



AGENDA MEMORANDUM

*Natural Resources
Department*

Planning Commission Meeting Date: November 19, 2024
1209 Isabel Drive, Conditional Use Permit (CUP-2024-000242)

Item 7a.

To: Planning Commission
From: Dana Dettmar, Environmental Biologist
Date: November 12, 2024

SUBJECT: CONDITIONAL USE PERMIT REQUEST FOR WATERWARD PLACEMENT OF A VINYL SEAWALL IN FRONT OF AN EXISTING CONCRETE SEAWALL

SUMMARY

The applicant has submitted a conditional use permit request to install a vinyl seawall waterward of an existing concrete seawall. On August 9, 2024, Natural Resources staff performed a site inspection to evaluate compliance with Section 126-106(5), (6), and (7). Below are Natural Resources' findings:

- *Section 126-106(5): The design of the seawall shall not adversely impact native vegetation.*
 - o Two native plants (both wild olive) exist within the footprint of impact. However, the amount and type of native vegetation to be impacted would not be deemed an adverse impact. The applicant has indicated that impacts will be avoided where possible and impacted native plants will either be transplanted or mitigated.
- *Section 126-106(6): The design of the seawall shall not adversely impact native wildlife.*
 - o There were no protected wildlife species observed on the parcel at the time of inspection. Natural Resources finds that this project will not adversely impact terrestrial wildlife. However, the project is located within federally designated smalltooth sawfish critical habitat and the applicant must obtain all required state and federal permits.
- *Section 126-106(7): The design of the seawall shall not adversely impact marine resources.*
 - o The subject parcel is located on a human made canal. There are no marine resources (i.e. mangroves, seagrasses, oysters, etc.) present in the water adjacent to the existing seawall. Natural Resources finds that this project will not have adverse impacts on marine resources.

The applicant must also comply with Sec. 126-101(20)b, which requires a ten-foot wide native plant buffer along the entire length of the seawall. A proposed planting plan has been provided by the applicant and demonstrates compliance with this requirement.

Natural Resources finds that this project conforms to applicable codes. A final inspection shall be conducted to ensure code compliance.

Sanibel is and shall remain a barrier island sanctuary

RECOMMENDATION

Staff recommends the following conditions be included as part of the conditional use permit:

1. Impacts to native plants, in accordance with submitted vegetation plan, are authorized within the footprint of development. Plants shall be transplanted on-site or mitigated 1:1 with a size and species that is proportional to the vegetation destroyed.
2. A ten-foot wide native plant buffer shall be installed along the entire length of the seawall in accordance with Sec. 126-101(20).
3. A final vegetation plan shall be submitted as a final document for approval by City staff. The plan must detail the quantity, gallon size, and species of native plants to be installed in ten-foot wide native plant buffer. The plan shall also identify the receptor area for the transplanted species and/or provide details on the mitigation plants (quantity, species, and gallon size).



Figure 1. Seawall looking west



Figure 2. Seawall looking west



Figure 3. Section of damaged seawall cap

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Figure 4. Saw palmetto likely to be impacted by the project



Figure 5. Seawall looking east

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