



AGENDA MEMORANDUM

Planning Department

City Council Meeting Date March 18, 2025

To: City Council
From: Paula McMichael, AICP, Planning Director
Date: March 3, 2025

SUBJECT: EXTENSION OF TEMPORARY USE PERMIT FOR BEACH CLUB DAY PASSES THROUGH DECEMBER 31, 2025

BACKGROUND:

At the July 16, 2024, City Council meeting, council discussed a proposal from Sundial resort to sell day passes to the beach. The Sanibel Code classifies this type of use as a “beach club” and specifically prohibits the use.

At the July 30, 2024, special meeting of City Council, a resolution to establish a temporary use permit for beach club day passes was considered by council. The agenda memorandum and backup material from city council’s meeting of July 30, 2024 are included as attachments to the agenda item and explain the prohibition of beach clubs on Sanibel. The resolution was passed and is effective through April 30, 2025. The resolution includes several conditions, such as making the temporary use permit available only to those resort housing properties licensed as a hotel or motel by the Florida Department of Business and Professional Regulation (DBPR) and only to replace resort housing dwelling units unavailable for short-term rental due to storm-related damage.

As of March 3, 2025, Sundial resort is the only business that has applied for the temporary use permit for beach club day passes. Currently, their temporary use permit will expire on April 30, 2025, pending no extension of the temporary use permit allowance by council.

The general manager of Sundial, Becky Miller, has provided an updated business plan and FAQ document, which are provided as attachments to this item. The original Sundial request was to utilize the day passes as a replacement for resort housing dwelling units that cannot currently be occupied due to hurricane damage and to discontinue the program once dwelling units are able to be rented. Currently, Sundial has 107 units back in inventory of 216 units. Per condition #7 of the resolution, they are limited to the lesser of “(a) two passes per available on-site parking space; or (b) two and a half times the number of resort housing dwelling units currently unavailable to be rented due to storm related damage (the latter being used as an estimated typical occupancy of 2.5 persons/unit).” Based on 109 units unavailable to be rented, the lesser number is 158 per day based on available parking. The operations plan states that ticket sales will be monitored to ensure adequate parking on-site. The quantity of day passes would fluctuate based on the daily occupancy of the resort. The program runs seven days a week and includes access to on-site amenities (pools, beach, dining at Turtles Tiki Bar).

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As a condition of the permit, Sundial reports total passes sold to the Planning Department on a monthly basis. Monthly totals since August of last year are shown in the table, below. Since approval of the TUP in August, the sales reported have been less than 100 passes on 85% of days. More detailed information is provided in the attachment "Resort Day Passes- Sundial."

	Monthly Total
Aug-24	295
Sep-24	642
Oct-24	518
Nov-24	2,010
Dec-24	1,146
Jan-25	1,260

FUNDING SOURCE: N/A

RECOMMENDED ACTION: City Council discussion of draft resolution to extend the temporary use permit allowing beach club day passes.

**CITY OF SANIBEL
RESOLUTION 25-014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING RESOLUTION 24-043, WHICH ESTABLISHED A TEMPORARY USE PERMIT FOR BEACH CLUB DAY PASSES, BY EXTENDING THE AUTHORIZATION TO DECEMBER 31, 2025; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 26, 2022, the City Council of the City of Sanibel passed Resolution No. 22-054, declaring a State of Local Emergency, based upon the severe threat to the health, safety, and welfare of the City posed by Hurricane Ian; and

WHEREAS, on September 28, 2022, Hurricane Ian made landfall in Lee County as a Category 4 hurricane, causing catastrophic property damage; and

WHEREAS, damages directly impacting the City of Sanibel include widespread damage and destruction of infrastructure, public property, and private property; and

WHEREAS, the City Council has authorized numerous Ordinances and Resolutions since Hurricane Ian's landfall to specifically assist residents and businesses recover from the impacts of the storm; and

WHEREAS, "beach club," as that term is defined in the Sanibel Land Development Code, Section 78-1, includes day membership or fee for daily use of the beach, has been a prohibited use on Sanibel, pursuant to Section 126-35 of the land development code since 1985; and

WHEREAS, a "beach club" as a permanent use is inconsistent with the Sanibel Plan, both in the overarching Vision Statement and in specific goals, objectives, and policies of the plan, and specifically with Objective 7 of the Coastal Zone Protection Element and its implementing policies, which state:

"The carrying capacity and environmental quality of the Island's natural coastal areas cannot be sustained if both off-Island and on-Island physical growth and visitation pressures are not addressed. ...

Objective 7 - Ensure that preservation of the natural beaches and beach carrying capacity for wildlife is maintained for environmental, social, economic and historic reasons, all of which are essential to the community's quality of life and economy.

Policy 7.1. Development, redevelopment and commercial activities shall not measurably degrade the use of the beach habitat by indigenous and migratory species of wildlife.

Policy 7.2. Development and human activities shall be limited to a level of use that can be accommodated and continued without irreversible impairment of the beach's natural resource productivity."; and

WHEREAS, at its July 16, 2024, meeting, the City Council discussed authorizing legislation that would temporarily allow Sanibel resort properties to issue beach club day passes,

directing staff to bring forward a Resolution for consideration that would establish minimum standards for the temporary issuance of beach club day passes at qualifying resort properties as a means to assist resort properties generate business while structures are under repair or reconstructed; and

WHEREAS, the City Council wishes to acknowledge that much of the resort housing district is still recovering from Hurricane Ian, which has resulted in reduced access to the beach for human activities, and therefore wishes to temporarily allow day membership or a fee for daily use of the beach for a limited time period through the issuance of a temporary use permit; and

WHEREAS, in September 2024 and October 2024, Hurricane Helene and Hurricane Milton, respectively, made landfall in the City of Sanibel and therefore the recovery of the qualifying resort properties has not progressed as anticipated and additional time for that recovery is needed.

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

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

SECTION 2. A temporary use permit allowing a day membership or fee for daily use of the beach is hereby established, subject to the following conditions:

1. The Temporary Use Permit for Beach Club Day Passes is available only to businesses operating lawfully within the resort housing district and licensed by the Florida Department of Business & Professional Regulation (DBPR) as a hotel or motel.
2. The beach club day passes are intended to replace resort housing dwelling units unavailable to rent due to reconstruction or repairs post storm.
3. A temporary use permit must be obtained through the Planning Department.
4. No fee shall be required for such permit.
5. A site plan and narrative explanation must be provided demonstrating that the resort has permanent staffing, parking, and permanent restroom facilities available for use by patrons and adequate to meet anticipated demands. The site narrative must also demonstrate that the property is expected to have resort housing dwelling units available for rent within six months of the date of application for a temporary use permit.
6. Sales of day passes per resort shall be limited to the lesser of the following: (a) a number not to exceed on-site parking capacity; or (b) two and a half times the number of resort housing dwelling units currently unavailable to be rented due to storm related damage (the latter being used as an estimated typical occupancy of 2.5 persons/unit).
7. Each permit holder must report monthly to the Planning Department the number of day passes sold.
8. No new uses are approved by issuance of the temporary use permit, such as beach equipment rentals, restaurants, gift shops, etc. Uses on the resort are limited to those approved prior to Hurricane Ian.

9. A temporary use permit issued through this allowance will be subject to all other applicable provisions of the Sanibel Plan and Sanibel Code, including marine turtle lighting, signage, and special event permitting requirements.
10. No new permanent structures nor any portable use toilets will be permitted in support of the temporary use.
11. A temporary use permit issued through this allowance will be subject to any other conditions deemed necessary by the city manager or designee to protect the carrying capacity of the beach.
12. All temporary use permits issued through this allowance will expire six months from the date of issuance. For good cause shown, including unforeseen circumstances delaying post storm reconstruction or repairs to a resort housing district property operating a “beach club” with a temporary use permit, that property may request a 3-month extension from the Planning Department.
13. Any violations of the conditions of the temporary use permit may result in immediate suspension or revocation of the permit by the Planning Department.
14. Any operation of a ‘beach club’ without first obtaining a temporary use permit can provide a basis for determining ineligibility of the temporary use permit and will be referred to code enforcement and may be enforced by bringing the case to a special master or by citation under Section 162.21, Florida Statutes (as may be amended), and 76-435 Laws of Florida (as may be amended), or by any other means allowable by law.

SECTION 3. This resolution shall be effective immediately upon adoption and shall expire on December 31, 2025, unless earlier terminated, extended, or otherwise modified by the City Council.

PASSED IN OPEN AND SPECIAL SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, THIS 18TH DAY OF MARCH 2025.

Attest:

Scotty Lynn Kelly, City Clerk

_____, 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	_____



AGENDA MEMORANDUM

Planning Department

City Council Special Meeting Date July 30, 2024

To: City Council
From: Paula McMichael, AICP, Planning Director
Date: July 24, 2024

SUBJECT: TEMPORARY USE PERMIT FOR BEACH CLUB DAY PASSES

BACKGROUND:

At the July 16, 2024, City Council meeting, council discussed a proposal from Sundial resort to sell day passes to the beach. The Sanibel Code classifies this type of use as a “beach club” and specifically prohibits the use. Please see the definition, below, from Section 78-1, and the prohibition included in Section 126-35, Recreation facilities.

Beach club means a membership establishment, that provides for private recreational and social activities on a beach in the City of Sanibel or in close proximity to Sanibel beaches to individuals that are not residing overnight at the beachfront property on the day of or the day after the overnight stay. Memberships of any time period, including a day membership or fee for daily use, are included within this definition. The use of lawfully existing and specifically approved common areas of residential developments, which extend into the Gulf Beach Zone, by the residents of that residential development is not a beach club. The use of lawfully existing private beach access easements by the residents of properties with existing rights to use that easement is not a beach club.

Recreation facilities are limited to country clubs, private swim clubs, racquetball courts, tennis courts or golf courses, or any combination thereof. Beach clubs are not permitted as a principal land use. Beach clubs are not permitted as an accessory or associated use with residential developments, including hotels, motels, inns, timeshare developments and other resort housing developments. However, lawfully existing and specifically approved common areas of residential developments, which extend into the Gulf Beach Zone, that serve only the residents of that development are not beach clubs. Lawfully existing private beach access easements that serve the residents of properties with existing rights to use that easement are not beach clubs.

The definition and specific prohibition against the use were adopted by Ordinance 06-023, which is included as background material for this item. The whereas clauses identify that the use was never permitted by the City of Sanibel and cite the carrying capacity of the beach, the

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preservation of the residential character of neighborhoods, and control of the intensity of use in residential developments, including short-term occupancy developments (the Resort Housing District), as reasons for the prohibition. These concerns relate back to the Vision Statement adopted into both the city charter and the Sanibel Plan, which states “This three-part statement of the community’s vision of its future is a hierarchy, one in which the dominant principle is Sanibel’s sanctuary quality. Sanibel shall be developed as a community only to the extent to which it retains and embraces this quality of sanctuary. Sanibel will serve as attraction only to the extent to which it retains its desired qualities as sanctuary and community.” Increasing utilization of Sanibel’s beaches would place attraction above the desired qualities of sanctuary and community.

The Sundial request as described by the general manager, Becky Miller, is to utilize the day passes as a replacement for resort housing dwelling units that cannot currently be occupied due to hurricane damage and to discontinue the program once these dwelling units are able to be rented. The estimated date for the opening of Sundial for overnight rentals is November 1, 2024. Ms. Miller provided a business plan and FAQ document to the planning department, also included as background information for consideration of this resolution. The operations plan states that ticket sales will be monitored to ensure adequate parking on-site. The program would run Wednesday-Sunday and include access to on-site amenities (pools, beach, dining at Turtles Tiki Bar).

A resolution to establish a temporary use permit for beach club day passes has been drafted for council’s consideration. Several conditions are included, including making the temporary use permit available only to those resort housing properties licensed as a hotel or motel by the Florida Department of Business and Professional Regulation (DBPR) and only to replace resort housing dwelling units unavailable for short-term rental due to storm-related damage. Limiting the temporary use permit in this way would address concerns that while the use of “beach club” is not, as a permanent use, consistent with the Sanibel Plan due to the concerns stated above, the intensity of use of Sanibel’s beaches is currently reduced due to the impacts of Hurricane Ian on the Resort Housing District. A temporary use permit issued under this allowance would expire in six months (January 30, 2025). Staff has identified 19 hotel/motel license holders on Sanibel. The list was generated from the DBPR website, searching for hotel or motel license holders located on Sanibel. 14 of the properties are within the resort housing district. The other 5 are not within the resort housing district and would not be eligible for the allowance. A table with this information is included as background information for this item in a separate attachment. The italicized addresses are those ineligible for the temporary use permit.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: City Council discussion of Resolution 24-043.

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**CITY OF SANIBEL
RESOLUTION 24-043**

A RESOLUTION ESTABLISHING A TEMPORARY USE PERMIT FOR BEACH CLUB DAY PASSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 26, 2022, the City Council of the City of Sanibel passed Resolution No. 22-054, declaring a State of Local Emergency, based upon the severe threat to the health, safety, and welfare of the City posed by Hurricane Ian; and

WHEREAS, on September 28, 2022, Hurricane Ian made landfall in Lee County as a Category 4 hurricane, causing catastrophic property damage; and

WHEREAS, damages directly impacting the City of Sanibel include widespread damage and destruction of infrastructure, public property, and private property; and

WHEREAS, the City Council has authorized numerous Ordinances and Resolutions since Hurricane Ian's landfall to specifically assist residents and businesses recover from the impacts of the storm; and

WHEREAS, "beach club," as that term is defined in the Sanibel Land Development Code, Section 78-1, includes day membership or fee for daily use of the beach, has been a prohibited use on Sanibel, pursuant to Section 126-35 of the land development code since 1985; and

WHEREAS, a "beach club" as a permanent use is inconsistent with the Sanibel Plan, both in the overarching Vision Statement and in specific goals, objectives, and policies of the plan, and specifically with Objective 7 of the Coastal Zone Protection Element and its implementing policies, which state:

"The carrying capacity and environmental quality of the Island's natural coastal areas cannot be sustained if both off-Island and on-Island physical growth and visitation pressures are not addressed. ...

Objective 7 - Ensure that preservation of the natural beaches and beach carrying capacity for wildlife is maintained for environmental, social, economic and historic reasons, all of which are essential to the community's quality of life and economy.

Policy 7.1. Development, redevelopment and commercial activities shall not measurably degrade the use of the beach habitat by indigenous and migratory species of wildlife.

Policy 7.2. Development and human activities shall be limited to a level of use that can be accommodated and continued without irreversible impairment of the beach's natural resource productivity."; and

WHEREAS, at its July 16, 2024, meeting, the City Council discussed authorizing legislation that would temporarily allow Sanibel resort properties to issue beach club day passes, directing staff to bring forward a Resolution for consideration that would establish minimum standards for the temporary issuance of beach club day passes at qualifying resort properties as

a means to assist resort properties generate business while structures are under repair or reconstructed; and

WHEREAS, the City Council wishes to acknowledge that much of the resort housing district is still recovering from Hurricane Ian, which has resulted in reduced access to the beach for human activities, and therefore wishes to temporarily allow day membership or a fee for daily use of the beach for a limited time period through the issuance of a temporary use permit.

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

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

SECTION 2. A temporary use permit allowing a day membership or fee for daily use of the beach is hereby established, subject to the following conditions:


1. The Temporary Use Permit for Beach Club Day Passes is available only to businesses operating lawfully within the resort housing district and licensed by the Florida Department of Business & Professional Regulation (DBPR) as a hotel or motel.
2. For purposes of this resolution, a “pass” signifies one pass sold to one individual.
3. The beach club day passes are intended to replace resort housing dwelling units unavailable to rent due to reconstruction or repairs post storm.
4. A temporary use permit must be obtained through the Planning Department.
5. No fee shall be required for such permit.
6. A site plan and narrative explanation must be provided demonstrating that the resort has permanent staffing, parking, and permanent restroom facilities available for use by patrons and adequate to meet anticipated demands. The site narrative must also demonstrate that the property is expected to have resort housing dwelling units available for rent within six months of the date of application for a temporary use permit.
7. Sales of day passes per resort shall be limited to the lesser of the following: (a) two passes per available on-site parking space; or (b) two and a half times the number of resort housing dwelling units currently unavailable to be rented due to storm related damage (the latter being used as an estimated typical occupancy of 2.5 persons/unit).
8. Each permit holder must report monthly to the Planning Department the number of day passes sold.
9. No new uses are approved by issuance of the temporary use permit, such as beach equipment rentals, restaurants, gift shops, etc. Uses on the resort are limited to those approved prior to Hurricane Ian.
10. A temporary use permit issued through this allowance will be subject to all other applicable provisions of the Sanibel Plan and Sanibel Code, including marine turtle lighting, signage, and special event permitting requirements.
11. No new permanent structures nor any portable use toilets will be permitted in support of the temporary use.

12. A temporary use permit issued through this allowance will be subject to any other conditions deemed necessary by the city manager or designee to protect the carrying capacity of the beach.
13. All temporary use permits issued through this allowance will expire six months from the date of issuance, or upon the issuance of a certificate of completion or occupancy for the resort housing dwelling units, whichever comes first. For good cause shown, including unforeseen circumstances delaying post storm reconstruction or repairs to a resort housing district property operating a "beach club" with a temporary use permit, that property may request a 3-month extension from the Planning Department.
14. Any violations of the conditions of the temporary use permit may result in immediate suspension or revocation of the permit by the Planning Department.
15. Any operation of a 'beach club' without first obtaining a temporary use permit can provide a basis for determining ineligibility of the temporary use permit and will be referred to code enforcement and may be enforced by bringing the case to a special master or by citation under Section 162.21, Florida Statutes (as may be amended), and 76-435 Laws of Florida (as may be amended), or by any other means allowable by law.

SECTION 3. This resolution shall be effective immediately upon adoption and shall continue for a period of one year, though and until July 30, 2025, unless earlier terminated, extended, or otherwise modified by the City Council.

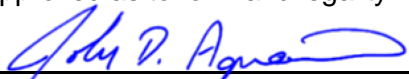
PASSED IN OPEN AND SPECIAL SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, THIS 30TH DAY OF JULY 2024.

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: July 30, 2024

Vote of Council Members:

Johnson	<u>Yea</u>
Miller	<u>Yea</u>
DeBruce	<u>Yea</u>
Henshaw	<u>Yea</u>
Smith	<u>Yea</u>

CITY OF SANIBEL

ORDINANCE NO. 06- 023

AN ORDINANCE AMENDING THE SANIBEL CODE, PART II, SUBPART B LAND DEVELOPMENT CODE BY AMENDING CHAPTER 78 GENERAL PROVISIONS, SECTION 78-1 RULES OF CONSTRUCTION AND DEFINITIONS, TO ADD A DEFINITION FOR BEACH CLUB; AMENDING CHAPTER 126 ZONING, ARTICLE II CONDITIONAL USE PERMITS, SECTION 126-35 RECREATION FACILITIES, TO CLARIFY THAT BEACH CLUBS ARE NOT PERMITTED RECREATION FACILITIES AND TO UPDATE THE CONDITIONS FOR RECREATION FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, maintaining the carrying capacity of Sanibel beaches is a major issue facing the City and a priority goal for the City Council; and

WHEREAS, the City's land use regulations are intended, in part, to preserve the residential character of neighborhoods and control the intensity of use in residential developments, including short-term occupancy developments in the Resort Housing District; and

WHEREAS, recreation facilities listed in Land Development Code Section 126-35 does not include beach clubs; and

WHEREAS, beach clubs, as defined in this ordinance, have not been expressly permitted by the City of Sanibel since the adoption of the Land Development Code in 1985; and

WHEREAS, the City Council deems it important to clarify that beach clubs are not a permitted use; and

WHEREAS, a procedure has been established to revise and amend the Land Development Code in a manner consistent with the *Sanibel Plan*; and

WHEREAS, such revisions have been referred to the Planning Commission for a recommendation as to the consistency of that Amendment with the *Sanibel Plan*; and

WHEREAS, the City Council deems it necessary to make such revisions to the Land Development Code, as contained in this ordinance; and

WHEREAS, all required public notices and public hearings for such amendment have been properly given and held.

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Sanibel, Lee County, Florida:

SECTION 1. The Code of Ordinances of the City of Sanibel, Chapter 78 General Provisions, Section 78-1 Rules of Construction and Definitions, is hereby amended, with underlining indicating additions, as follows:

Section 78-1. Rule of Construction and Definitions.

...

(c) Throughout this Land Development Code, the following words and phrases shall have the meanings indicated unless the text of the article or section in which it is used clearly indicates otherwise:

...

Beach Club means a membership establishment, that provides for private recreational and social activities on a beach in the City of Sanibel or in close proximity to Sanibel beaches to individuals that are not residing overnight at the beachfront property on the day of or the day after the overnight stay. Memberships of any time period, including a day membership or fee for daily use, are included within this definition. The use of lawfully existing and specifically approved common areas of residential developments, which extend into the Gulf Beach Zone, by the residents of that residential development is not a Beach Club. The use of lawfully existing private beach access easements by the residents of properties with existing rights to use that easement is not a Beach Club.

...

SECTION 2. The Code of Ordinances of the City of Sanibel, Chapter 126 Zoning, Article II Conditional Use Permits, Section 126-35 Recreation Facilities, is hereby

amended, with underlining indicating additions and ~~striketrough~~ indicating deletions, as follows:

Section 126-35. Recreation Facilities.

Recreation facilities, are limited to country clubs, private swim clubs, racquetball courts, tennis courts or golf courses, or any combination thereof, ~~shall be permitted as a conditional use subject to the following conditions:~~ Beach Clubs are not permitted as a principal land use. Beach Clubs are not permitted as an accessory or associated use with residential developments, including hotels, motels, inns, timeshare developments and other resort housing developments. However, lawfully existing and specifically approved common areas of residential developments, which extend into the Gulf Beach Zone, that serve only the residents of that development are not Beach Clubs. Lawfully existing private beach access easements that serve the residents of properties with existing rights to use that easement are not Beach Clubs.

Recreation facilities shall be permitted as a conditional use, subject to the following conditions:

- (1) No minimum lot area is required. The lot area shall be sufficient to provide for the necessary use or structure and to comply with the required conditions of this land development code set forth and as determined by the planning commission.
- (2) The setback requirements set forth for the zone in which the parcel is located shall apply except as specifically modified. ~~(5) No building or swimming pool shall be located within 50 feet of any outside parcel line.~~
- ~~(3)~~ 8) No public address system shall be permitted which is audible at any outside parcel line.
- ~~(4)~~ 9) All outdoor lighting ~~proposed~~ shall comply with requirements for outdoor lighting, including requirements for beach front lighting ~~be of a type which directs the light to the ground, and no ambient light shall extend beyond the outside parcel lines.~~

~~(5 10)~~ Access to the parcel in ~~question~~ shall be located so as to minimize the effect of vehicular traffic, during ingress and egress to the facility, so as to minimize the impact on adjoining residential uses and traffic patterns on adjacent streets.

~~(6 7)~~ Where practical and necessary, the planning commission may require vegetative buffering along outside parcel boundaries adjoining residential uses.

(7) Swimming pools specifically.

~~(6)~~ Swimming pools shall be located on the site so that the normal noise generated in their utilization shall have the least impact on adjoining property owners, and shall be effectively buffered by vegetation, so as to limit the transmission of such noise generated to the maximum practical extent.

(8) Golf courses specifically.

a. ~~(11) For golf courses, u~~ Up to 50 percent of the parcel may be cleared of vegetation and used as developed area. The developed area shall include all areas used for structures, putting greens, driving ranges, tees, greens, cart paths, walkways, other areas designed for use for specific activities, sandtraps, new bodies of water, areas of fairways and rough which are actually cleared of vegetation and replanted with grasses, and all similar use areas.

b. ~~(3)~~ In the case of golf courses, care and consideration shall be given to the placement of tees and fairways in order to reduce to a minimum the likelihood of golf balls leaving the subject parcel and posing a danger or creating a nuisance to adjoining land owners, as well as pedestrian and motor vehicle traffic adjacent to the parcel.

(10) Tennis courts specifically

a. ~~(4)~~ Fencing, in connection with the placing of tennis courts, shall be located at least ten feet from any outside parcel line, and

- b. f Fences shall be so placed that they do not restrict or unduly impair the site distance of pedestrian and motor traffic adjacent to the parcel or unreasonably or unduly restrict the view ~~or vista~~ of any adjoining owner with respect to the enjoyment of his property.

SECTION 3. Codification.

This ordinance shall be an amendment to the Code of Ordinances of the City of Sanibel. Sections 78-1 and 126-35 of the Sanibel Code of Ordinances are hereby amended.

SECTION 4. Conflict.

All ordinances and parts of ordinances in conflict herewith shall be and the same are 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 of application hereof.

SECTION 6. Effective date.

This ordinance shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 2nd day of January, 2007.

AUTHENTICATION: Carla Brooks Johnston Pamela Smith
Carla Brooks Johnston, Mayor Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler 12/7/06
Kenneth B. Cuyler, City Attorney Date

Publication and Hearing Dates

Chpt 166, F.S. Publication Date: December 08, 2006
Date of First Public Hearing: December 19, 2006
Chpt. 166, F.S. Publication Date: December 27, 2006
Date of Second Public Hearing: January 02, 2007

Vote of Council Members:

Johnston	yea
Denham	yea
Brown	yea
Jennings	yea
Rothman	yea

Date filed with the City Clerk: January 02, 2007



Business Plan for "Daycation" Program at Sundial Beach Resort & Spa

Executive Summary

Sundial Beach Resort & Spa proposes an extension of the "Daycation" program as a short-term initiative aimed at reopening the resort, generating revenue and revitalizing the local economy. The program offers day-use access to the resort's amenities for both locals and visitors, enhancing the appeal of Sanibel Island and supporting local businesses.

Objectives

1. Further the reopening of the resort and generate immediate revenue.
2. Provide employment opportunities for the resort's team.
3. Attract visitors to Sanibel, boosting local businesses.
4. Offer a high-quality recreational experience for day visitors.

Program Details

Operating Days: Seven Days a Week

Operating Hours: 11 AM to 6 PM

Ticket Prices:

Adults: \$125 (includes \$60 food and beverage credit)

Children: \$75 (includes \$30 food and beverage credit)

Amenities: Access to pools, beach and dining at Turtles Tiki Bar.

Target Market

The primary target market includes local residents, nearby city dwellers looking for a short getaway, and tourists visiting Sanibel.

Marketing Strategy

1. Local Advertising: Utilize local newspapers, radio stations and community boards.
2. Online Marketing: Leverage social media platforms, the resort's website and email newsletters.
3. Partnerships: Collaborate with local businesses and tourist attractions to cross-promote the program.

1451 Middle Gulf Drive, Sanibel FL 33957
239.472.4151



Operations Plan

1. Ticket Sales: Tickets will be sold in advance through the resort's call center to manage capacity and ensure an optimal guest experience.
2. Parking: Adequate parking will be ensured for the number of tickets sold each day.
3. Security and Compliance: Staff will monitor IDs at Turtles Tiki Bar to ensure legal drinking age compliance.

Community Impact

The "Daycation" program is designed to benefit the wider Sanibel community by:

1. Increasing Visitor Traffic: Drawing visitors who will spend money at local stores, restaurants and other attractions.
2. Supporting Local Employment: Providing job opportunities for the resort staff.
3. Revitalizing the Local Economy: Stimulating economic activity and promoting Sanibel as a desirable destination.

Conclusion

The Sundial Beach Resort & Spa's "Daycation" program is a strategic initiative to support the local economy, provide a unique recreational offering and ensure the resort's sustainable operation during its reopening phase. We seek the City Council's support and approval to implement this program, confident that it will bring substantial benefits to Sanibel and its community.

We are open to any suggestions or requirements the council may have to ensure the success and smooth operation of the "Daycation" program.

Thank you for your consideration.

Becky Miller
General Manager



Q. How do I purchase a Sundial Daycation?

A. Guests may phone 866-565-5093 to reserve their daycation. Credit card payment will be taken when the reservation is made.

Q. Do I need to purchase my Daycation in advance?

A. We strongly encourage advance reservations. Same-day passes will be offered based upon availability and are not guaranteed. Same-day passes will be priced at an additional \$5.

Q. When are Sundial Daycation day passes available?

A. Daycation passes are available seven days a week. Please note that a limited number of passes are available each day so reservations should be made in advance to guarantee your access. The Daycation day pass program is being offered for a limited time.

Q. When is my Sundial Daycation pass valid?

A. Day Pass hours are 10:00 AM to 6:00 PM. Passes are valid for the date of your reserved visit only.

Q. What activities and amenities are included in a Sundial Daycation visit?

A. Your Sundial Daycation includes access to our pool and pool slide, hot tub, beach and shelling, beach chairs and umbrellas, beach volleyball, corn hole, foosball, ping pong and poolside bingo. (Chairs and umbrellas are available on a first-come, first-served basis.) A dining gift card for Turtle's Tiki Bar is also included with your daycation pass so you can enjoy poolside treats and frosty drinks during your visit.

Q. What other activities are available during my Daycation?

A. Bicycle, paddleboard, kayak and cabana rentals are offered through the Rec Shack for an additional fee, based upon availability. Tennis and pickleball court time and programming are also available for a fee. (Please note that proper footwear and equipment are required on the courts.) Rentals/purchases at the Rec Shack may be made with credit card or debit card; cash is not accepted at the Rec Shack. (Bicycles \$25/2 hours; Kayaks or Paddleboards \$35/1 hour; Daily Cabana \$150; Racquet Sports \$20 and up based on activity desired)

Q. Should I bring my own beach towel?

A. Yes, guests should bring their own beach towels. A limited supply of beach towels will be available for rental at an additional cost should you forget to bring your own. (Rentals may be made using debit or credit card only.)

Q. Where do I park for my Daycation?

A. Your Daycation purchase includes complimentary parking in our main resort lot located at 1451 Middle Gulf Drive, Sanibel. After making your reservation, a parking pass will be emailed to you and must be printed and displayed on your front dashboard.

Q. Where do I check in for my Daycation?

A. From the parking lot, use the walkway on the right side (west) of the resort building and continue down the walkway to the Rec Shack to check-in for your Daycation. Here you will receive your resort wristband and dining gift card. Your email confirmation is required for entry.

Q. How do I use my dining gift card?

A. Your dining gift card may be used at Turtle's Tiki Bar (open 11 AM-6 PM) for food, soft drinks and alcoholic beverages. (Please note that all guests purchasing alcohol must present ID; there will be no exceptions.) Your gift card is valid only during your Daycation visit. Additional dining purchases may also be made at Turtle's using cash as well as debit and credit cards. To view the menu, visit sundialresort.com/dine/
(No coolers, outside food or drinks may be brought onto resort property.)

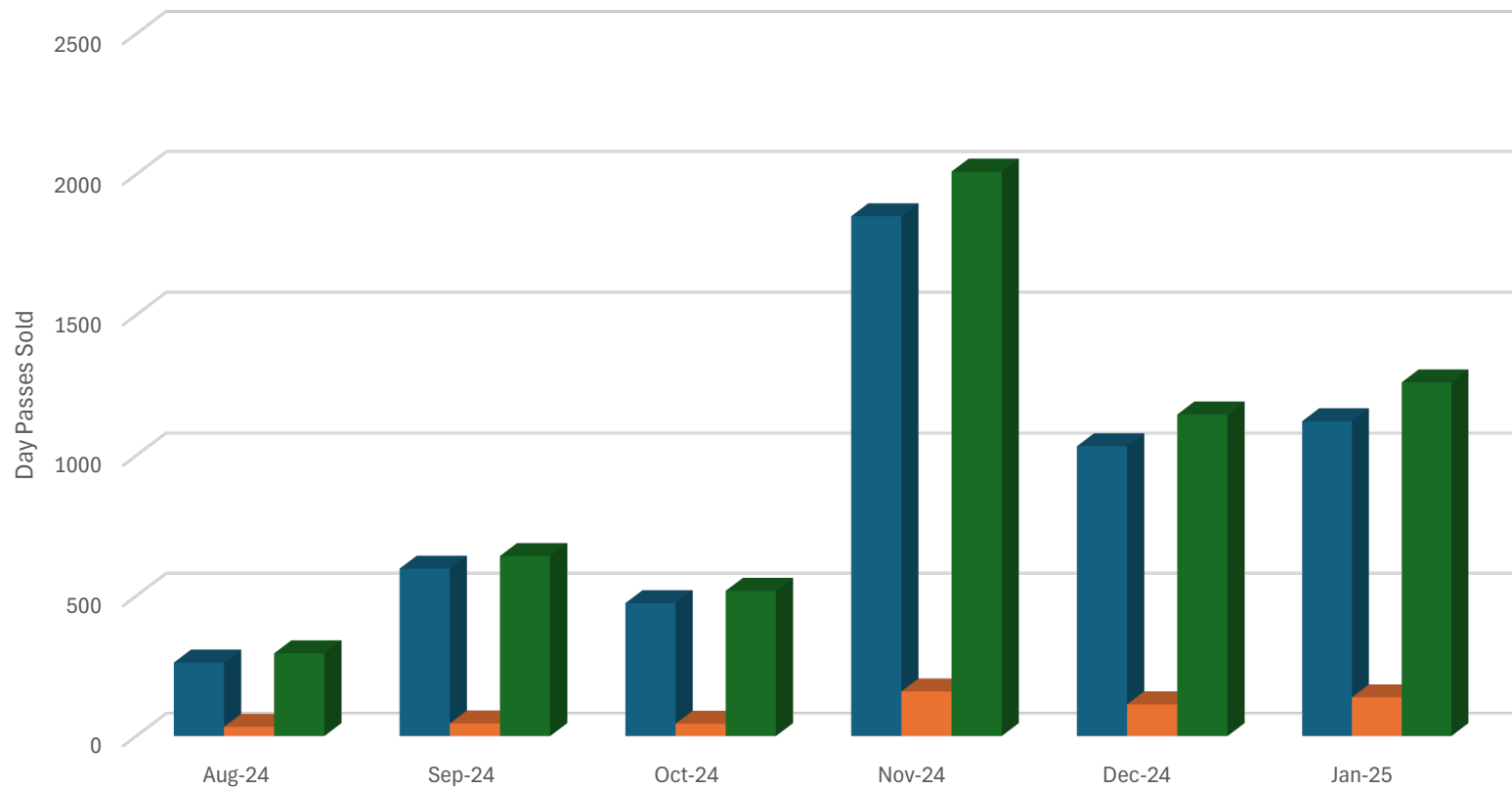
Q. May I cancel if the weather is poor?

Guests are urged to monitor the weather. You may cancel prior to 6 pm the day before your visit by phoning 866 565 5093. Same day cancellations/refunds are not available. (Many summer rain showers are brief and a covered deck area is available to guests wanting to wait out the rain.)

Q. What is your cancellation policy?

A. Unless otherwise stated on your booking confirmation, Sundial Daycation day passes may be cancelled up until 6:00 PM the day prior to your reservation for a full refund by calling 866 565 5093. Bookings are non-refundable and non-transferable after the cancellation window has closed. This includes same-day and no-show bookings. No refund will be made for cancellations on same day purchases.

Resort Day Passes

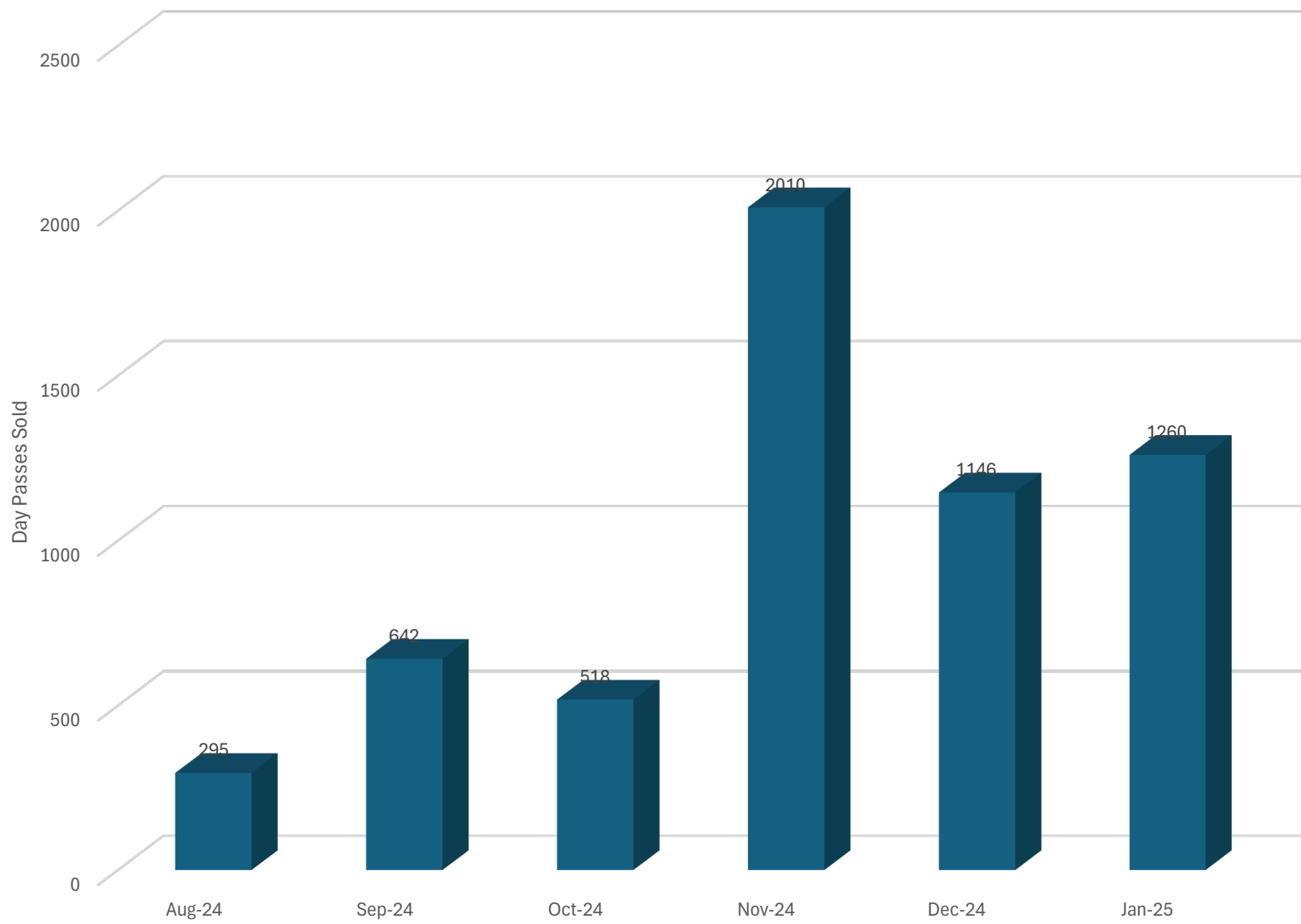


	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25
Adult	262	597	474	1,851	1033	1122
Children	33	45	44	159	113	138
Total	295	642	518	2,010	1146	1260

Axis Title

Adult Children Total

Total



	Adult	Children	Total			Total
Aug-24	262	33	295		Aug-24	295
Sep-24	597	45	642		Sep-24	642
Oct-24	474	44	518		Oct-24	518
Nov-24	1,851	159	2,010		Nov-24	2010
Dec-24	1033	113	1146		Dec-24	1146
Jan-25	1122	138	1260		Jan-25	1260

	Day Pass Details									
	<i>Adults</i>	<i>Children</i>	<i>Infant</i>	<i>Total Paid Passes</i>	<i>Bike Rentals</i>	<i>Watercraft Rentals</i>	<i>Retail</i>			
1-Aug	11	2	2	13	-	-	-			
2-Aug	11	3	-	14	-	-	-			
3-Aug	-	-	-	-	-	-	-			
4-Aug	-	-	-	-	-	-	-			
5-Aug	-	-	-	-	-	-	-			
6-Aug	-	-	-	-	-	-	-			
7-Aug	14	1	1	15	-	-	-			
8-Aug	6	1	-	7	-	-	-			
9-Aug	25	4	-	29	-	-	-			
10-Aug	29	9	-	38	-	-	-			
11-Aug	27	4	-	31	-	-	-			
12-Aug	-	-	-	-	-	-	-			
13-Aug	-	-	-	-	-	-	-			
14-Aug	30	3	2	33	-	-	-			
15-Aug	2	-	-	2	-	1	-			
16-Aug	5	-	-	5	-	-	-			
17-Aug	20	2	-	22	-	-	-			
18-Aug	14	-	-	14	-	-	-			
19-Aug	-	-	-	-	-	-	-			
20-Aug	-	-	-	-	-	-	-			
21-Aug	4			4	-	-	-	Weather- 4 rescheduled		
22-Aug	5	-	-	5	-	-	-			
23-Aug	5	-	-	5	-	-	-			
24-Aug	5	-	-	5	-	-	-			
25-Aug	2	-	-	2	-	-	-			
26-Aug	-	-	-	-	-	-	-			
27-Aug	-	-	-	-	-	-	-			
28-Aug	6	-	-	6	-	-	-			

29-Aug	9	-	2	9	-	-	-			
30-Aug	5	-	-	5	-	-	-			
31-Aug	27	4	1	31	-	-	-			
Total	262	33	8	295	-	1	-			

	Day Pass Details								
	Adults	Children	Infant	Total Paid Passes	Bike Rentals	Watercraft Rentals	Retail		
1-Sep	20	7	-	27	-	-	-		
2-Sep	25	2	-	27	-	-	-		
3-Sep	-	-	-	-	-	-	-		
4-Sep	7	2	-	9	-	-	-		
5-Sep	13	2	-	15	-	-	-		
6-Sep	18	2	1	20	-	-	-		
7-Sep	93	5	1	98	-	-	-		
8-Sep	48	10	3	58	-	-	-		
9-Sep	-	-	-	-	-	-	-		
10-Sep	-	-	-	-	-	-	-		
11-Sep	11	-	-	11	-	-	-		
12-Sep	10	-	-	10	-	-	-		
13-Sep	24	-	-	24	-	-	-		
14-Sep	77	8	2	85	-	-	-		
15-Sep	47	1	-	48	-	-	-		
16-Sep	-	-	-	-	-	-	-		
17-Sep	-	-	-	-	-	-	-		
18-Sep	10	-	-	10	-	-	-		
19-Sep	18	-	-	18	-	-	-		
20-Sep	29	1	-	30	-	-	-		
21-Sep	95	4	-	99	-	-	-		
22-Sep	52	1	-	53	-	-	-		
23-Sep	-	-	-	-	-	-	-		
24-Sep	-	-	-	-	-	-	-		
25-Sep	-			-	-	-	-	hurricane prep	
26-Sep	-			-	-	-	-	hurricane	
27-Sep	-			-	-	-	-	hurricane	
28-Sep	-			-	-	-	-	hurricane clean up	

29-Sep	-			-	-	-	-	hurricane clean up	
Total	597	45	7	642	-	-	-		

30-Oct	44	7	-	51	-	-	-		
31-Oct	31	-	-	31	-	-	-		
Total	474	44	-	518	-	-	-		

	Day Pass Details								
	<i>Adults</i>	<i>Children</i>	<i>Infant</i>	<i>Total Paid Passes</i>	<i>Bike Rentals</i>	<i>Watercraft Rentals</i>	<i>Retail</i>		
1-Nov	57	-	-	57	-	-	-		
2-Nov	68	3	-	71	-	-	-		
3-Nov	95	10	-	105	-	-	-		
4-Nov	-	-	-	-	-	-	-		
6-Nov	39	6	-	45	-	-	-		
7-Nov	11	2	-	13	-	-	-		
8-Nov	115	6	-	121	-	-	-		
9-Nov	163	5	-	168	-	-	-		
10-Nov	152	16	-	168	-	-	-		
11-Nov	-	-	-	-	-	-	-		
12-Nov	-	-	-	-	-	-	-		
13-Nov	101	4	-	105	-	-	-		
14-Nov	122	1	-	123	-	-	-		
15-Nov	95	5	-	100	-	-	-		
16-Nov	124	4	-	128	-	-	-		
17-Nov	129	7	-	136	-	-	-		
18-Nov	-	-	-	-	-	-	-		
19-Nov	-	-	-	-	-	-	-		
20-Nov	2	-	-	2	-	-	-	Rainout	
21-Nov	38		-	38	-	-	-		
22-Nov	55	8	-	63	-	-	-		
23-Nov	36	4	-	40	-	-	-		
24-Nov	93	12	-	105	-	-	-		
25-Nov	-	-	-	-	-	-	-		
26-Nov	-	-	-	-	-	-	-		
27-Nov	139	21	-	160	-	-	-		
28-Nov	-	-	-	-	-	-	-	thanksgiving	
29-Nov	125	22	-	147	-	-	-		

30-Nov	92	23	-	115	-	-	-		
Total	1,851	159	-	2,010	-	-	-		

	Day Pass Details						
	<i>Adults</i>	<i>Children</i>	<i>Infant</i>	<i>Total Paid Passes</i>	<i>Bike Rentals</i>	<i>Watercraft Rentals</i>	<i>Retail</i>
1-Dec	50	11	-	61	-	-	-
2-Dec	-	-	-	-	-	-	-
3-Dec	-	-	-	-			
4-Dec	32	3	-	35			
5-Dec	38	-	-	38	-	-	-
6-Dec	33	2	-	35	-	-	-
7-Dec	49	1	-	50	-	-	-
8-Dec	49	3	-	52	-	-	-
9-Dec	-	-	-	-	-	-	-
10-Dec	-	-	-	-			
11-Dec	29	-	-	29			
12-Dec	-	-	-	-	-	-	-
13-Dec	44	3	-	47	-		-
14-Dec	60	3	-	63	-	-	-
15-Dec	50	2	-	52	-	-	-
16-Dec	-	-	-	-	-	-	-
17-Dec	-	-	-	-			
18-Dec	40	3	-	43			
19-Dec	16	2	-	18	-	-	-
20-Dec	24	3	-	27	-	-	-
21-Dec	15	1	-	16	-	-	-
22-Dec	33	8	-	41	-	-	-
23-Dec	-	-	-	-	-	-	-
24-Dec	-	-	-	-			
25-Dec	-	-	-	-			
26-Dec	150	15	-	165	-	-	-
27-Dec	140	20	-	160	-	-	-
28-Dec	145	19	-	164	-	-	-

29-Dec	36	14	-	50	-	-	-
30-Dec	-	-	-	-			
31-Dec	-	-	-	-			
Total	1,033	113	-	1,146	-	-	-

	Day Pass Details					
	<i>Adults</i>	<i>Children</i>	<i>Total Paid Passes</i>	<i>Bike Rentals</i>	<i>Watercraft Rentals</i>	<i>Retail</i>
1-Jan	150	15	165	-	-	-
2-Jan	83	40	123	-	-	-
3-Jan	79	22	101			
4-Jan	42	4	46			
5-Jan	93	10	103	-	-	-
6-Jan	-	-	-	-	-	-
7-Jan	-	-	-	-	-	-
8-Jan	23	-	23	-	-	-
9-Jan	19	-	19	-	-	-
10-Jan	53	-	53			
11-Jan	14	-	14			
12-Jan	22	3	25	-	-	-
13-Jan	-	-	-	-		-
14-Jan	-	-	-	-	-	-
15-Jan	14	2	16	-	-	-
16-Jan	26	-	26	-	-	-
17-Jan	12	-	12			
18-Jan	124	16	140			
19-Jan	29	6	35	-	-	-
20-Jan	-	-	-	-	-	-
21-Jan	-	-	-	-	-	-
22-Jan	-	-	-	-	-	-
23-Jan	-	-	-	-	-	-
24-Jan	-	-	-			
25-Jan	27	3	30			
26-Jan	45	9	54	-	-	-
27-Jan	-	-	-	-	-	-
28-Jan	-	-	-	-	-	-

29-Jan	50	-	50	-	-	-
30-Jan	130	6	136			
31-Jan	87	2	89			
Total	1,122	138	1,260	-	-	-

Sanibel hotels or motels as registered with DBPR 7-24-2024

TYPE OF BUILDING	ADDRESS	STREET	NAME OF DEVELOPMENT	NUMBER OF UNITS
Hotel, motel, inn, cottage	541	East Gulf Dr.	Seaside Inn	31
Hotel, motel, inn, cottage	863	East Gulf Dr.	Song of the Sea Motel	30
Hotel, motel, inn, cottage	937	East Gulf Dr.	Sanibel Inn	92
Hotel, motel, inn, cottage	1231	Middle Gulf Dr.	Holidav Inn	98
Hotel, motel, inn, cottage	1231	Middle Gulf Dr.	Holidav Inn	98
Resort Condo or Apt	1451	Middle Gulf Dr.	Sundial Condominium Phase 1	85
Resort Condo or Apt	1451	Middle Gulf Dr.	Sundial Condominium Phase 2	96
Resort Condo or Apt	1451	Middle Gulf Dr.	Sundial Condominium Phase 3	68
Hotel, motel, inn, cottage	2823	West Gulf Dr.	Shalimar Resort Hotel	33
Hotel, motel, inn, cottage	3111	West Gulf Drive	Island Inn (Kimball Lodge)	31
Hotel, motel, inn, cottage	3111	West Gulf Dr.	Island Inn	10
Hotel, motel, inn, cottage	3287	West Gulf Dr.	Sanibel Sunset Beach Resort	45
Hotel, motel, inn, cottage	3325	West Gulf Dr.	Beachview Cottages	22
Hotel, motel, inn, cottage	3345	West Gulf Dr.	West Wind Inn	104
			TOTAL UNITS	843
<i>Properties licensed with DBPR as hotels/motels but not located in the Resort Housing District (i.e. nonconforming uses) are ineligible for the temporary use permit for day beach passes and are shown in italicized font, below.</i>				
<i>TYPE OF BUILDING</i>	<i>ADDRESS</i>	<i>STREET</i>	<i>NAME OF DEVELOPMENT</i>	<i>NUMBER OF UNITS</i>
<i>Hotel, motel, inn, cottage</i>	<i>642</i>	<i>E. Gulf Dr.</i>	<i>Sunshine Island Inn</i>	<i>4</i>
<i>Hotel, motel, inn, cottage</i>	<i>706</i>	<i>Donax St.</i>	<i>Palm View</i>	<i>5</i>
<i>Hotel, motel, inn, cottage</i>	<i>1237</i>	<i>Anhinga Dr.</i>	<i>The Parrot Nest</i>	<i>6</i>
<i>Hotel, motel, inn, cottage</i>	<i>1539</i>	<i>Periwinkle Way</i>	<i>Kona Kai</i>	<i>12</i>
<i>Hotel, motel, inn, cottage</i>	<i>4227</i>	<i>West Gulf Dr.</i>	<i>Blue Dolphin</i>	<i>9</i>