



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, June 11, 2024

1:00 PM

BIG ARTS - 900 Dunlop Road

Joint City Council - Planning Commission Workshop

AS OF 6/10/24 SUPPLEMENT 1: ADDED INFORMATION TO DISCUSSION ITEM 5(b)

PLEASE NOTE THAT THE CITY COUNCIL AGENDA IS SUBJECT TO CHANGE.

**A COPY OF THE AGENDA PACKET IS AVAILABLE ON THE CITY'S WEBSITE AT
WWW.MYSANIBEL.COM**

“The Rules of Civility for Public Participation” as adopted by City Council can be found on the last page of this agenda. Reminder: Please turn all cell phones on to vibrate while in BIG ARTS.

1. CALL TO ORDER (Mayor Johnson)

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Vice Mayor Miller)

3. ROLL CALL

4. REVIEW

- a.** Amendments to the LDC that have been enacted to expedite Hurricane Ian recovery. *(McMichael - 10 minutes)*

*Note: Attached Ordinances that are not related to Hurricane recovery have been redacted to avoid confusion.

Attachments: [Enacted LDC Amendments to expedite Hurricane Ian recovery](#)

- b.** Planning Commission's approved priorities, to date, that require LDC amendments. *(McMichael - 10 minutes)*

Attachments: [Planning Commission LDC priorities](#)

5. DISCUSSION – JOINT WORKSHOP DESIRED OUTCOMES (McMichael - 30-45 minutes)

- a.** Discussion and Direction regarding agenda items 4 and 5, developed by staff (to be reviewed later in meeting)
- b.** Recommendations from Planning Commission Members received prior to meeting (emails included in agenda packet):

Attachments: [Commissioner Comments - Supplement 1](#)

- i. General discussion of what outcomes are desired to aide property owners' recovery from Hurricane Ian, such as:
 - 1. Permitting Process Changes that require amendments to the LDC, such as temporarily making Change of Use a short form application (staff review) -vs- a long form application (Planning Commission review).
 - 2. Substantive Changes to the LDC, such as changing a conditional use in the General Commercial District to a permitted use.
- c. Address abandonment standards and timelines for nonconforming uses.
- d. Discussion of retail/food/services businesses needed on Sanibel to add to quality of life.

Attachments: [Sec. 82-261 Re-establishment of abandoned nonconforming use](#)
[Sec. 82-401. Application - Short Form](#)
[Sec. 82-421 Application Long Form](#)
[Development Permits - Long Form -vs- Short Form Summary Sheet](#)

6. COMMERCIAL DISTRICT CONSIDERATIONS

- a. Permitted land uses - implemented through Business Tax Receipt (BTR)
- b. Conditional uses - require approval from Planning Commission - common CUPs:
 - i. Restaurant
 - ii. Bike Rental
 - iii. Formula Retail

Attachments: [Commercial Districts - Permitted -vs- Conditional Uses with maps](#)
[Sec. 126-91 - Eating places, restaurants, etc.](#)
[Sec. 126-102. Formula retail stores](#)

- c. Nonconforming uses - abandoned uses

Attachments: [Sec. 82- 261 Re-establishment of abandoned nonconforming use](#)

- d. Change of use - Sec. 90-126 - increase in intensity of use - change in nonconforming use to different use - change when development standards differ (parking)

Attachments: [Sec. 90-126. Change of use](#)

7. STAFF RECOMMENDATIONS – AID BUSINESSES RECOVERY

- a. Temporarily waive some applications from going to Planning Commission:
 - i. Long form development permit to implement CUP - VAR
 - ii. Long form development permit per Sec. 82-421 (9) buildback in the Gulf Beach zone but reducing footprint within the Gulf Beach

- b. Administratively approve waivers (landscaping & parking waivers).
- c. Administrative approval of change of use.
- d. Allow for a temporary CO prior to CUP approval.
- e. Waive or reduce certain public hearing fees.
- f. Sunset provisions.

8. MEETING REVIEW AND NEXT STEPS

- a. Based on today's discussion, what changes to the Planning Commission's approved priorities are necessary?
 - i. What is the desired process for consideration?

9. ADJOURNMENT

Added to the Record

Attachments:

[DIVISION 2. USES](#)

[DIVISION 5. STANDARDS FOR BUILDING BACK \(RECONSTRUCTION\)](#)

IF A PERSON DECIDES, TO APPEAL A DECISION MADE BY THE COUNCIL 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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Prior to requesting the agendas, the website reminds citizens that all e-mail addresses and requests submitted to the City are public information and governed by the applicable Florida Statute.

HORIZON – UPCOMING IMPORTANT DATES

Horizon upcoming important dates

[Attachments:](#)

[Horizon Schedule](#)

“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”

In recognition that public discourse is essential to the democratic system of government on April 16, 2002, Sanibel City Council adopted a Proclamation embracing civility in public deliberations. These rules were updated February 22, 2007.

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. To allow time to hear all points of view, speakers are allotted 3 minutes each time they are recognized.**
- 5. 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.**
- 6. 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.**
- 7. 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.**
- 8. We seek to understand one another's points of view.**
- 9. 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.**
- 10. 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.**