Agenda Item
Meeting of February 24, 2026

CITY OF SANIBEL
DRAFT PLANNING COMMISSION RESOLUTION 26-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, DETERMINING CONDITIONAL USE PETITION APPLICATION NOS. PL20250011 AND PL20260006, PURSUANT TO SECTIONS 82-201, AUTHORIZATION, SECTION 82-202, REQUIREMENTS, AND 82-204, APPLICATION AND HEARING, OF THE CODE OF ORDINANCES, 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, ON PROPERTY OWNED BY 2407 PERIWINKLE SANIBEL, LLC, AND LOCATED AT 2407 PERIWINKLE WAY, TAX PARCEL NO. 26-46-22-T2-00004.0070; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 82-201, 82-202, and 82-204 of the Land Development Code details the application, requirements, and hearing process for a conditional use; and

WHEREAS, 2407 Periwinkle Sanibel, LLC, is the owner of the property located at 2407 Periwinkle Way; and

WHEREAS, the owner of the property has authorized Blake Bartholomew to act as applicant and file this petition; and

WHEREAS, the applicant has requested approval of the application 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 on property located at 2407 Periwinkle Way; and

WHEREAS, a duly noticed public hearing of the application was held on February 24, 2026; and

WHEREAS, after providing the applicant, staff, and the public an opportunity to present testimony and evidence, the Planning Commission finds that the requirements for conditional uses, set forth in Section 82-202, requirements, Section 126-82, general requirements, Section 126-94, vehicle rental and leasing, and Section 126-102, , formula retail store, of the Code of Ordinances, have / have not been met and that the application should therefore be approved / denied.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA finds that Conditional Use Petition Applications PL20250011 and PL20260006 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 on property located at 2407 Periwinkle Way, tax parcel No. 26-46-22-T2-00004.0070, is hereby approved / denied.

Any approval of the Conditional Use Petition Applications is pursuant to the application and attachments included with these items, and subject to the following condition(s) contained in the February 24, 2026, staff report,

1. The total number of bicycles available to rent shall not exceed 100 bicycles. Available inventory is limited to bicycles and electric bicycles that 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 in addition to 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.

EXPIRATION OF PLANNING COMMISSION ACTION; In accordance with Land Development Code Section 82-424(f) Action on Application. When a development order is approved with conditions imposed thereon, such conditions shall be satisfied within the time limit specified in the development order issued by the Planning Commission. When such conditions specify requirements to be completed before a development permit is issued, and no particular time limit is specified for satisfaction of the conditions, such conditions must be satisfied within six months after issuance of the development order. Failure to satisfy a condition imposed upon the approval of a development permit, within the time limit specified therefor, or such extended time period as the Planning Commission may approve upon timely application of the permittee, shall cause the development order approving the development permit to be null and void and of no further force or effect.

EFFECTIVE DATE OF PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-97. All actions of the Planning Commission, including those which constitute final decisions, shall be effective upon the date of filing of the adopted Resolution with the City Manager, or at a later date if provided in the Resolution. However, permits authorized by final decisions shall not be issued until one of the following has occurred: 1) The time for filing an appeal to City Council has elapsed; 2) The applicant and all other persons having appeal rights have filed a written waiver of appeal rights; or 3) If an appeal has been timely filed, the City Council has finally disposed of the matter.

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; and 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. 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.

DISCLAIMER & PERMIT CONDITION (APPLICABLE ONLY IF FEDERAL OR STATE PERMITS ARE REQUIRED): Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law. If applicable, all other State or Federal permits must be obtained before commencement of the project.

PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 24TH DAY OF FEBRUARY 2026.

Attest:

_____ _____

Scotty Lynn Kelly, City Clerk Paul Nichols, Chair

Approved as to form and legality:

_____

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Commission Members:

Nichols	_____
Steiner	_____
Burns	_____
Colter	_____
Schopp	_____
Sergeant	_____
Welch	_____