

**CITY OF SANIBEL
ORDINANCE 17-013**

AN ORDINANCE AMENDING THE CITY OF SANIBEL CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126 "ZONING", ARTICLE XII RESORT HOUSING DISTRICT, SECTIONS 126-637 DEVELOPMENT REGULATIONS, (b) (3) HEIGHT LIMITS FOR BUILDINGS, TO EXEMPT THE PITCHED ROOFS ON THREE STORY MULTIFAMILY BUILDINGS FROM THE HEIGHT LIMITATION FOR BUILDINGS AND TO 126-639 ARCHITECTURAL DESIGN STANDARDS AND EXAMPLES, (d) ARCHITECTURAL DESIGN STANDARDS, (4) b. ARTICULATION OF FACADES AND ROOFS, TO RESTRICT THE AMOUNT OF SURFACE AREA THAT CAN BE DESIGNED AS A FLAT ROOF FEATURE ON A BUILDING AND UTILIZED ONLY FOR THE PLACEMENT OF MECHANICAL EQUIPMENT. PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in order to continue to preserve and strengthen the City's property values, sense of place and its rural character as a sanctuary island community the City Council adopted Ordinance No. 16-001 that established for the very first time a set of comprehensive architectural design standards specifically for new construction and the redevelopment of existing buildings and structures devoted to multifamily, resort housing, institutional and commercial uses; and

WHEREAS, the City Council recently directed the Planning Commission and Staff to draft legislation amending the Land Development Code Building Height Limitation to exempt the mandatory pitched roof on three story multifamily buildings from the height limit for buildings located in the Resort Housing District; and to restrict the amount of roof area on a building that can be designed with a flat roof feature; and

WHEREAS, the amended legislation is intended to help to reinforce the community's character and natural environment by reducing the mass and scale of multifamily buildings that are three stories above the base flood elevation of the state and federal government; and

WHEREAS, the recommended amended legislation will better assist property owners seeking to reinvest in and enhance the appearance of their properties, either by constructing new or renovating existing building and structures, and

WHEREAS, the recommended amended legislation will provide such property owners and their agents with clearer direction that is consistent with the intent of Ordinance No.16-001, and

WHEREAS, all required public notices and public hearings for this amendment have been properly given and held.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Sanibel, Florida:

SECTION 1. The Sanibel Code of Ordinances, Part II, Subpart B — Land Development Code, Chapter 126 Zoning, Article XII Resort Housing District, Section 126-637 Development Regulations, (b) (3) Height limits for buildings is hereby amended with the following added text indicated by underlining, to read as follows:

(3) *Height limits for buildings.*

- a. Developments that exceed the limitations on height of buildings are nonconforming.
- b. The height of buildings will not exceed three stories above the base flood elevation. This limitation is established by Policy 1.1 in the Scenic Preservation Element (Section 3.2.5) of the Sanibel Plan.
- c. In the Resort Housing District, the maximum height of buildings shall not exceed 33 feet above the base flood elevation of the FEMA Flood Insurance Rate Map (FIRM) or the Florida Building Code for buildings located seaward of the state's coastal construction control line (CCCL), whichever is higher. However, no building in the Resort Housing District can exceed a height greater than 49.8 feet NAVD (or 51 feet NGVD).

A permitted exception to the maximum height limitation is provided solely for the mandatory pitched roof required on multifamily buildings designed with three habitable floors or stories above the base flood elevation.

The maximum height of the required sloped roof shall not exceed a height greater than 58.1 feet NAVD or 8.3 feet above the established maximum building height of 49.8 feet NAVD.

The interior areas of roofs exceeding the height limit for buildings in the Resort Housing District shall not be:

1. Used for additional habitable space or ancillary storage area;
2. Mechanically cooled or heated; and
3. Equipped with finished floors or partitioned walls.

SECTION 2. The Sanibel Code of Ordinances, Part II, Subpart B — Land Development Code, Chapter 126, Zoning, Article XII Resort Housing District, Section 126-639 Architectural Design Standards, (4) b. Articulation of Facades and Roofs is hereby amended with the following deleted text indicated by ~~strikethrough~~ and added text indicated by underlining, to read as follows:

- 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 ~~shall not exceed 25 percent of the building's total roof perimeter;~~ 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 10 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.

SECTION 3. Codification. In Subpart B of the Sanibel Code of Ordinances, Chapter 126 Zoning Article XII Resort Housing District, Sections 126-637 Development Regulations, (b) (3) Height Limits for Buildings and 126-639 Architectural Standards and Examples, (d) Architectural Design Standards (4) b., is hereby amended. This ordinance

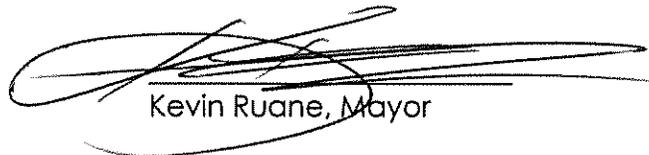
shall be deemed an amendment to the Sanibel Code of Ordinances and shall be codified in the Sanibel Code of Ordinances as such an amendment.

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.

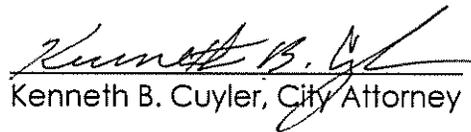
SECTION 6. Effective Date. This ordinance shall be effective immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 8th day of January, 2018.


Kevin Ruane, Mayor

AUTHENTICATION:

Pamela Smith, City Clerk

APPROVED AS TO FORM: 
Kenneth B. Cuyler, City Attorney

1/8/18
Date

First Reading: December 05, 2017
Publication Date: December 27, 2017
Second Reading: January 08, 2018

Ruane	Yea
Denham	Yea
Goss	Yea
Maughan	Yea
Smith	Yea

Date Filed With City Clerk: January 08, 2018