

**CITY OF SANIBEL
ORDINANCE 23-021**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO ARCHITECTURAL DESIGN REQUIREMENTS FOR MULTIFAMILY HOUSING TO CLARIFY REGULATORY LANGUAGE AND ENSURE THAT REDEVELOPMENT WILL BE CONDUCTED CONSISTENT WITH ISLAND STYLE CHARACTER AND SCENIC PRESERVATION WITHIN THE BUILT ENVIRONMENT BY AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE III, RESIDENTIAL, DIVISION 3, UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING, SUBDIVISION III, MULTIFAMILY HOUSING, SECTION 86-169, ARCHITECTURAL DESIGN STANDARDS AND EXAMPLES, SUBSECTION (c); AND DELETING SUBSECTION (e); FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 7, 2023, the City Council adopted Ordinance 23-006 to add definitions, clarify regulatory language, and address design of elevated structures to ensure that redevelopment is conducted consistent with island style character and scenic preservation within the built environment; and

WHEREAS, on July 18, 2023, City Council adopted Ordinance 23-016, amending similar architectural standards for the Resort Housing District, with certain modifications from the related standards adopted in Ordinance 23-006; and

WHEREAS, for the sake of consistency among the various sections of related code, Staff recommends additional clarification to Section 86-169(c) reflected in Ordinance 23-006 under its Section 2 to conform with amendments to the Sanibel Code adopted by Ordinance 23-016.

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, Section 86-169(c), is hereby amended with ~~striketrough~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 86 – DEVELOPMENT STANDARDS

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ARTICLE III. – RESIDENTIAL

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DIVISION 3. – UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING

...

Subdivision III. – Multifamily Housing

...

Sec. 86-169. Architectural design standards and examples.

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- (c) *Recognition of Sanibel's "Island Style"*. While there exists a diversity of building styles represented among the structures within the City of Sanibel, some building styles more successfully represent the "community aesthetic," or what could be thought of as Sanibel's "Island Style". Four subcategories, or sub-styles, together contribute to Sanibel's "Island Style." These have been identified as Old Florida, Island Eclectic, Island Contemporary, and Island Leisure. Conformance with specific architectural styles is not required by Sanibel's Land Development Code.

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Except for reconstruction pursuant to post-disaster build-back (Chapter 126, Article V, Division 5), all new construction or redevelopment ~~shall~~ should demonstrate features consistent with one of the four substyles of "Island Style" architecture, including green building features.

- ~~(e) *Architectural design examples*. The graphic examples provided in section 86-170 are intended only as examples to assist property owners and developers in complying with the preceding mandatory standards. None of the individual architectural features described herein are required to be incorporated into new multifamily, or redevelopment projects.~~

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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 11TH DAY OF SEPTEMBER 2023.

ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 3RD DAY OF OCTOBER 2023.

Attest:

Scotty Lynn Kelly, City Clerk

Richard Johnson, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Johnson	_____
Miller	_____
Crater	_____
Henshaw	_____
Smith	_____

First Reading: September 11, 2023
Publication Date: September 21, 2023
Second Reading: October 3, 2023