met for approval of the waiver, he read into record the first standard. As it relates to the side and rear there is not enough room for compliance. He also read into record standards three and six. Staff recognizes hardship for side and rear buffers but not for the front buffer. Commission inquired if the planting would be detrimental to the existing native trees and if line of sight will be considered to which Ms. Gevelinger stated the plan was to not disturb existing vegetation and line of sight safety would be considered.

Discussion returned to consideration of the conditional use and development permit applications. Hakan Ugdur, business owner spoke to being one location with no plans for additional storage locations and there are no plans for internal renovations. Commission further spoke to the need for the business to have applied as formula retail, the Unlimited Bikes website states intention to provide tours and already advertises Sanibel as a location. Mr. Hartsell spoke to the difference between formula restaurants and formula retail. Formula restaurants are prohibited, and formula retail requires a conditional use application. Mr. Hartsell noted it was a rental business not a retail business and stated that by definition the business is not formula retail. Mr. Ugdur spoke to the separate locations being designed individually with a standard logo for the whole company as well as each location having individual logos.

Discussion ensued that repairs would be contracted off site and what the process would be for helping a renter with a disabled bike. Mr. Ugdur stated two staff members would work the store and there would be a mobile employee that would drive around the island and deliver replacement bikes when needed and take the disabled bikes to the contract repair shop. Mr. Ugdur stated the van would not occupy parking in the center, because it would always be on the move.

Discussion ensued regarding if the three parking spaces by the dumpster were included in the parking count that determined the 70 bikes. Mr. Hartsell states it is proper to include them as they would be employee parking as well as an area for bikes to be picked up and returned. Delivery of bikes is a possibility of the business plan. Mr. Hartsell spoke to Mr. Ugdur investing money to get to this stage of approval, he feels he can be successful with the 70 bikes for rentals. He further spoke to the parking standards requiring 5 parking spots for the first 40 bikes and 1 spot per each additional 10 bikes. Accommodations were made as Staff stated there was only sufficient parking based upon 70 bikes not 100, and vegetation would also be upgraded to improve the entire site.

Commissioner Pfeifer spoke to the six requirements listed in Land Development Code section 126-82 which are requirements to approve conditional use. Discussion ensued amongst all the Commissioners that based on these standards, the application and testimony received, and personal observations in site visits to the property, the proposed use does not appear to be compatible with the other businesses in the center. Commissioners detailed various concerns, including internal compatibility with other uses on the same site, inadequacy of parking, safety concerns for bicycle renters related to fitting and testing of rental bikes in a parking lot with high traffic flow, safety concerns for bicyclists having to ingress and egress to a business in the middle of a shopping center with restaurants and other businesses with high traffic flow, and an incomplete site plan that did not include interconnectivity. Further discussion returned to formula retail and areas of the parking lot being used by renters to get accustomed to riding a rental bike.

Attorney Agnew spoke to the issue of formula retail and that Staff's opinion remains that the proposed business does not fit the technical definition of formula retail, based upon communications with the Applicant's Attorney that the business is not required by a particular contract or other arrangement to operate under the same name and in the same manner as his other

store locations bearing the same name. He further spoke to an affidavit being required stating that a business is not a formula restaurant, and that he recommended that, if this application was approved, a similar affidavit should be required stating this business was not formula retail, as a condition as the Unlimited Bikes website provides information relating to franchise opportunities and exclusive arrangements with Cannondale, which makes it appear to be formula retail. Discussion ensued regarding would a contract between Unlimited Bikes and Cannondale count as the contractual agreement requiring the business to be included the formula retail inventory. Commission inquired as to if any of the current locations were franchise to which Mr. Ugdur stated he does not have an exclusive contract with Cannondale and none of the businesses are franchise.

Mr. Chandler spoke to administering the code as it is written, parking requirements can be a guide only, best practices for bike safety such as interconnectivity with the path and lights on bikes, definitions cannot be revised easily, and the requirements relating to formula retail. Commissioners spoke to an owner of multiple business locations qualifying as formula retail. Mr. Hartsell spoke to conversations had with staff and Attorney Agnew which resulted in the formula retail application being removed from consideration. The Applicant and Property owner believe the proposed business is compatible with the other businesses in the center and that the operation will be a benefit for residents and tourists and will not upset the balance on Sanibel.

Discussion ensued if tours would be considered to which staff and applicant noted was not part of the application. Discussion regarding if the bikes would be rented hourly, monthly, or weekly to which Mr. Ugdur stated they were focusing on short term rentals.

Mr. Chandler spoke to off street parking noting the facility provides 58 parking spots currently and 65 spaces would be required based on current code. No change of use may be permitted that increases the required parking. The applicant did accept a recommendation from staff to reduce inventory, and staff did find support for a conditional use permit with the conditions listed in the staff report.

The applicant agrees to the 10 conditions.

**Public Comment:**

Billy Kirkland - spoke to not being against approval of the business, generally, but he does not feel the particular location is safe for the type of business proposed.

Discussion ensued regarding the enforcement and interpretation of the laws of Sanibel, the safety aspects and concerns of the location, and the need to address the definition or interpretation of formula retail.

Commissioner Pfeifer moved, seconded by Commissioner Kirchner to disapprove Applications 21-12559CUP and 21-12562DP.

Attorney Agnew spoke to drafting a proposed resolution to be brought back for Commission review and approval. Mr. Hartsell inquired what could be done to get an approval. Commissioner Pfeifer stated his reason for disapproval was based on the number of bikes, parking issues, and the activity in that location. Mr. Hartsell spoke to information and facts presented supporting approval and that Commission should base their opinion and decision on the testimony and evidence.

Commission inquired if there should be a continuation and determined they should proceed with

making a decision. Discussion ensued regarding the inclusion of the interconnectivity option for which plans have not been provided. Mr. Hartsell spoke to the staff request for, and applicant approval of, the condition requiring the interconnectivity path. Mr. Williams spoke to Commission's concern noting that if not having interconnectivity plans were the only concern the hearing could be continued however the Commission indicated that was not the case. Commissioners spoke to the location not being suitable for safety-related reasons, parking being inadequate, and the business appearing to be formula retail. Mr. Hartsell spoke to formula retail not being prohibited and if the Commission wanted to add a condition for formula retail and stated the applicant is happy to comply. Mr. Hartsell inquired if there was a way to address the design to make the internal compatibility work. Commission expressed concerns that the interconnectivity path would create additional safety issues.

Discussion ensued amongst the Commissioners regarding these issues and concerns that the Commission believed should have made staff not support the request, not being aware of any changes that could be made to make this particular site acceptable for this use, and that enough information had been provided during the hearing and through site visits to make a decision.

Attorney Agnew noted that if the hearing were closed then the Resolution would be brought back to review it for conformance with the hearing and approval.

**Motion:** Vice Chair Pfeifer moved, seconded by Commissioner Kirchner to disapprove Applications 21-12559CUP and 21-12562DP, to close the public hearing in this matter, and to bring the draft Resolution back to the next Planning Commission meeting solely for the purpose of ensuring the resolution is in conformance with this motion before authorizing the Chair to execute the resolution. The motion carried 7-0.

Staff expressed that the application for the waiver included a buffer and the setback waiver and that they should be considered separately. Discussion ensued regarding the vegetation waiver being moot and the need for approval of the waiver for the setback to be approved.

**Motion:** Commissioner Storjohann moved, seconded by Vice Chair Pfeifer to approve waiver request number 1 and disapprove waiver request number 2 of Application 21-12561WVR. The motion carried 7-0.

Commissioner Kirchner stepped out of the room at 1:14 p.m.

**Motion:** Commissioner Storjohann moved, seconded by Vice Chair Pfeifer to close the public hearing in the matter of Application 21-12561WVR and to bring the draft Resolution back to the next Planning Commission meeting solely for the purpose of ensuring the resolution is in conformance with this motion before authorizing the Chair to execute the resolution. The motion carried 6-0 with Commissioner Kirchner absent.

**NOW, THEREFORE, BE IT RESOLVED,** the Planning Commission of the City of Sanibel, finds and concludes as follows:

1. Application requirements have not been met for Applications **21-12559 CUP, 21-12562DP**, and the application is denied for the reasons detailed in the record, including:
  - a. Requirement 1: the proposed use associated with the development is incompatible with the other uses in the Islander Center;
  - b. Requirement 2: the site development plan does not include interconnectivity plans;

- c. Requirement 5: the nature of the site for the proposed use is not compatible with the adjoining uses and vehicular access and circulation; and
  - d. Requirement 6: (i) the proposed use and development is not internally compatible with other existing uses on the same site, because of traffic volume and patterns and safety-related reasons; and (ii) there is not sufficient parking for the use.
2. Application requirements have not been met for waiver number 2 (related to front, side, and rear setback buffers), of Application **21-12561WVR**, and the application for that waiver is denied, because there is sufficient area to fully comply with the required buffers; and
  3. Application requirements have been met for waiver number 1 (related to front setback from the road) of Application **21-12561WVR**, and such waiver is granted.

**RIGHT TO APPEAL PLANNING COMMISSION ACTION:** In accordance with Land Development Code Section 82-98. Appeals. The applicant is hereby advised that the following persons have the right to appeal a final decision of the Planning Commission adverse to their interests: 1) The applicant; 2) The owner of the property proposed for development; 3) The developer of the property proposed for development; 4) Any other person residing upon, or owning property within the City, or owning or operating a business within the City, who participated by written comment before or at the Planning Commission hearing or who participated in person or through an authorized agent at the Planning Commission hearing.

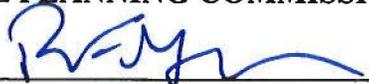
**FIFTEEN DAY TIME LIMIT FOR FILING APPEALS OF PLANNING COMMISSION ACTION:** In accordance with Land Development Code Section 82-98. Appeals. The appeal shall be filed within 15 days after the date that the Planning Commission decision was filed. The appeal shall be filed with the City manager, and the filing fee shall be paid as a prerequisite to filing.

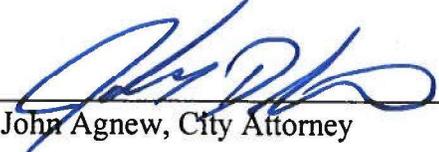
The foregoing Resolution was adopted by the Planning Commission upon a motion by Commissioner Storjohann and second by Vice Chair Pfeifer, and the vote was as follows:

Roger Grogman	<u>Yes</u>	Eric Pfeifer	<u>Yes</u>
Laura DeBruce	<u>Yes</u>	Matt Kirchner	<u>Yes</u>
Paul Nichols	<u>Yes</u>	Karen Storjohann	<u>Yes</u>
Ty Symroski	<u>Yes</u>		

**DULY PASSED AND ADOPTED** this 9<sup>th</sup> day of March 2021.

**SANIBEL PLANNING COMMISSION**

Signed:  03/25/21  
 Roger Grogman, Planning Commission Chair Date Signed

Approved as to Form:  3/30/21  
 John Agnew, City Attorney Date Signed

Date Filed with City Manager: March 30, 2021

CITY OF SANIBEL  
ORDINANCE 24-019

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO REDUCE NONRESIDENTIAL MINIMUM PARKING REQUIREMENTS, AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBDIVISION I, IN GENERAL, SECTION 126-855, INTER- AND INTRA-CONNECTIVITY; DIVISION 5, COMMERCIAL AND INSTITUTIONAL USES GENERALLY, DELETING SECTION 126-1023. ECONOMIC AND TRAFFIC IMPACTS; AMENDING DIVISION 10, HOME OCCUPATIONS; SECTION 126-1176, GENERALLY; ARTICLE XV, OFF-STREET PARKING AND LOADING, DIVISION 2, OFF-STREET PARKING, SUBDIVISION III, NONRESIDENTIAL USES; SECTION 126-1361, REQUIRED PARKING SPACES; SECTION 126-1362, REQUIRED SPACES FOR OTHER NON-RESIDENTIAL USES; AND SECTION 126-1364, COMBINED PARKING REQUIREMENTS, FOR THE PURPOSE OF UPDATING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Land Development Code Subcommittee, at its meeting of June 11, 2024, heard and considered comments and recommendations from the Planning Staff and the public pertaining to a draft amendment related to nonresidential minimum parking requirements; and

**WHEREAS**, the Planning Commission held a legally and properly advertised public hearing on July 9, 2024, on specific proposed amendments to the Land Development Code; and

**WHEREAS**, the Planning Commission found the proposed amendment to be consistent with the Sanibel Plan, as it relates to Objective 3 of Section 3.3.3. Transportation Element and Objective B6, Policy B6.1., of Section 3.6.2. Future Land Use Element, for the provision of adequate on-site parking for existing and future uses; and

**WHEREAS**, the Planning Commission found the proposed amendment to be consistent with the Sanibel Plan, as it relates to Section 3.3.3. Transportation Element Policy 2.7, regarding measures for “auto ridership reduction”, and Policy 3.4, which states, “The amount of parking, public and private, will not overwhelm the resources of individual sites and land uses and will not overwhelm the human-made and natural resources of the city;” and

**WHEREAS**, the Planning Commission may recommend to the City Council amendments to regulations of the Land Development Code (LDC), in accordance with the standards set forth in LDC Section 82-241; and

**WHEREAS**, the Planning Commission found the proposed amendments to the LDC as referenced above to be 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.

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

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

**SECTION 2.** Sanibel Code of Ordinances, Subpart B. Land Development Code, Chapter 126, is hereby amended with ~~strike through~~ language indicating deletions and underlined language indicating additions as follows:

**Chapter 126 – ZONING**

**ARTICLE XIV. – SUPPLEMENTARY DISTRICT REGULATIONS**

...

**DIVISION 2. – ACCESSORY STRUCTURES**

**Subdivision I. – In General**

...

**Sec. 126-855. – Inter- and intra-connectivity.**

- (a) In the interest of public safety and the general welfare, providing inter-connectivity and intra-connectivity is encouraged and shall be accommodated. To that end, the city manager or the manager's designee is authorized to approve deviations from limits on coverage with impermeable surfaces and developed area ~~and from vegetation buffer requirements~~ to facilitate the issuance of a development permit for inter-connectivity and intra-connectivity. Such deviations may be issued only upon a finding by the city manager, or the manager's designee, that the following standards have been met:
  - ~~(1) — Alternatives to avoid the need for the deviation have been explored and found to be impracticable.~~
  - (12) The deviation is the minimum necessary to provide inter-connectivity and intra-connectivity.
  - ~~(23)~~ (23) The inter-connection or intra-connection path is located, designed, and constructed in a safe, practical, and convenient manner such that the public interest is served.
  - ~~(34)~~ (34) The inter-connection or intra-connection path meets all requirements of article XV, division 4 of chapter 126 of the Sanibel Code.
  - ~~(45)~~ (45) The inter-connection or intra-connection path meets all drainage standards of article IV of chapter section 118 of the Sanibel Code.
  - ~~(56)~~ (56) The inter-connection or intra-connection path meets all signage standards of chapter 126 of the Sanibel Code.
  - ~~(67)~~ (67) The vegetation impacted by an inter-connection or intra-connection path has been included in a mitigation plan that identifies the treatment, relocation, replacement, or removal of any such plants.
- (b) The city manager or the manager's designee is authorized to attach conditions to the approval, as necessary, to assure compliance with the standards set out above.
- (c) In addition to the standards set out above, in considering applications for deviations under this section, no deviation approved under this section shall frustrate the underlying purpose and intent of this section or policies of the city, including the

Sanibel Code and Sanibel Plan.

~~(d) City council may adopt and, from time to time, amend an illustrated guide of inter-connectivity and Intra-connectivity guidelines to aid in the administration and interpretation of the above standards.~~

~~(de) Definitions: The following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this subsection:~~

~~(1) Inter-connectivity means a pedestrian and bicycle connection to the shared use path system.~~

~~(2) Intra-connectivity means a pedestrian, and bicycle, or vehicular connection between adjacent properties.~~

...

**DIVISION 5. – COMMERCIAL AND INSTITUTIONAL USES GENERALLY**

...

**~~Sec. 126-1023. – Economic and traffic impacts.~~**

~~Any commercial development proposal which includes more than 12,000 square feet of retail floor area shall require, as part of the development permit application, the submission of an impact statement which shall include the following information:~~

~~(1) Economic impact. Based on the supply and demand analysis provided in the commercial market study prepared for the city in 1981 and any subsequent update reports prepared by or for the city, the applicant shall demonstrate that there is sufficient demand for the proposed development, without the necessity of any increase in traffic from outside of the city, and that the proposed development will not have a significant adverse impact on the economy of the city as a whole.~~

~~(2) Traffic impact. The applicant shall provide a professional traffic analysis that estimates the number of trips expected to be generated to and from the development, on an average day and a peak day during the peak season. This analysis of the impacts on traffic flow shall be quantified. Opportunities to mitigate potential traffic problems shall be identified. Estimates of the cost to implement these opportunities shall also be identified and a plan presented to implement them.~~

...

**DIVISION 10. – HOME OCCUPATIONS**

**Sec. 126-1176. – Generally**

Home occupations shall be permitted in all lawful dwelling units. Home occupations including any lawful activity, provided that nothing shall be visible or otherwise detectable from outside the structure to indicate that the residential dwelling is being used for other than residential purposes, except that a one-foot square nameplate graphic may be attached to the residence structure at or near the appropriate entrance. No mechanical equipment which constitutes a nuisance or otherwise

interferes with the normal and comfortable use of adjacent residential uses, other than customary mechanical equipment used in connection with normal residential purposes, shall be installed or used. ~~No home~~ Home occupation shall ~~be permitted that requires~~ not be allowed more than one parking space in addition to the parking required for the residential use.

...

**ARTICLE XV. – OFF-STREET PARKING AND LOADING**

...

**DIVISION 2. – OFF-STREET PARKING**

...

**Subdivision III. – Nonresidential Uses**

**Sec. 126-1361. – Required parking spaces.**

No development permit shall be issued for any nonresidential use or structure, or for any addition to or expansion thereof, unless parking spaces, in compliance with all requirements of this section, are provided as follows:

Use	Required Parking Spaces
<p><del>Permitted uses</del> <u>Commercial retail uses</u></p>	<p><u>Off-street parking is required for approval and renewal of a business tax receipt. A site plan that provides off-street parking in compliance with location and design standards is required for new development or redevelopment devoted to permitted use(s). For each separate use or commercial unit with more than 1,000 square feet of floor area, 1 for each 200 square feet (or fraction thereof) of floor area; for each separate use or commercial unit with less than 1,000 square feet of floor area, 5 spaces.</u></p>
<p><del>Conditional uses</del> <u>Food stores, delicatessens, carry out food sales and fast food restaurants without seats</u></p>	<p><u>In determining the required number of parking spaces pursuant to this section, the planning commission shall consider all available evidence, qualified opinion, and documentation available relating to the number of parking spaces reasonably required, interpreting and applying such information in light of the peculiarities of the city, its traffic intensity and patterns, and the extent and type of commercial traffic in the city.</u>  <del>For each separate use or commercial unit with more than 1,000 square feet of floor area, 8 spaces plus 1 for each 200 square feet (or fraction thereof) of floor area in excess of 1,000 square feet; for each separate use or commercial unit with less than</del></p>

Use	Required Parking Spaces
	<p><del>1,000 square feet, 8 spaces.</del></p>
<p><del>Restaurants, general</del></p>	<p><u>The following shall be used as a guide only:</u></p> <p><del>For each separate use or commercial unit, 15 spaces plus 1 space for each 3 seats in excess of 20 seats, or 1 space for every 75 square feet, or fraction thereof, of floor area (excluding bar/lounge area), whichever is greater.</del></p> <p><u>For bar/lounge area, 1 space for each 2 seats. Thirty linear inches of counter space shall be considered as 1 seat.</u></p>
<p><u>Food stores, delicatessens, carry-out food sales and fast-food restaurants</u> <del>Restaurants, general with carry-out services</del></p>	<p><u>The following shall be used as a guide only:</u></p> <p><u>8 spaces.</u></p> <p><u>For bar/lounge area, 1 space for each 2 seats. Thirty linear inches of counter space shall be considered 1 seat.</u></p> <p><del>For each separate use or commercial unit, 20 spaces plus 1 space for each 3 seats in excess of 20 seats; or 1 space for every 75 square feet, or fraction thereof, of floor area (excluding bar/lounge area), whichever is greater. Thirty linear inches of counter space shall be considered as 1 seat.</del></p>
<p><del>Restaurants, fast food, with seats</del></p>	<p><del>For each separate use or commercial unit, 20 spaces plus 1 space for each 2 seats in excess of 20 seats, or 1 space for every 62.5 square feet, or fraction thereof, of floor area (excluding bar/lounge area), whichever is greater. Thirty linear inches of counter space shall be considered as 1 seat.</del></p>
<p><del>Bars/lounges</del></p>	<p><del>For each bar/lounge area, 1 space for each 2 seats, or 5 spaces plus 1 space for every 50 square feet, or fraction thereof, of floor area in excess of 200 square feet attributable to the bar/lounge use, whichever is greater. Thirty linear inches of counter space shall be considered 1 seat.</del></p>
<p><del>Office and service uses</del></p>	<p><del>For each separate use or commercial unit with more than 1,000 square feet of floor area, 5 spaces plus 1 for each 250 square feet (or fraction thereof) of floor area in excess of 1,000 square feet; for each separate use or commercial unit with less than 1,000 square feet of floor area, 5 spaces.</del></p>

Use	Required Parking Spaces
Theatres, churches, auditoriums, and public assembly halls	1 for every 3 fixed seats, or 1 for every 100 square feet of floor area, whichever is greater.
Medical clinics, medical offices, and dental clinics	5 for each physician or other medical practitioner, plus 1 for each employee; or 1 for each 200 square feet of floor area, whichever is greater.
Dental offices	1 for each dentist or employee, plus 2 for each dental chair; or 1 for each 200 square feet of floor area, whichever is greater.
Hospitals, nursing homes, medical institutions	1 for each 2 beds.
Car rentals	5 plus 1 for each car in the on-site rental inventory in excess of 2 cars.
Bicycle and moped rentals	For each separate use with more than 40 bicycles or mopeds, 5 spaces plus 1 for each 10 bicycles or mopeds in excess of 40; for each separate use with 40 or fewer bicycles or mopeds, 5 spaces.
Boat rentals	1 for each boat in the rental inventory, which is stored or docked in the water, plus 1 for every 3 boats, 16 feet or greater in length, which are not so stored or docked, plus 1 for every 6 other boats, sailboards, or canoes.

Division and reestablishment of commercial units that had previously been combined into a larger commercial unit are not required to comply with the requirements of this section, provided there has been no reduction in the number of on-site parking spaces since the commercial units being recreated were combined.

**Sec. 126-1362. – Bike parking. Required spaces for other nonresidential uses.**

- (a) Intent. Bike parking is encouraged at all nonresidential development, especially those with direct access to the shared use path.
- (b) Conditional use guidelines. Each 10 bike parking spaces provided, shall be considered the equivalent of one vehicular parking space.

For any nonresidential use which is not specifically identified in section 126-1361, the planning commission shall determine the number of parking spaces required, taking into account the similarity of the use to those specifically identified in section 126-1361, and the type and amount of parking likely to be required to serve the needs of expected employees, customers, clients, patrons, or other

visitors. In determining the required number of parking spaces pursuant to this section, the planning commission shall also consider all available evidence, qualified opinion, and documentation available relating to the number of parking spaces reasonably required for various land uses, interpreting and applying such information in light of the peculiarities of the city, its traffic intensity and patterns, and the extent and type of commercial traffic in the city.

...

**Sec. 126-1364. – Shared parking ~~Combined parking~~ requirements.**

- (a) A shared parking agreement may be submitted in lieu of a parking demand study/analysis and approved by the city manager or designee for off-street parking on contiguous lots under different ownership under the following conditions: Any lot, parcel, premises, or structure containing more than one separate use or commercial unit must provide the total combined parking space requirements for all such uses and commercial units. When any new or existing commercial structure is divided into more than one commercial unit by the creation of cooperative or condominium units, the cooperative or condominium documents shall, for the sole purpose of determining the application of this subdivision, allocate a specific number of parking spaces exclusively to each such unit. For new structures, the permitted uses of any unit therein shall thereafter be limited by the number of parking spaces allocated to such unit. For existing structures, parking spaces shall be allocated proportionately so that all existing uses shall conform as nearly as possible to the requirements of this subdivision, and any future change of use shall be limited by the following section 126-1365.
- (a) A minimum ten-year lease agreement between the property owners must be provided. The agreement must be reviewed by the city attorney for form and legal sufficiency and recorded in the official records of Lee County. Any changes to the agreement must be reviewed by the city attorney and the agreement re-recorded.
- (b) Properties must comply with zoning and land use restrictions in the district in which the property is located (i.e., a residentially zoned parcel shall not be used for parking for a commercial use).
- (c) Properties associated with a shared parking agreement must be contiguous.
- (d) An intra-connectivity driveway is required between the contiguous properties. If staff determines an interconnectivity driveway is not feasible, an intra-connectivity pathway may satisfy this standard.
- (e) Separate drainage must be maintained on each property, i.e. through installation of a culvert(s) at the intra-connectivity driveway or pathway.
- (b) ~~For the future application of section 126-1365, any commercial unit in a structure previously divided into cooperative or condominium units without a specific allocation of parking spaces shall be deemed to have been allocated a portion of the total number of parking spaces for the development in accordance with the ratio that the commercial floor area for each unit bears to the total commercial floor area for the development.~~

**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 THE 20TH DAY OF AUGUST 2024.**

**ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND SPECIAL SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 9TH DAY OF SEPTEMBER 2024.**

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: \_\_\_\_\_

Vote of Council Members:

Johnson \_\_\_\_\_  
Miller \_\_\_\_\_  
DeBruce \_\_\_\_\_  
Henshaw \_\_\_\_\_  
Smith \_\_\_\_\_

First Reading: August 20, 2024  
Publication Date: August 29, 2024  
Second Reading: September 9, 2024