

**CITY OF SANIBEL
ORDINANCE 23-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, TO AMEND THE CODE OF ORDINANCES RELATING TO ARCHITECTURAL DESIGN REQUIREMENTS FOR MULTIFAMILY HOUSING TO ADD DEFINITIONS, CLARIFY REGULATORY LANGUAGE, AND ADDRESS DESIGN OF ELEVATED STRUCTURES TO ENSURE THAT REDEVELOPMENT WILL BE CONDUCTED CONSISTENT WITH ISLAND STYLE CHARACTER AND SCENIC PRESERVATION WITHIN THE BUILT ENVIRONMENT; AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86 – DEVELOPMENT STANDARDS, ARTICLE III. – RESIDENTIAL, DIVISION 3. – UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING, SUBDIVISION III. – MULTIFAMILY HOUSING, SECTION 86-169. – ARCHITECTURAL DESIGN STANDARDS AND EXAMPLES; FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, many properties within the Resort Housing District sustained substantial damage or were destroyed by Hurricane Ian; and

WHEREAS, City Council directed staff to review the existing development regulations affecting development within the Resort Housing District to aid redevelopment in a manner consistent with the Sanibel Plan; and

WHEREAS, the Planning Commission held a legally and properly advertised public hearing on January 9, 2023, on specific proposed Amendments to the Land Development Code; and

WHEREAS, the Planning Commission heard and considered comments and recommendations from the Planning Department Staff and public; and

WHEREAS, the Planning Commission may recommend to the City Council amendments to regulations of the Land Development Code, in accordance with the standards set forth in LDC Section 82-241; and

WHEREAS, the Planning Commission found the proposed amendments to the Land Development Code as indicated below are consistent with the Sanibel Plan and meet the requirements of LDC Section 82-241, and recommended by a vote of 6 to 0 that the City Council adopt said amendments in the form of an ordinance, the substance of which follows below

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

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

SECTION 2. Sanibel Code of Ordinances, Subpart B. Land Development Code, , are hereby amended with ~~strike through~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 86 – DEVELOPMENT STANDARDS

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ARTICLE III. – RESIDENTIAL

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DIVISION 3. – UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING

...

Subdivision III. – Multifamily Housing

...

Sec. 86-169. Architectural design standards and examples.

- (a) *Intent.* It is the intent of these architectural standards and examples to ensure that all multifamily buildings and structures within a multifamily development are designed, constructed, maintained, and improved in a manner that enhances the environment, visual and physical character of Sanibel consistent with the Sanibel Plan and its vision statement. [Also refer to LDC subsection 86-43(b) applicable to the appearance of structures, size and mass of all buildings and structures.]
- (b) *Application.* The architectural standards and examples in this section shall apply to all new multifamily buildings and structures within a multifamily development, whether the buildings are new development or the redevelopment of existing structures.

These architectural standards also apply to an existing multifamily building that is adding, or redeveloping, more than 25 percent of the floor area of that building. To the extent practicable, these standards will apply to major improvements to the exterior of existing multifamily buildings that involve replacement or relocation of windows, entryways, walkways, and elements of the building's facade, provided that, the improvement exceeds normal repair and maintenance. These standards do not apply to interior renovations that do not affect the external appearance of the building.

- (c) *Recognition of Sanibel's "Island Style".* While there exists a diversity of building styles represented among the structures within City of Sanibel, some building styles more successfully represent the "community aesthetic," or what could be thought of as Sanibel's "Island Style". ~~In the development of architectural standards and examples for multifamily buildings and structures within a multifamily development, it was determined that fFour~~ subcategories, or sub-styles, together contribute to Sanibel's "Island Style". These have been identified as Old Florida, Island Eclectic, Island Contemporary and Caribbean Island Leisure. ~~These architectural styles are equally applicable as standards and examples for development and redevelopment throughout the city for all multifamily housing developments.~~

~~Conformance with specific architectural styles is not required by Sanibel's Land Development Code. However the fFour~~ subcategories are illustrative of the overall characteristics that are considered compatible with the term "Island Style" and form the basis for the illustrations of the architectural standards and examples included in this document. In keeping with the island's "rural" character, the buildings are typically smaller in stature and understated in design.

Old Florida. Florida "cracker" style, a vernacular architecture typified by a wood-frame house, lap siding, metal seam or shake roofs with exposed trusses, large overhangs and porches incorporated into the design.

Island Eclectic. Similar to "Old Florida" architecture in form and materials with design embellishments that contribute to a casual or off-beat aesthetic, often incorporating coastal themes in its design motif.

Island Contemporary. Also, similar to "Old Florida" architecture in its execution of form, using overhangs, porches, and balconies to establish functional intermediate spaces. However, this substyle is distinguished by its use of contemporary materials

such as “board and batten”, concrete or stucco siding, tile or metal (including copper) roof-material.

Island Leisure. Style that is typified by A-frame construction and steep peaks, or use of Skillion and Lean-to style roofs, with wood shake or thatched roof material. Building scale is residential in nature and incorporates porches or balconies.

An attribute of all of these styles is their compatibility with issues of "sustainability" or "green architecture." For example, pronounced roof overhangs shade walls and the open spaces below, providing natural cooling, sloped roofs can accommodate a natural ventilation space between the hot sun and living spaces below, and light-colored roofs reflect the sun's heat. When these building elements are combined with native plant species for landscaping, buildings and nature co-exist in harmony.

Except for reconstruction pursuant to post-disaster build-back (Chapter 126, Article V, Division 5), all new construction or redevelopment shall demonstrate features consistent with one of the four substyles of “Island Style” architecture, including green building features.

(d) *Architectural design standards.* Compliance with the following standards is mandatory.

- (1) Buildings shall be designed to appear as a group of buildings that vary in scale and size.
- (2) Buildings shall not appear monolithic, (unadorned walls and roof planes lacking articulation).
- (3) Buildings shall have architectural features and patterns that provide: Visual interest from the perspective of the pedestrian, bicyclist and motorist; appear to reduce building mass; and recognize and respect local character and site conditions.
- (4) Facades, horizontal and vertical. Large facades shall be broken up to present a more human scale, particularly to the public's right-of-way and beach views and the view of nearby residential uses.

Where it can be clearly demonstrated that both the horizontal and vertical screen and wall planes of a building's façade cannot be viewed from adjacent conservation lands, public rights-of-way, roadways, or beaches or other surrounding land uses compliance with the articulation standards of subsection (d)(4)a. of this section is considered optional and not mandatory not required.

~~Large facades, both horizontal and vertical, shall be broken up to present a more human scale, particularly to the public's right of way and beach views and the view of nearby residential uses. The following provides a basis for general standards:~~

~~a. Facades shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls. No building's horizontal wall or screen plane shall exceed 60 feet and no vertical wall or screen plane shall exceed 20 feet unless it can be demonstrated that the articulation requirements of subsection 4.b. below, can be met.~~

~~ba.~~ Articulation of facades and roofs shall be used to vary a building's mass, in height and width, so that it appears to be divided into distinct elements and details. To ~~help~~ achieve this standard each:

1. Horizontal wall or screen planes in excess of 60 feet shall have an off-set with a minimum depth of six feet and a minimum to maximum length of 15 feet and 30 feet, respectively;
2. Vertical wall or screen plane for buildings with two or more floors shall provide for the projection of architectural features such as balconies, porches, walkways, sunshades, trellises, roof overhangs, canopies or

protruding or recessed openings for every vertical floor. ~~In addition, such projections of the façade shall have~~ with a minimum depth of 3-½ feet and a minimum length equal to 50 percent of the width of the horizontal wall plane from which they project;

3. Horizontal roof plane shall not exceed 70 feet in length; and in addition, the roof shall be sloped at a minimum pitch of 4:12 unless the pitch of the new roof is intended to match an existing roof pitch that is less than 4:12; and

~~Area of a building devoted to a flat roof shall not exceed 25 percent of the building's total roof perimeter.~~

- e. ~~4.~~ Facades shall provide, through the use of detail and scale, visual interest that is consistent with the character of the community.

~~d. Where it can be clearly demonstrated that both the horizontal and vertical screen and wall planes of a building's façade cannot be viewed off-site from adjacent conservation lands, public rights of way, beaches or other surrounding land uses, compliance with the articulation standards of subsection (d)(4)b. of this section is considered optional and not mandatory.~~

- (5) Building entryways and windows. Such shall be located so as not to permit noise, light and other impacts on the quiet and private enjoyment of adjacent residential uses.

(6) Rooftops and rooftop equipment.

- a. No portion of a roof's perimeter visible from public or common space (including parking areas) shall be devoted to a flat roof, unless otherwise incorporated as resort recreational open space. Examples of roof types that achieve compliance to this standard include hip, gable, and mansard.
- b. All rooftop mechanical equipment protruding from the roof must be screened from adjacent roadways, residential use, public space, parking and common areas (not including service areas) public view by integrating it into a building and roof design, and no roof plane shall exceed 70 feet horizontal.

(7) Interior parking.

- a. Visual buffer/screen. All interior parking shall be visually screened from public or common space (including parking areas). Native vegetation and living walls are a preferred method consistent with Sanctuary values of the Sanibel Plan.
- b. Enclosures. Any wall, panel, or structure used to enclose interior parking areas shall provide visible articulation in design, fenestration, or otherwise provide visual interest by incorporating public art, including murals or statuary.
- c. Accessibility. All interior parking areas shall:
 1. Be accessible for persons with disabilities;
 2. Incorporate covered entry at all points of pedestrian access to the structure, including use of roof overhangs, porches or awnings; and
 3. Provide an interconnectivity path between the structure and shared use path, in cases when the subject property is directly adjacent to the shared use path.

~~City council may adopt and, from time to time, amend the following architectural design examples and associated illustrations that are offered to aid in the administration and interpretation of the above standards.~~

- (e) *Architectural design examples.* The graphic examples provided in section 86-170 are intended only as examples to assist property owners and developers in complying with the preceding mandatory standards. None of the individual architectural features described herein are required to be incorporated into new multifamily, or redevelopment projects.

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SECTION 3. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 4. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same 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 or application hereof.

SECTION 6. Effective date. This Ordinance shall be effective immediately upon adoption.

Attest:

Scotty Lynn Kelly, City Clerk

Holly Smith, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Smith _____
Johnson _____
Crater _____
Henshaw _____
Miller _____

First Reading: _____, 2023

Publication Date: _____

Second Reading: _____