

**CITY OF SANIBEL
ORDINANCE 23-016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO RESOLVE OMISSIONS FROM A RECENT ORDINANCE AMENDING ARCHITECTURAL DESIGN STANDARDS, REMOVING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86, DEVELOPMENT STANDARDS; SECTION 86-170, EXAMPLES AND ILLUSTRATIONS OF ARCHITECTURAL DESIGN AND BUILDING FEATURES THAT REINFORCES THE ARCHITECTURAL STANDARDS; AMENDING CHAPTER 126, ZONING, ARTICLE XII. RESORT HOUSING DISTRICT, SECTION 126-639. 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 resort housing developments 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 April 25, 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 ~~striketrough~~ 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. – Multi-family Development

...

~~Sec. 86-170. – Examples and illustrations of architectural design and building features that reinforces the architectural standards.~~

~~The following architectural design features are intended to assist property owners and developers in complying with the mandatory architectural standards. None of the individual architectural features described or shown herein are required to be incorporated into either the new development or redevelopment but are intended to provide examples of how to meet the mandatory architectural design standards adopted for buildings and structures devoted to multifamily, institutional, resort and commercial uses.~~

~~Architectural Design Standard #1~~

~~Architectural Design Standard #2~~

~~Architectural Design Standard #3~~

~~Architectural Design Standard #4~~

~~Architectural Design Standard #5~~

~~Architectural Design Standard #6~~

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Chapter 126 – ZONING

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ARTICLE XII. – RESORT HOUSING DISTRICT

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Sec. 126-639. Architectural design standards and examples.

- (a) *Intent.* It is the intent of these architectural standards and examples to ensure that all commercial and multifamily buildings and structures in the resort housing district 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. (See also § 86-43(b) applicable to the appearance, size and mass of all buildings and structures.)

All structures shall exhibit “Island-style” architecture and associated design standards described in Section 86-168 – Architectural harmony and Section 86-169 – Architectural design standards and examples.

- (b) *Application.* In the event that the applicant and the planning department do not agree on whether the short-form application is in conformance with sections 86-43, 86-168 and 86-169, the following alternative procedures are established:

1. Pursuant to the Sanibel Code, chapter 14, article II, division 4, section 14-91 "Outside professional review", the applicant and the planning department may secure appropriate professional services to independently review the application and submit recommendations

necessary to achieve compliance.

2. The applicant and/or the planning department may also refer the application to the planning commission, pursuant to Land Development Code, chapter 82, article III, division 3, subdivision III, Interpretations of the Land Development Code.

~~The architectural standards and examples in this section shall be applicable to the following new or redeveloped structures:-~~

- ~~(1) Hotels and motels;~~
- ~~(2) Multifamily dwellings as defined in § 78-1;~~
- ~~(3) Resort housing as defined in § 78-1;~~
- ~~(4) Structures containing "timeshare units" as defined in § 78-1;~~
- ~~(5) Any of the above-listed structures to which are being added to or redeveloped to the extent of more than 25 percent of the floor area of that building; and~~
- ~~(6) To the extent practicable, these standards will apply to major improvements to the exterior of any of the above-listed structures 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 is 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 four subcategories, or sub-styles, together contribute to Sanibel's "Island Style". These have been identified as Old Florida, Island Eclectic, Island Contemporary and Caribbean. These architectural styles are equally applicable as standards and examples for development and redevelopment throughout the city's resort housing districts.~~

~~Conformance with specific architectural styles is not required by Sanibel's Land Development Code. However the four 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.~~

~~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.~~

~~(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.~~
- ~~(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) 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.~~
- b. ~~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:-~~
 - ~~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;~~
 - ~~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 facade shall have 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;~~
 - ~~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;~~
 - ~~Area of a building devoted to a flat roof must be the minimum necessary to accommodate the placement of a building's mechanical equipment. The building's mechanical equipment shall be screened from view by integrating both the equipment and roof area into the design of the building and roof. As further limitations the amount of surface area that can be designed as a flat roof feature shall not exceed ten percent of a primary roof's total square footage as measured along the length and width of that roof's two-dimensional outline; and the outer perimeter of any flat roof surface area shall not exceed a length greater than 25 feet.~~
 - ~~Facades shall provide, through the use of detail and scale, visual interest that is consistent with the character of the community; and~~
 - ~~Building entryways and windows shall be located so as not to permit noise, light and other impacts on the quiet and private enjoyment of adjacent residential uses.~~
- c. ~~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) ~~All rooftop mechanical equipment protruding from the roof must be screened from public view by integrating it into a building and roof design and no roof plane shall exceed 70 feet horizontal.~~
- (6) ~~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:

Miller _____
Johnson _____
Crater _____
Henshaw _____
Smith _____

First Reading: June 6, 2023

Publication Date: _____

Second Reading: _____