

CITY OF SANIBEL
DRAFT PLANNING COMMISSION RESOLUTION 26-06

A RESOLUTION RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBDIVISION I, IN GENERAL, SECTION 126-852, REQUIREMENTS, AND SECTION 126-853, FRONT YARDS, TO ALLOW ACCESSORY STRUCTURES IN FRONT YARDS EXCEPT ACCESSORY STORAGE STRUCTURES SUBJECT TO FRONT SETBACK REQUIREMENTS WITH LIMITED EXCEPTIONS, AND FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS.

WHEREAS, the Planning Commission, held a legally and properly advertised public hearing on March 24, 2026, at which the Planning Commission heard and considered comments and recommendations from the Planning Staff and the public pertaining to a draft amendment related to allowing accessory structures in front yards, except accessory storage structures, subject to front setback requirements with limited exceptions; and

WHEREAS, the Planning Commission finds the proposed amendment to be consistent with the Sanibel Plan, as it relates to Objective B9 of Section 3.6.2. Future Land Use Element, for continued implementation of innovative land development regulations to achieve objectives of the Plan; 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 Land Development Code Section 82-241.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission finds the proposed amendments to the Land Development Code attached hereto as Exhibit A, are consistent with the Sanibel Plan, meet the above-referenced requirements, and recommends that the City Council adopt said amendments in the form of an ordinance.

PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 24TH DAY OF MARCH 2026.

Attest:

Scotty Lynn Kelly, City Clerk

Paul Nichols, Chair

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Commission Members:

Nichols	_____
Steiner	_____
Burns	_____
Colter	_____
Schopp	_____
Sergeant	_____
Welch	_____

EXHIBIT A OF RESOLUTION**Agenda Item
Meeting of****CITY OF SANIBEL
ORDINANCE 26-**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBDIVISION I, IN GENERAL, SECTION 126-852, REQUIREMENTS, AND SECTION 126-853, FRONT YARDS, TO ALLOW ACCESSORY STRUCTURES IN FRONT YARDS EXCEPT ACCESSORY STORAGE STRUCTURES SUBJECT TO FRONT SETBACK REQUIREMENTS WITH LIMITED EXCEPTIONS, AND FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning Commission held a legally and properly advertised public hearing on March 24, 2026, on specific proposed amendments to the Land Development Code; and

WHEREAS, the Planning Commission heard and considered comments and recommendations from the Planning Staff and the public pertaining to a draft amendment related to allowing accessory structures in front yards except accessory storage structures subject to front setback requirements with limited exceptions; and

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

WHEREAS, the Planning Commission found the proposed amendments to the LDC as referenced above to be consistent with the Sanibel Plan and meet the requirements of LDC Section 82-241, and recommended by a vote of _ to _ that the City Council adopt said amendments in the form of an ordinance.

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, Chapter 126, is hereby amended with ~~striketrough~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 126 - ZONING

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ARTICLE XIV. – SUPPLEMENTARY DISTRICT REGULATIONS

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DIVISION 2. – ACCESSORY STRUCTURES**Subdivision I – IN GENERAL**

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Sec. 126-852. – Requirements

All accessory buildings and structures shall comply with the following requirements:

- (a) *Height.* Accessory structures shall comply with the height limitations for principal structures, but in no event shall an accessory structure exceed the height of a principal structure located on the same lot.
- (b) *Separation.* Accessory buildings or structures shall be at least ten feet from any principal building located on the same lot, unless attached to and an integral part of such principal building, and shall be at least six feet from any other accessory building or structure located on the same lot.
- (c) Front yard setbacks. All accessory structures shall comply with front yard setback requirements for a principal structure, except as follows:
 - (1) Ground-level walkways, driveways, bike paths, and parking areas (but not including those parking areas subject to article XIV, division 3, subdivision II of this chapter);
 - (2) Utility facilities;
 - (3) Lamp posts and mailboxes;
 - (4) Planters and statuary up to three feet in height; and
 - (5) Street graphics in accordance with chapter 106.
- (d) *Side and rear yard setbacks.* Accessory buildings and structures shall comply with the side and rear yard setback requirements for a principal structure, except as follows:
 - (1) Side and rear yard setback requirements shall not apply to accessory revetments, seawalls, or erosion control structures.
 - (2) Side yard setback requirements shall not apply to docks, boat davits, or boat lifts located along a side lot line.
 - (3) Rear yard setback requirements shall not apply to docks, boat davits, or boat lifts located along a rear lot line.
 - (4) Side and rear yard setback requirements shall not apply to docks, boat davits, or boat lifts located on lots A through Q of Sanibel Harbors Subdivision.
- ~~(e)~~ *Open body of water setback.* Accessory buildings and structures shall comply with the open body of water setback requirements for a principal structure, except as the open body of water setback shall not apply to the following:
 - (1) Docks, boat davits, or boat lifts, and access walkways or paths to docks.
 - (2) Accessory revetments, seawalls, or alternative shoreline stabilization projects.
 - (3) Within conservation lands, boardwalks, dune walkovers, trails, or observation platforms/towers.
 - (4) Driveways proposed to cross an open body of water where the crossing is the minimum necessary to provide access to the principal use of the lot and where the hydrological connection will not be disrupted.
 - (5) De minimis impacts pursuant to section 86-45(c).

Sec. 126-853. - Accessory storage buildings. Front yards.

- (a) Accessory storage buildings are prohibited in actual front yard areas, (between principal structure and front lot line), unless the accessory storage building is located more than 150 feet from the front lot line. ~~All accessory structures are prohibited within required front yard setbacks (including all street side setbacks for multiple frontage lots), except for:~~
- ~~(1) Ground level walkways, driveways, bike paths, and parking areas (but not including those parking areas subject to article XIV, division 3, subdivision II of this chapter;~~
 - ~~(2) Utility facilities;~~
 - ~~(3) Lamp posts and mailboxes;~~
 - ~~(4) Planters and statuary up to three feet in height; and~~
 - ~~(5) Street graphics in accordance with chapter 106.~~
- (b) Non-elevated accessory storage buildings shall comply with size and area limitations described in Section 94-133.

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