



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft Planning Commission

Tuesday, December 9, 2025

9:00 AM

MacKenzie Hall - 800 Dunlop Road

1. Call To Order

The meeting convened at 9:01 AM.

2. Pledge of Allegiance (Commissioner Schopp)

Commissioner Schopp led the Pledge of Allegiance.

3. Roll Call

Present: 7 - Chair Paul Nichols, Vice Chair Erika Steiner, Commissioner Tiffany Burns, Commissioner Ken Colter, Commissioner Larry Schopp, Commissioner Kate Sergeant, and Commissioner Lyman Welch

4. Public Comments on Items Not Appearing on the Agenda

None at this time.

5. City Council Liaison Report

Mayor Miller gave a report on the City Council's last meeting, held on December 2, 2025.

Related to Land Use topics, an ordinance was approved to allow subdivision plats and replats to be processed administratively. Held first readings on 3 ordinances related to temporary changes in land use to be heard administratively as opposed to being presented to the commission for approval, as well as extending the end date for residents to recover from the previous year's storms.

Denied a condo association's appeal of a building permit related to accessibility. Approved a public/private partnership with Roots in Resilience, and concluded by thanking the Commissioners for their involvement in the grant related to planting trees along the Periwinkle corridor. No questions were asked of the Mayor at this time.

6. Consent Agenda

a. Adoption of Minutes: November 18, 2025

Commissioner Schopp moved, seconded by Commissioner Colter to adopt the November 18, 2025, meeting minutes. The motion carried.

7. New Business

a. Discussion of Potential Transfer of Development Rights (TDR) program.

Planning Director, Paula McMichael introduced the item and introduced Craig Chandler - Deputy Planning Director who gave a brief overview of the topic Transfer of Density Units (TDR), including a PowerPoint presentation attached in the agenda packet.

Commissioner Colter temporarily left the meeting at 9:32 am and re-entered the meeting at 9:48 am.

Chair Nicols polled Commissioners for any questions or comments related to the presentation. Commissioners inquired about a fund for the City to acquire environmentally sensitive lands. Mr. Chandler noted the funds had all been used, the last year the account had funding was in 2003 and since, there have been no funds allocated for conservation. Commissioners spoke to the newly established Steering Committees related to transportation and the Sanibel Plan, and whether those groups would be discussing density. Cluster housing was also questioned and whether or not it is included in this category. Mr. Chandler responded that cluster homes are part of a subdivision typically tied to a conservation tract, he provided the example of Coastal Creek. Ms. McMichael noted the steering committees have not yet reached this topic but should be discussing it in the coming months.

Discussion ensued regarding the presentation by Mr. Mulhere from Bowman who spoke to the TDR program implementation in Collier County. Commissioners agreed that the presentation did not fully align with Sanibel challenges related to the Transfer of density units. Discussion continued how this topic came about. Mr. Chandler responded that this was a Council directive.

Commissioners inquired about the Community Church, and the transfer of their units, Mr. Chandler responded that staff did not find a clear path for them to make the transfer with out a referendum vote. Discussion continued in regards to where the needs are as well as the viability of a program in support of TDR. The question of how the resort housing district reached almost 100 percent of its density. Mr. Chandler noted that most of the larger resorts and condo properties were built and approved prior to the City's incorporation.

Discussion ensued regarding the density numbers across the island as the Sanibel Plan was developed, how current discussions are not for making more units, but rather keeping the same amount, but allowing them to be transferred to other parts of the island. Mr. Chandler spoke to the conforming vs. non-conforming properties, lawfully existing as well as the standards of which allowed these properties to exist today. He

further noted how these standards addressed many facets, however stopped at the topic of specifically transferring density units.

Commissioners discussed the propensity of re-development for properties looking to capture the most return on investment, comparing units per property with the cost of redevelopment, the time and revenue needed to become profitable per unit, as well as other facets developers or builders might be considering when rebuilding. The transfer or sale of remaining units being a potential profitable avenue for properties not looking to use all of their density units in redeveloping. Continued discussion was had on the pros and cons for allowing the transfer of density units with the implementation of a TDR program. Commissioners inquired about the number of properties that could benefit from transfers. Mr. Chandler spoke to there not being any owners that have come forward since the storm.

Commissioners inquired if there was any thing that could be done for Single Family homes in the resort housing district, could one sell units to resorts. Mr. Chandler spoke to the challenges with such transfers, one of which being public use, from non-resort to resort housing.

Commissioner Schopp spoke to the introduction of the 'grandfathered status' after the adoption of the Sanibel Plan. This came about due to fears of redevelopment after a storm or other natural disaster. The rules of the plan being much stricter than when some of the resorts were built in the resort housing district.

Commissioner Colter temporarily left the meeting at 10:43 A.M. and re-entered at 10:48 A.M

Public Comment :

Matt DePaolis - SCCF - recognized need for the tools to allow transfer and noted the positive conversations including conservation protections.

Vice Mayor, Holly D. Smith - exercise caution related to transfer due to environmentally sensitive lands, would like to see this passed to council later, potentially as a joint meeting, 28 parcels as laid out by Lee County are not buildable, being advertised on Sanibel as buildable, referendum would not site specific, as changing policy would be the right path for all.

Discussion ensued regarding next steps. Mr. Chandler spoke to the steps outlined at the workshop by City Council. Discussion only today and present concepts for consideration. Staff is looking for direction to attempt to draft an ordinance related to a TDR program. Discussion ensued regarding the 12 properties that this would apply to at the moment, the program being a good idea, but on a small scale being the challenge for a Sanibel implementation. Commissioners inquired of the worth of moving the TDR concept forward, due to the small amount of properties benefitting,

the potential consequences of allowing the transfers, avoiding a referendum if not for a program. Commissioners inquired of Mr. Agnew if there could be a call for a joint meeting. Mr. Agnew noted there only being 12 properties that could benefit and that it is not a tax base issue. Commissioners spoke to wanting to meet or speak with these specific 12 owners. Mr. Chandler spoke to working with Chamber President John Lai to see if a meeting with these 12 owners could be arranged.

b. Proposed 2026 LDC Amendment Priorities.

The meeting went into recess at 11:20 AM and re-convened at 11:26 AM.

Ms. McMichael gave a brief overview of the item. She noted this being an annual process and spoke to list. Commissioners spoke to adding a standard less than a distressed property. Addressing things like overgrown vegetation, boat storage, derelict vehicles. Chair inquired about the Senate bills 250 and 180. Mr. Agnew spoke to the glitch bill which will correct unintended consequences of the previously passed bills.

Discussion ensued regarding the referendum, specifically costs. Mr. Agnew noted timing with the regular elections to save the City money. Commissioners inquired about staff reviewing the code for more opportunities to build resilience, Ms. McMichael noted the city's newly hired Chief Resiliency officer, Ashlee Painter, will bring her to next meeting.

8. Report from Planning Department

a. Upcoming meeting dates:

- i. Planning Commission - Tuesday, January 27, 2026
- ii. Permitting Process Review Subcommittee - Tuesday, December 9, 2025 - following Planning Commission
- iii. Report to City Council - Tuesday, January 13, 2026 - TBD

b. Planning Reports:

- i. Planning Permit Review Report
- ii. Planning Projects
- iii. Plan Application Status Report

Ms. McMichael provided a brief overview of the attachments in the agenda packet. She further congratulated Principal Planner Kim Ruiz who passed her Certified Planners Exam.

9. Report from Commission Members

Commissioner Welch spoke to encouraging more public participation and engagement in the Sanibel Plan Master Plan Update Steering Committee, as well as the Transportation Master Plan Update Steering Committee. Consultants have also provided space to contribute input. Commissioners concluded by thanking Mr. Chandler for his presentation.

10. Public Comment

None at this time.

11. Adjournment

There being no further business, the meeting adjourned at 11:54 AM.