



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Planning Commission

Tuesday, July 23, 2024

9:00 AM

BIG ARTS - 900 Dunlop Road

1. Call To Order
2. Pledge of Allegiance (Commissioner Sergeant)
3. Roll Call
4. Public Comments on Items Not Appearing on the Agenda

(Maximum time allotted, 20 minutes, with a limitation of 3 minutes per speaker.)

5. City Council Liaison Report

6. Consent Agenda

- a. Adoption of Minutes: July 9, 2024

Attachments: [July 9, 2024 Minutes](#)

7. 9:05 - Public Hearings:

- a. Continued from July 9, 2024 Consideration of an application filed pursuant to Land Development Code Chapter 82, Article III, Division 3, Subdivision II - Variances, Section 82-138 - Application and hearing, requesting variances from Section 126-454(g) Coverage and Section 126-454(h) Vegetation removal and developed area, to allow an 84.5-square footage increase in maximum allowed impermeable coverage and a 27-square footage increase in the maximum allowed vegetation removal and developed area at 690 Birdie View Point - tax parcel (STRAP) no. 30-46-23-T1-0020B.0040. The application is submitted by Windward Construction on behalf of the property owners, Robert E. and Paula L. Hult. **Application No. VAR-2024-000230.**

Attachments: [Staff Report with Exhibits VAR-24-230 690 Birdie View Pt](#)
 [Resolution 24-09 Variance](#)
- b. Consideration of a recommendation to City Council for an ordinance amending the Code of Ordinances to extend the deadline from 24 months to 36 months for reestablishing a nonconforming use or nonconforming structure following a natural disaster; amending Subpart B Land Development Code, Chapter 82 - Administration, Article II. - City Council, Division 2. - Nonconforming Uses and Structures, Section 82-57. Discontinuance, vacation, or abandonment of use; amending Chapter 126 - Zoning, Article V. - Nonconformances, Division 5. - Standards for Building-back (Reconstruction) of Structures Substantially Damaged by a Natural Disaster, Sec. 126-212.

Nonconforming structures; and amending Sec. 126-218. Re-establishment of discontinued or abandoned use prohibited, for the purpose of land development code regulations.

Attachments: [7.b. AGM Nonconforming Use](#)
 [Resolution 24-11 Nonconforming Use](#)

- c. Consideration of a recommendation to City Council for an ordinance amending the Code of Ordinances to modify the process for approval of conditional use permits following a natural disaster; amending Subpart B Land Development Code, Chapter 82 - Administration, Article III. - Planning Commission, Division 3. Specific Authority, Subdivision V. Conditional Uses, Section 82-201. Authorization; amending Chapter 126 - Zoning, Article II. Conditional Use Permits, creating a new section, Sec. 126-36, Uses in existence since the city's incorporation; and amending Sec. 126-31. Generally and Sec. 126-82. General requirements, for the purpose of land development code regulations.

Attachments: [7.c. Conditional Uses](#)
 [Resolution 24-10 CU Approvals](#)

- d. Consideration of a recommendation to City Council for an ordinance amending the Code of Ordinances to modify the process for approval of waivers to Lawfully Existing Nonconforming Structures and Properties Located in the General, Town Center General and Town Center Limited Commercial Districts following a disaster; amending Subpart B Land Development Code, Chapter 82 - Administration, Article III - Planning Commission, Division 3. Specific Authority, Subdivision XIII. Waivers to Lawfully Existing Nonconforming Structures and Properties Located in the General, Town Center General and Town Center Limited Commercial Districts, Sec. 82-351. Authorization, for the purpose of land development code regulations.

Attachments: [7.d. AGM Waiver](#)
 [Resolution 24-13 Waivers](#)

- e. Consideration of a recommendation to City Council for an ordinance amending the Code of Ordinances to modify the process for approval for certain long-form development permits following a disaster; amending Subpart B Land Development Code, Chapter 82 - Administration, Article IV. Development Permits, Division 2. Procedure, Subdivision III. Long-Form, Sec. 82-421. Application, for the purpose of land development code regulations.

Attachments: [7.e. AGM Long Form Development Permits](#)
 [Resolution 24-12 Long Form DP's](#)

8. New Business

- a. Discussion of permitted and conditional uses in the commercial districts as follow up to the joint workshop of city council and planning commission held June 11, 2024.

Attachments: [Commercial Districts - Permitted -vs- Conditional Uses with maps](#)

9. Old Business

- a. LDC amendment priorities for 2024 - revised July 9, 2024

Attachments: [LDC amendment priorities](#)

10. Report from Planning Department

a. Upcoming meeting dates:

- i. Planning Commission - Tuesday, August 13, 2024

Attachments: [2024 Planning Commission - Approved - Revised 062924](#)

- ii. Land Development Code Review Subcommittee - Tuesday, August 13, 2024- Following Planning Commission

Attachments: [Subcommittees Meeting Schedule - Supplement 1](#)

- iii. Report to City Council -Tuesday, August 20, 2024- Commissioner Welch

Attachments: [2024 CC Liaison Schedule - revised](#)

b. Recap of R2P2 Workshop

11. Report from Commission Members

12. Public Comment

13. Adjournment

“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”

Therefore, Sanibel City Council sanctioned these rules for public participation while conducting meetings and workshops:

1. Speakers are permitted to deliver his or her comments without interruption.
2. Speakers and debates should focus on issues, not on persons or personalities.
3. Persons are encouraged to participate in the governmental process.
4. Sidebar discussions while others are speaking are not permitted in Council Chambers. These discussions are to be removed from the chamber so as not to be disruptive to those conducting and following Council business.
5. Only the speaker recognized by the Chairperson has the floor. Speakers should raise their hand to be recognized. Speakers should identify themselves for the record. Speakers should utilize the microphone so that their comments can be recorded.
6. Anyone wishing to speak on an issue is given an opportunity to speak before speakers are recognized for an opportunity to speak a second time on an issue.
7. We seek to understand one another's points of view.
8. Anger, rudeness, ridicule, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing or hissing or intimidating body language are not permitted in Council Chambers or workshop facilities.
9. We should all take initiative to make things better. Our goal is to foster an environment, which encourages a fair discussion and exchange of ideas without fear of personal attacks.

As modified on January 18, 2019

ALL IN THE CITY OF SANIBEL, LEE COUNTY, FLORIDA

If a person decides to appeal a decision made by the Planning Commission on any matter considered at this meeting/hearing, such person may need to ensure that a verbatim record of the proceedings is made, to include the testimony and evidence upon which any such appeal is to be based.

In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding, to include hearing impairment, should contact Scotty Lynn Kelly, City Clerk, no later than one day prior to the proceedings at (239) 472-3700. For additional assistance if hearing impaired, telephone the Florida Relay Service at 711.

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