

## ORDINANCES 2013

- 13-01 **Annex** 8 Birdie Lane; App. AN-LUP-Zo 13-50.00 Z/C (3/21/13)
- 13-02 **Amend** LUP following annexation; 8 Birdie Lane (3/21/13)
- 13-03 **Zoning** following annexation; 8 Birdie Lane (3/21/13)
- 13-04 **Failed**
- 13-05 **Amend** Ch. 26, Sec. 26-73, Sec. 26-74; Qualifying period for elections
- 13-06 **Annex** 30 Bogie Lane; App. AN-LUP-Zo 13-51.00 Z/C (3/21/13)
- 13-07 **Amend** LUP following annexation; 30 Bogie Lane (3/21/13)
- 13-08 **Zoning** following annexation; 30 Bogie Lane (3/21/13)
- 13-09 **Rezoning** 911, 937, 957, 967, 971, 985 & 991 Douglas Ave.; portion of 413 Skinner Blvd. (4/18/13)
- 13-10 **Rezoning** 915, 932, 943-945, 946, 948, 949, 957, 968 and 970 Highland Ave.; 953 & 984 Howard Ave.; 420-422 Highland Ct. (5/2/13)
- 13-11 **Amend Land Dev. Code**, noise ord. Exemptions; 107-41.2 (5/2/13)
- 13-12 **Amend Land Dev. Code**, utility trailers, boats and recreation equipment parking; 105-61.5.5 (5/2/13)
- 13-13 **Annex** 1410 Main Street, 1402 Carnation Drive, 1418 Carnation Drive; App. #AN-LUP-Zo 13-54.00 Z/C (6/6/13)
- 13-14 **Amend** LUP following annexation; 1410 Main St, 1402 Carnation Drive, 1418 Carnation Drive; #AN-LUP-Zo 13-54.00 Z/C (6/6/13)
- 13-15 **Zoning** following annexation; 1410 Main St, 1402 Carnation Drive, 1418 Carnation Drive; #AN-LUP-Zo 13-54.00 Z/C (6/6/13)
- 13-16 **Annex** 1774 Union Street; App. #AN-LUP-Zo 13-55.00 Z/C (8/1/13)
- 13-17 **Amend LUP** following annexation at 1774 Union Street (8/1/13)

## ORDINANCES 2013

- 13-18**    **Zoning** following annexation at 1774 Union Street (8/1/13)
- 13-19**    **Annex** 1680 Union Street; App. #AN-LUP-Zo 13-56.00 Z/C (8/1/13)
- 13-20**    **Amend LUP** following annexation at 1680 Union Street (8/1/13)
- 13-21**    **Zoning** following annexation at 1680 Union Street (8/1/13)
- 13-22**    **Amend** Dev. Agmt.; Pizutti (9/12/13)
- 13-23**    **Amend** Ch. 58 Code of Ords., Fire Pension & Retirement (9/26/13)
- 13-24**    **Amend** Ch. 58, Sec. 58-5 & 58-54; Firefighters Retirement System (10/17/13)
- 13-25**    **Amend** Ch. 103 of LDC (12/19/13)
- 13-26**    **Amend** LUP on 375, 403 & 407 Patricia Ave. & 1060 Scotsdale St.; App. LUP-Zo 13-58.01 Z/C (4/17/14)
- 13-27**    **Rezone** 375, 403 & 407 Patricia Ave. & 1060 Scotsdale St.; App. LUP-Zo 13-58.01 Z/C (4/17/14)
- 13-28**    **Amend** Ch. 103 of LDC, replacement of historic structures (1/9/14)
- 13-29**    **Amend** Ch. 107 of LDC, exemption for condo units (1/9/14)
- 13-30**    **Not Used**

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2013109849 04/05/2013 at 01:56 PM  
OFF REC BK: 17961 PG: 2534-2537  
DocType:GOV RECORDING: \$35.50

## ORDINANCE 13-01

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 8 BIRDIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.64 ACRES, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, pursuant to the provisions of the Florida Statutes, the City of Dunedin may lawfully annex land lying contiguous to the boundaries of the City upon written petition of the property owners thereof; and

**WHEREAS**, the City of Dunedin has received a written petition of the property owners of the following described property and has received proper proof of title setting forth the names of all persons, firms or corporations owning any interest in said property; and

**WHEREAS**, said property is reasonably compact and is contiguous to the City of Dunedin, lying in an unincorporated area; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** The City of Dunedin, acting by and through its City Commission hereby declares its intention to annex into the corporate limits of the City Dunedin the following property lying contiguous to the territorial limits of said City:

**SEE ATTACHED EXHIBIT "A"**

**A map clearly showing the annexed area is attached hereto as Exhibit "B" and incorporated herein by reference.**

**Section 2.** Upon final passage and adoption a certified copy of this Ordinance shall be duly recorded in the Office of the Circuit Court of Pinellas County and filed with the Department of State, State of Florida and the County Administrator of Pinellas County, Florida

**Section 3.** When this Ordinance has been duly recorded and filed as aforesaid, the territory hereinabove described shall be thereupon annexed to the City of Dunedin and the inhabitants thereof shall enjoy all the privileges and be subject to all liabilities as are applicable to the other lands and inhabitants within the corporate limits and subject to all laws and ordinances of the City of Dunedin.

**Section 4.** That this Ordinance shall become effective immediately upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

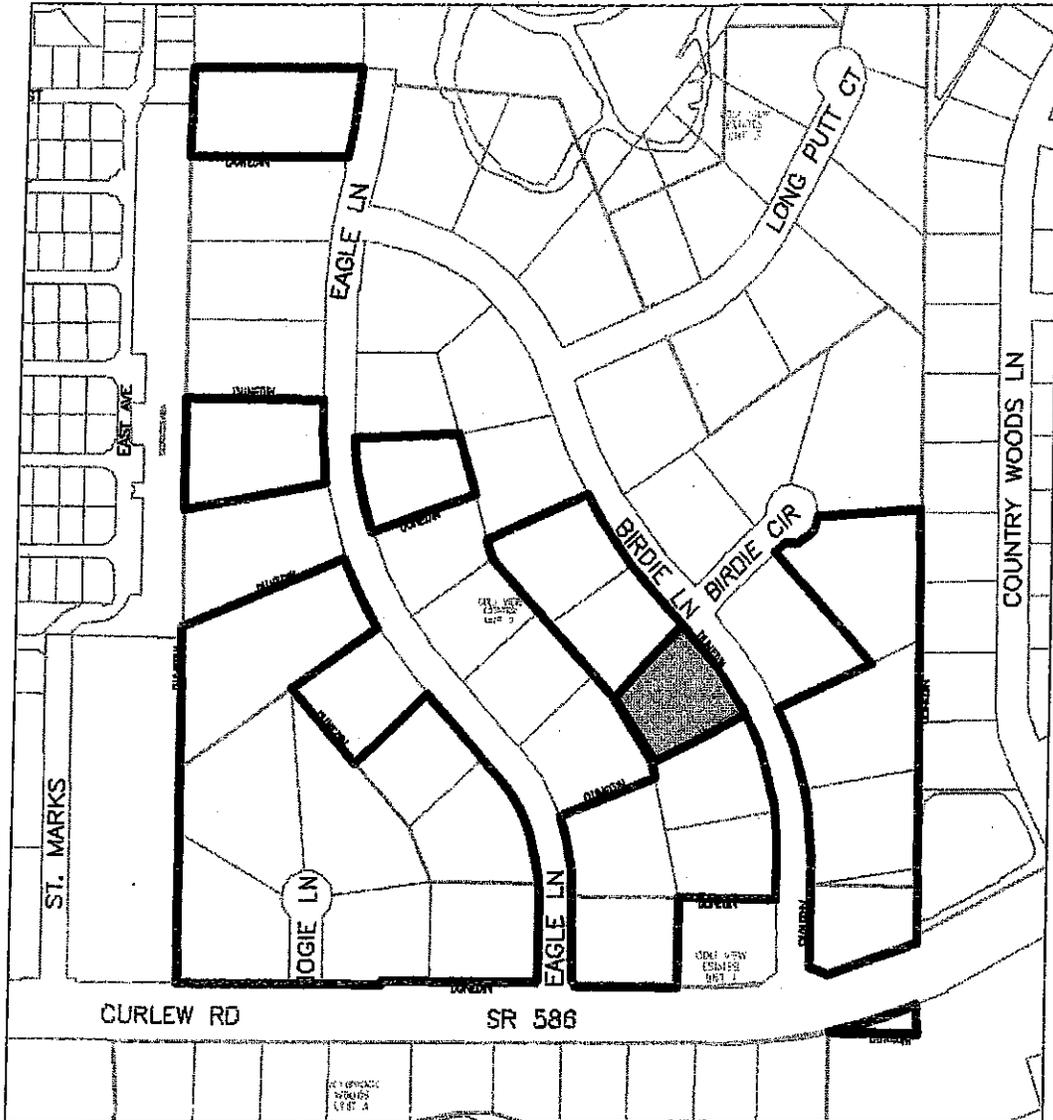
READ FIRST TIME AND PASSED: March 7, 2013

READ SECOND TIME AND ADOPTED: March 21, 2013

Lot 63, UNIT 2 GOLF VIEW ESTATES, according to the map or plat thereof  
in Plat Book 49, Page(s) 10, Public Records of Pinellas County,  
Florida.

Parcel ID: 14-28-15-31986-000-0630

a/k/a 8 Birdie Lane; Palm Harbor, Florida 34683



## ORDINANCE 13-02

**AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21, ON CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 8 BIRDIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.64 ACRES, ASSIGNING A RESIDENTIAL SUBURBAN (RS) LAND USE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan following annexation; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed following annexation to Residential Suburban (RS); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed following annexation to Residential Suburban (RS); and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property following annexation to Residential Suburban (RS), as said designation is more particularly described in said Land Use Plan:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is

issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**



Dave Eggers  
Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: March 7, 2013

READ SECOND TIME AND ADOPTED: March 21, 2013

Lot 63, UNIT 2 GOLF VIEW ESTATES, according to the map or plat thereof in Plat Book 49, Page(s) 10, Public Records of Pinellas County, Florida.

Parcel ID: 14-28-15-31986-000-0630

a/k/a 8 Birdie Lane; Palm Harbor, Florida 34683

## ORDINANCE 13-03

**AN ORDINANCE ZONING CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 8 BIRDIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.64 ACRES, TO SINGLE-FAMILY RESIDENTIAL (R-200) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned following annexation to Single-Family Residential (R-200); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Single-Family Residential (R-200) as said zoning classification is more particularly described in Dunedin's Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**

  
 \_\_\_\_\_  
 Dave Eggers  
 Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED:

March 7, 2013

READ SECOND TIME AND ADOPTED:

March 21, 2013

Lot 63, UNIT 2 GOLF VIEW ESTATES, according to the map or plat thereof in Plat Book 49, Page(s) 10, Public Records of Pinellas County, Florida.

Parcel ID: 14-28-15-31986-000-0630

a/k/a 8 Birdie Lane; Palm Harbor, Florida 34683

## ORDINANCE 13-05

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING THE FOLLOWING SECTIONS OF CHAPTER 26 OF THE CITY OF DUNEDIN CODE OF ORDINANCES; SECTION 26-73 TO REVISE DATES THAT PETITION CARDS SHALL BE FILED WITH THE CITY CLERK NOT MORE THAN 155 DAYS AND NOT LESS THAN 141 DAYS PRIOR TO THE ELECTION; SECTION 26-74 TO PROVIDE THAT NO PERSON MAY QUALIFY AS A CANDIDATE PRIOR TO THE 155TH DAY BEFORE THE NEXT ELECTION, NOR LATER THAN 12:00 NOON ON THE 141ST DAY BEFORE SAID ELECTION; AND BY PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Commission of the City of Dunedin has agreed to staff's recommendation to revise the Candidate Qualifying Period from the last two weeks in July to the first two weeks in June; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

**Section 1:** That Section 26-73 of Chapter 26 of the Code of Ordinances of the City of Dunedin be amended to read as follows:

**Sec. 26-73. - Method of qualifying.**

(a) *General requirements.* Each person seeking to qualify as a candidate for city office shall file with the city clerk a candidate's oath and a request that the candidate's name be printed on the next city election ballot, together with campaign finance reports required by F.S. § 106.07, and a statement of financial interests required by F.S. § 112.3145, if applicable, or copies in lieu of originals previously filed.

(b) *Qualification fee.*

(1) Unless qualifying pursuant to the alternative method of qualifying set forth in subsection (d) of this section, a qualification fee of one percent of the annual salary of the office sought shall be paid at the same time as the qualification papers are filed pursuant to subsection (a) of this section.

(2) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment in accordance with F.S. § 99.093. Within 30

days after the close of qualifying, the qualifying officer shall forward all amounts collected pursuant to F.S. § 99.093, and this section to the department of state for deposit in the elections commission trust fund. Payment of the qualifying fee and election assessment shall be by a check drawn on the candidate's campaign account payable to the city, delivered to the city clerk, who shall see that it is deposited in the general revenue fund of the city.

(c) *Petition cards.*

(1) Candidates for the city commission shall each be nominated by petition cards signed personally by not less than 150 qualified voters in the city in the exact manner as the signature of the qualified voter appears on the registration books of the Pinellas County Supervisor of Elections. Petition cards shall be as prescribed by the city clerk and shall contain the residence address of each signer.

(2) Petition cards shall be filed with the city clerk not more than ~~443~~ 155 days and not less than ~~99~~ 141 days prior to the election. The decision of the supervisor of elections shall be final in determining the validity of the signatures on the petition cards.

(3) *As a condition precedent to qualifying, the candidates shall be required to file with their petition cards personal affidavits showing that they are residents of the city, having physically resided therein for a period of at least one year immediately prior to submitting the petition cards and are qualified electors of the city.*

(4) Candidates shall comply with all applicable provisions of the state election law with regard to the requirements for candidacy certification, conduct of the election campaign and campaign financing and compliance with state candidate financial disclosure requirements.

(5) The petition cards shall be transmitted by the city clerk to the supervisor of elections for signature verification pursuant to F.S. § 99.097. The supervisor of elections shall notify the city clerk within five working days after receipt together with a certification of the number of signatures of city electors on the petition cards and whether that number equals or exceeds the requisite number. The cost of signature verification shall be paid pursuant to F.S. § 99.097(4), except that if a candidate is entitled to have the signatures verified at no cost to that candidate, the supervisor of elections shall submit a statement for the cost of such verification, not to exceed \$0.10 per signature, to the city for payment. A candidate is entitled to have the petition card signatures verified at no cost to that candidate, provided that the candidate executes an affidavit under oath that the candidate cannot pay the charges for verification without imposing an

undue burden upon the financial resources available to the candidate. Such affidavit shall be filed with the city clerk together with the petition cards.

(6) Upon receipt of the supervisor of election's certification, the city clerk shall notify the candidate of the result of the verification, and if the requisite number of valid signatures was attained, the city clerk shall place the candidate's name on the next city election ballot and he shall be considered as having qualified as of the date the requisite number of petition cards were certified as valid.

(d) *Alternative qualifying methods.*

(1) As an alternative method for qualifying for those individuals unable to or unwilling to pay the qualification fee, petition cards containing the signatures of city electors equal in number to one percent of the total registered electors of the city as of the most recent preceding regular city election may be filed with the city clerk, together with the required qualification papers, requesting that the individual's name be placed on the next city ballot for the office designated on the petition. The petition shall be filed with the city clerk not more than ~~443~~ 155 days and not less than ~~99~~ 141 days prior to the city election, pursuant to section 26-74.

(2) The petition cards shall be transmitted by the city clerk to the supervisor of elections for signature verification pursuant to F.S. § 99.097. The supervisor of elections shall notify the city clerk within ten days after receipt together with a certification of the number of signatures of city electors on the petition and whether that number equals or exceeds the requisite number. The cost of signature verification shall be paid pursuant to F.S. § 99.097(4), except that in the event a candidate is entitled to have the signature verified at no cost to that candidate, the supervisor shall submit a statement for the cost of such verification, not to exceed \$0.10 per signature, to the city for payment. A candidate is entitled to have the petition card signatures verified at no cost to that candidate, provided that he executes an affidavit, under oath, that the candidate cannot pay the charges for verification without imposing an undue burden upon the financial resources available to the candidate. Such affidavit shall be filed with the city clerk together with the petition cards.

(3) Upon receipt of the supervisor's certification, the city clerk shall notify the candidate of the result of the verification, and if the requisite number of valid signatures was attained, the city clerk shall place the candidate's name on the next city election ballot, and the candidate shall be considered as having qualified as of the date the requisite number of petition cards were certified as valid.

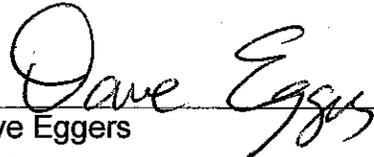
**Section 2:** That Section 26-74 of Chapter 26 of the Code of Ordinances of the City of Dunedin be amended to read as follows:

**Sec. 26-74. - Time for qualifying.**

No person may qualify as a candidate prior to the ~~443~~ 155th day before the next city election nor later than 12:00 noon, local time, on the ~~99th~~ 141st day before the said election, except that if the ~~99th~~ 141st day falls on a day that is a Saturday, Sunday or city holiday, the qualifying period shall be extended to the next city business day.

**Section 3:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of February, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

Passed on First Reading: February 07, 2013

Passed on Second Reading: February 21, 2013

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2013109850 04/05/2013 at 01:56 PM  
OFF REC BK: 17951 PG: 2538-2541  
DocType:GOV RECORDING: \$35.50

## ORDINANCE 13-06

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 30 BOGIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 1.03 ACRES, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, pursuant to the provisions of the Florida Statutes, the City of Dunedin may lawfully annex land lying contiguous to the boundaries of the City upon written petition of the property owners thereof; and

**WHEREAS**, the City of Dunedin has received a written petition of the property owners of the following described property and has received proper proof of title setting forth the names of all persons, firms or corporations owning any interest in said property; and

**WHEREAS**, said property is reasonably compact and is contiguous to the City of Dunedin, lying in an unincorporated area; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** The City of Dunedin, acting by and through its City Commission hereby declares its intention to annex into the corporate limits of the City Dunedin the following property lying contiguous to the territorial limits of said City:

**SEE ATTACHED EXHIBIT "A"**

**A map clearly showing the annexed area is attached hereto as Exhibit "B" and incorporated herein by reference.**

**Section 2.** Upon final passage and adoption a certified copy of this Ordinance shall be duly recorded in the Office of the Circuit Court of Pinellas County and filed with the Department of State, State of Florida and the County Administrator of Pinellas County, Florida

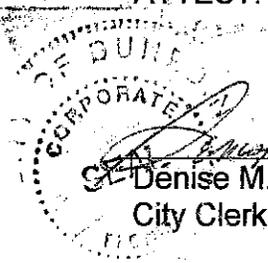
**Section 3.** When this Ordinance has been duly recorded and filed as aforesaid, the territory hereinabove described shall be thereupon annexed to the City of Dunedin and the inhabitants thereof shall enjoy all the privileges and be subject to all liabilities as are applicable to the other lands and inhabitants within the corporate limits and subject to all laws and ordinances of the City of Dunedin.

**Section 4.** That this Ordinance shall become effective immediately upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:



  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: March 7, 2013

READ SECOND TIME AND ADOPTED: March 21, 2013

Lot 3, Unit 1 GOLF VIEW ESTATES, according to the map or plat thereof, as recorded in Plat Book 44, Pages 60 and 61, Public Records of Pinellas County, Florida.

Parcel ID: 14-28-15-31986-000-0030



## ORDINANCE 13-07

**AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21 ON CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 30 BOGIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 1.03 ACRES, ASSIGNING A RESIDENTIAL SUBURBAN (RS) LAND USE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan following annexation; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed following annexation to Residential Suburban (RS); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed following annexation to Residential Suburban (RS); and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property following annexation to Residential Suburban (RS), as said designation is more particularly described in said Land Use Plan:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is

issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**



Dave Eggers  
Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: March 7, 2013

READ SECOND TIME AND ADOPTED: March 21, 2013

Lot 3, Unit 1 GOLF VIEW ESTATES, according to the map or plat thereof, as recorded in Plat Book 44, Pages 60 and 61, Public Records of Pinellas County, Florida.

Parcel ID: 14-28-15-31986-000-0030

## ORDINANCE 13-08

**AN ORDINANCE ZONING CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 30 BOGIE LANE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 1.03 ACRES, TO SINGLE-FAMILY RESIDENTIAL (R-200) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned following annexation to Single-Family Residential (R-200); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Single-Family Residential (R-200) as said zoning classification is more particularly described in Dunedin's Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 21st day of March, 2013.**

  
 \_\_\_\_\_  
 Dave Eggers  
 Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED:

March 7, 2013

READ SECOND TIME AND ADOPTED:

March 21, 2013

Lot 3, Unit 1 GOLF VIEW ESTATES, according to the map or plat thereof, as recorded in Plat Book 44, Pages 60 and 61, Public Records of Pinellas County, Florida.

Parcel ID: 14-28-15-31986-000-0030

## ORDINANCE 13-09

**AN ORDINANCE REZONING CERTAIN PROPERTY AT 911, 937, 957, 967, 971, 985 AND 991 DOUGLAS AVENUE AND A PORTION OF PROPERTY AT 413 SKINNER BOULEVARD WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 1.52 ACRES, FROM DOWNTOWN COMMERCIAL (DCOM) TO DOWNTOWN CORE (DC) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the City of Dunedin has deemed it necessary for the property described herein to be re-zoned to Downtown Core (DC); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning change be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

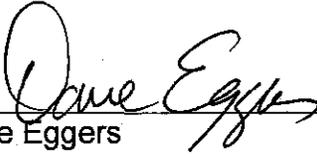
**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Downtown Core (DC) as said zoning classification is more particularly described in Dunedin's Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 18th day of April, 2013.

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: April 04, 2013

READ SECOND TIME AND ADOPTED: April 18, 2013

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THE NORTH 80 FEET OF LOT1, LESS THE WEST 5 FEET, A.J. GRANT'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 10, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-32922-000-0012; ADDRESS: 911 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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THE NORTH 100 FEET OF THE WEST 130 FEET OF LOT 20, SARAH J. LEWIS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-2000; ADDRESS: 937 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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LOTS 15, 16 AND 17, BLOCK 2, EDENHURST - HOWARD AND BROMLEY'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 43, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-002-0150; ADDRESS: 957 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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LOTS 18 AND 19, BLOCK 2, LESS THAT PART DEEDED TO THE STATE OF FLORIDA BY DEED RECORDED IN O.R. BOOK 6002, PAGE 1649, EDENHURST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 43, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-002-0180; ADDRESS: 967 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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LOT 20, BLOCK 2, EDENHURST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 43, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. LESS THAT PART CONVEYED TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION BY DEED RECORDED IN O.R. BOOK 5975, PAGE 1662, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-002-0200; ADDRESS: 971 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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LOTS 21 AND 22, BLOCK 2, EDENHURST SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 43, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY IN O.R. BOOK 5978, PAGE 535, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-002-0210 & 27-28-15-24300-002-0220; ADDRESS: 985 DOUGLAS AVENUE, DUNEDIN, FL 34698)

AND

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THE WEST 30 FEET OF LOTS 1 AND 2, LOT 23, AND LOT 24 LESS THE NORTH 40 FEET OF THE WEST 75 FEET THEREOF, BLOCK 2, EDENHURST HOWARD & BROMLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 43, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

AND

THE WEST 75 FEET OF LOT 23, BLOCK 2 AND THE SOUTH 2 FEET OF THE WEST 75 FEET OF LOT 24, BLOCK 2, EDENHURST SUBDIVISION, IN SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 43, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

LESS AND EXCEPT RIGHT-OF-WAY CONVEYED TO THE STATE OF FLORIDA DESCRIBED AS FOLLOWS: A PORTION OF LOTS 1 AND 2, LESS THE EAST 90.00 FEET OF EACH, BLOCK, EDENHURST SUBDIVISION, IN SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 43, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BEING DESCRIBED AS FOLLOWS: COMMENCE ON THE WESTERLY BOUNDARY OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, AT A POINT 1321.18 FEET NORTH 00 DEGREES 11' 56" WEST OF THE SOUTHWEST CORNER OF THE SOUTHEAST  $\frac{1}{4}$  OF SAID SECTION 27; RUN THENCE NORTH 76 DEGREES 36' 25" EAST 46.72 FEET; THENCE SOUTH 89 DEGREES 20' 39" EAST 131.71 FEET; THENCE SOUTH 00 DEGREES 22' 14" EAST 15.50 FEET TO A POINT OF BEGINNING; CONTINUE THENCE SOUTH 00 DEGREES 22' 14" EAST 47.51 FEET; THENCE NORTH 89 DEGREES 20' 39" WEST 75.16 FEET; THENCE NORTH 00 DEGREES 02' 45" WEST 47.62 FEET; THENCE SOUTH 89 DEGREES 15' 16" EAST 74.89 FEET TO THE POINT OF BEGINNING.

LESS EXISTING RIGHTS OF WAY.

(PARCEL ID: 27-28-15-24300-002-0230; ADDRESS; PART OF 413 SKINNER BOULEVARD AND 911 DOUGLAS AVENUE, DUNEDIN, FL 34698)

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## ORDINANCE 13-10

**AN ORDINANCE REZONING CERTAIN PROPERTY AT 915, 932, 943-945, 946, 948, 949, 957, 968 AND 970 HIGHLAND AVENUE, 953 (LOTS 7, 8, 9 AND 10) AND 984 (LOT 3) HOWARD AVENUE, 420-422 HIGHLAND COURT WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 5.41 ACRES, FROM DOWNTOWN RESIDENTIAL (DR) TO DOWNTOWN CORE (DC) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the City of Dunedin has deemed it necessary for the property described herein to be re-zoned to Downtown Core (DC); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning change be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

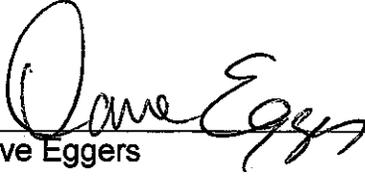
**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Downtown Core (DC) as said zoning classification is more particularly described in Dunedin=s Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 2nd day of May, 2013.

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: April 4, 2013

READ SECOND TIME AND ADOPTED: May 2, 2013

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THE WEST 125 FEET OF THE NORTH 63.34 FEET OF LOT 22 AND THAT PART OF LOT 21, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE SOUTH BOUNDARY LINE OF LOT 21, WHICH IS 79.69 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 21; RUN THENCE NORTH PARALLEL TO THE WEST BOUNDARY OF LOT 21, A DISTANCE OF 3 FEET; THENCE EAST PARALLEL TO THE SOUTH BOUNDARY OF LOT 21, A DISTANCE OF 37.15 FEET; THENCE SOUTH PARALLEL TO THE WEST BOUNDARY OF LOT 21 A DISTANCE OF 3 FEET; THENCE WEST ALONG THE SOUTH BOUNDARY A DISTANCE OF 37.15 FEET TO THE POINT OF BEGINNING, SARAH J. LEWIS SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED AT PLAT BOOK 3, PAGE 5, IN THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-2202; ADDRESS: 915 - 917 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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LOT 4, HIGHLAND COURT SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 1, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-38646-000-0040; ADDRESS: 932 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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PARCEL #1: THE SOUTH 60 FEET OF THE WEST 313 FEET OF LOT 14, SARAH J. LEWIS SUBDIVISION, OF THE WEST  $\frac{1}{2}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART LESS ROAD RIGHT OF WAY.

PARCEL #2: THE NORTH 81 FEET OF THE SOUTH 141 FEET OF THE WEST 313 FEET OF LOT 14, SARAH J. LEWIS SUBDIVISION, OF THE WEST  $\frac{1}{2}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART LESS ROAD RIGHT OF WAY.

(PARCEL ID: 27-28-15-51588-000-1409; ADDRESS: 943 HIGHLAND AVENUE, DUNEDIN, FL 34698)

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Parcel A: THE EAST 150 FEET OF THE NORTH 60 FEET OF THE EAST 210 FEET OF LOT 19, SARAH J. LEWIS SUBDIVISION OF THE WEST ½ OF THE SE ¼ OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

PARCEL B: THE EAST 210 FEET OF LOT 19, LESS AND EXCEPT THE EAST 150 FEET OF THE NORTH 60 FEET THEREOF, SARAH J. LEWIS SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTRY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-1900; ADDRESS: 946 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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SOUTH HALF (S1/2) OF THE SOUTH HALF (S1/2) OF LOT 18, SARAH J. LEWIS SUBDIVISION, OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, AND THE SOUTH 1.5 FEET OF THE NORTH HALF OF THE SOUTH HALF OF LOT 18, SARAH J. LEWIS, OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY OF WHICH PINELLAS COUNTY WAS FORMERLY A PART, LESS THE WEST 97 FEET THEREOF.

(PARCEL ID: 27-28-15-51588-000-1803; ADDRESS: 948 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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LOT 14, THAT PART DESCRIBED AS COMING FROM SOUTHWEST CORNER OF LOT 14 RUN NORTH ALONG EASTERLY RIGHT OF WAY OF HIGHLAND AVENUE 141 FEET FOR POINT OF BEGINNING THENCE NORTHEASTERLY ALONG EAST RIGHT OF WAY LINE OF HIGHLAND AVENUE 141 FEET SOUTH THENCE EAST 306.2 FEET THENCE SOUTH 136 FEET THENCE WEST 313 FEET TO POINT OF BEGINNING, SARAH J. LEWIS SUBDIVISION ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-1400; ADDRESS: 949 - 957 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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PART OF LOTS 15 AND 18 DESCRIBED FROM SOUTHEAST CORNER OF LOT 18 THENCE NORTH 55.25 FEET FOR POINT OF BEGINNING THENCE WEST 113 FEET THENCE NORTH 52 FEET SOUTH THENCE WEST 97 FEET THENCE NORTH 169 FEET SOUTH THENCE EAST 50 FEET THENCE NORTH 84.78 FEET THENCE SOUTH 89 DEGREES 112.49 FEET THENCE CURVE RIGHT RADIUS 44.96 FEET ARC 70.02 FEET CHORD BEARING SOUTH 45 DEGREES 63.16 FEET THENCE EAST 3.33 FEET THENCE SOUTH 259.33 FEET TO POINT OF BEGINNING, SARAH J. LEWIS SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-1800; ADDRESS: 968 HIGHLAND AVENUE, DUNEDIN, FL 34698)

AND

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THE WEST 97 FEET OF THE NORTH HALF OF THE SOUTH HALF OF LOT 18, SARAH J. LEWIS SUBDIVISION, OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

(PARCEL ID: 27-28-15-51588-000-1802; ADDRESS: 970 HIGHLAND AVENUE UNIT A & B, DUNEDIN, FL 34698)

AND

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LOT 3, BLOCK 2, EDENHURST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 43, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-002-0030; ADDRESS: 984 HOWARD AVENUE, DUNEDIN, FL 34698)

AND

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LOTS 7, 8, 9, AND 10, BLOCK 1, EDENHURST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 43, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

(PARCEL ID: 27-28-15-24300-001-0070; ADDRESS: LOT 7 HOWARD AVENUE, DUNEDIN, FL 34698)

(PARCEL ID: 27-28-15-24300-001-0090; ADDRESS: 953 HOWARD AVENUE, LOT 9, DUNEDIN, FL 34698)

(PARCEL ID: 27-28-15-24300-001-0080; ADDRESS: LOT 8 HOWARD AVENUE, DUNEDIN, FL 34698)

(PARCEL ID: 27-28-15-24300-001-0010; ADDRESS: LOT 10 HOWARD AVENUE, DUNEDIN, FL 34698)

AND

LOT 10, HIGHLAND COURT FIRST ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF  
AS RECORDED IN PLAT BOOK 56, PAGE 98, PUBLIC RECORDS OF PINELLAS COUNTY,  
FLORIDA.

(PARCEL ID: 27-28-15-38664-000-0100; ADDRESS: 420-422 HIGHLAND COURT,  
DUNEDIN, FL 34698)

AND

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## ORDINANCE 13-11

AN ORDINANCE OF THE CITY OF DUNEDIN AMENDING SECTION 107-41.2 OF CHAPTER 107 OF THE DUNEDIN LAND DEVELOPMENT CODE TO REVISE THE SOUND EXEMPTIONS FOR RELIGIOUS INSTITUTIONS, AMENDING THE SOUND EXEMPTION FOR TRAINS, BUSES, AIRCRAFT OR OTHER FORMS OF TRANSPORTATION GOVERNED BY EITHER STATE OR FEDERAL NOISE REGULATIONS TO SPECIFY THAT THE EXEMPTION IS FOR SOUNDS PRODUCED BY THE ORDINARY OPERATION OF SAME; AMENDING THE SOUND EXEMPTION FOR PUBLIC SERVICE VEHICLES, STREET SWEEPING MACHINERY OR OTHER VEHICLES, EQUIPMENT OR MACHINERY OPERATED BY EMPLOYEES OF A COUNTY, CITY OR OTHER PUBLIC AGENCY TO SPECIFY THAT THE EXEMPTION IS FOR SOUNDS PRODUCED BY THE ORDINARY OPERATION OF SAME; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, City staff has reviewed Chapter 107 of the Land Development Code; and

WHEREAS, City staff has determined that certain revisions are necessary in order to clarify the City's intentions relative to noise exemptions; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Section 107-41.2 of the City's Land Development Code is amended in its entirety to read as follows:

### **107-41.2 - Exemptions**

The following sounds are exempt from the provisions of this division:

- A) Emergency vehicles, such as fire, police or ambulance, while on emergency calls, using radios, sirens, horns, bells or whistles.
- B) Parades, fireworks displays and/or other special events for which permission has been granted by the city within such hours and conditions as may be imposed; festivals, concerts, athletic events and other activities taking place on publicly owned lands which are approved, sponsored or permitted by the city or other governmental agency.

- C) Emergency construction work which is necessary for the protection of life or property.
- D) Sounds produced by the ordinary operation of trains, buses, aircraft or other forms of transportation governed by either state or federal noise regulations.
- E) Emergency alarms, such as fire alarms or burglar alarms, prior to a reasonable opportunity for the owner or tenant in possession of the premises served by such alarm to turn off the alarm.
- F) Bells which are rung or organs which are played to signal religious services.
- G) Sounds produced by the ordinary operation of public service vehicles, street sweeping machinery or other vehicles, equipment, or machinery operated by employees of a county, city, or other public agency.

**Section 2.** That this Ordinance shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 2nd day of May, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: April 18, 2013

READ SECOND TIME AND ADOPTED: May 2, 2013

## ORDINANCE 13-12

AN ORDINANCE OF THE CITY OF DUNEDIN AMENDING SUBSECTIONS 105-61.5.5 AND 105-61.5.6 OF CHAPTER 105 OF THE DUNEDIN LAND DEVELOPMENT CODE TO FURTHER DEFINE THE SPECIFICATIONS FOR THE ALLOWABLE PARKING OF UTILITY TRAILERS, BOATS, RECREATIONAL VEHICLES AND RECREATIONAL EQUIPMENT WITHIN THE CITY; AMENDING APPENDIX A TO THE LAND DEVELOPMENT CODE TO AMEND THE DEFINITION OF "RECREATIONAL EQUIPMENT"; AMENDING THE DEFINITION OF "RECREATIONAL VEHICLE"; DELETING THE DEFINITION OF "TRAILER, TRAVEL TRAILER"; AMENDING THE DEFINITION OF "TRAILER, UTILITY"; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, City staff has reviewed Chapter 105 of the Land Development Code; and

WHEREAS, City staff has determined that certain revisions are necessary in order to clarify the City's intentions relative to the parking of utility trailers, boats, recreational vehicles and recreational equipment within the City limits; now, therefore

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Section 105-61.5.5 of the City's Land Development Code is amended in its entirety to read as follows:

### **105-61.5.5 - Utility Trailers, Boats, Recreational Vehicles and other Recreational Equipment**

- (A) Utility trailers, boats, recreational equipment and recreational vehicles may not be parked or stored in any portion of the front yard to include the buildable area unless actual loading or unloading, or cleaning is taking place. (Exemption see §105-61.5.6)
- (B) Recreational vehicles with no more than two axles may be located in the secondary front yard, side yard or rear yard. For motorized vehicles, this means one front and one rear axle; for non-motorized vehicles, this means no more than two rear axles
- (C) Boats and all other recreational equipment not exceeding 25 feet in rated length or 11 feet in height may be located in the

secondary front yard, side yard or rear yard. The parking of boats and all other recreational equipment exceeding these size limitations are prohibited in all residential zones.

- (D) No utility trailers, boats or other recreational equipment and recreational vehicles shall be located between the minimum setbacks established in *Chapter 103 - Zoning* and the perimeter of the lot or parcel; except that secondary front yard setbacks may be reduced by eight feet, rear yard setbacks may be reduced to not less than five feet, and side yard setbacks may be eliminated if, in the opinion of the zoning administrator, secondary front, rear or side yard parking is not possible without such reduction. Utility trailers, boats, recreational equipment and recreational vehicles stored within the secondary front, rear or side yards shall be effectively screened from adjacent lots and streets by screening or landscaping materials of 100% opacity as required by the zoning administrator.
- (E) All utility trailers, boats, recreational equipment or recreational vehicles stored or located on a residentially zoned lot or parcel shall at all times conform with the following standards:
  - 1. Must be owned by the persons residing on the property.
  - 2. Shall be maintained in a neat, clean and presentable manner and the area beneath the equipment shall be kept in a neat condition, and no accumulation of undergrowth, weeds or trash will be allowed.
  - 3. Shall be in a mobile and usable condition at all times including current tag and registration.
  - 4. Shall not have connections to electricity (except for the purpose of charging batteries), water, gas or sanitary sewer facilities, and at no time may the equipment be occupied or used for living, sleeping or housekeeping purposes.
- (F) It shall be unlawful for any utility trailers, boats, recreational vehicle or other recreational equipment to be on any street or right-of-way abutting residentially zoned lots or parcels of property unless actual loading or unloading is taking place.
- (G) No utility trailers, boats, recreational vehicle or other recreational equipment may be stored on vacant lots or sites under construction.

- (H) This division shall not be deemed to restrict the parking of noncommercial van-type cars or trucks or standard pickup trucks which do not exceed 18 feet in length or seven feet in height.

**Section 2.** That Section 105-61.5.6 of the City's Land Development Code is amended in its entirety to read as follows:

**105-61.5.6 – Boats, Recreational Equipment and Recreational Vehicle Front Yard Exemption**

Boats, recreational equipment and recreational vehicles may be parked in allowed front yard parking areas from 6:00 pm on Fridays until 8:00 am on Mondays for the purpose of loading, unloading and cleaning. City recognized holidays are also included in this exemption. This exemption does not apply to utility trailers.

**Section 3.** That Appendix A of the Land Development Code shall be amended to amend the definition of "Recreational Equipment" to read:

*Recreational equipment:* A transportation structure, either self-propelled or capable of being towed, and primarily designed or constructed either to provide temporary living quarters or recreational camping or travel use or to carry equipment for such uses; boats, boat trailers, and golf carts; such equipment not employed for profit or commercial use. It shall not exceed 25 feet in length or 11 feet in height. The term "recreational equipment" shall include, but not be limited to, pickup camper, slide-in camper, topper camper, folding trailer, collapsible trailer, golf cart, converted van or vehicle; and shall exclude recreational vehicles.

**Section 4.** That Appendix A of the Land Development Code shall be amended to amend the definition of "Recreational Vehicle" to read:

*Recreational vehicle:* A vehicle that is built on a single chassis with no more than two axles; designed to be self-propelled or permanently towable; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

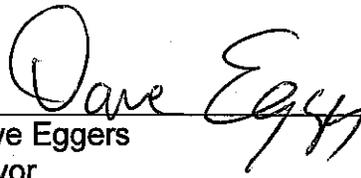
**Section 5.** That the definition of "Trailer, travel trailer" in Appendix A of the Land Development Code shall be deleted.

**Section 6.** That Appendix A of the Land Development Code shall be amended to amend the definition of "Trailer, utility" to read:

*Utility Trailer:* A vehicle drawn by another vehicle and which is no larger than six feet in width, 15 feet in length and seven feet in height; and shall exclude trailers otherwise defined as recreational equipment.

**Section 7.** That this Ordinance shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 2nd day of May, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: April 18, 2013

READ SECOND TIME AND ADOPTED: May 2, 2013

## **ORDINANCE 13-13**

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 1410 MAIN STREET, 1402 CARNATION DRIVE, VACANT LAND IMMEDIATELY NORTH OF 1402 CARNATION DRIVE AND 1418 CARNATION DRIVE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.9 ACRES, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, pursuant to the provisions of the Florida Statutes, the City of Dunedin may lawfully annex land lying contiguous to the boundaries of the City upon written petition of the property owners thereof; and

**WHEREAS**, the City of Dunedin has received a written petition of the property owners of the following described property and has received proper proof of title setting forth the names of all persons, firms or corporations owning any interest in said property; and

**WHEREAS**, said property is reasonably compact and is contiguous to the City of Dunedin, lying in an unincorporated area; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** The City of Dunedin, acting by and through its City Commission hereby declares its intention to annex into the corporate limits of the City Dunedin the following property lying contiguous to the territorial limits of said City:

**See EXHIBIT "A" attached hereto and made a part hereof.**

**A map clearly showing the annexed area is attached hereto as EXHIBIT "B" and incorporated herein by reference.**

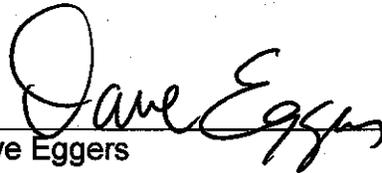
**Section 2.** Upon final passage and adoption a certified copy of this Ordinance shall be duly recorded in the Office of the Circuit Court of Pinellas County and filed with the Department of State, State of Florida and the County Administrator of Pinellas County, Florida

**Section 3.** When this Ordinance has been duly recorded and filed as aforesaid, the territory hereinabove described shall be thereupon annexed to the City of Dunedin and the inhabitants thereof shall enjoy all the privileges and be

subject to all liabilities as are applicable to the other lands and inhabitants within the corporate limits and subject to all laws and ordinances of the City of Dunedin.

**Section 4.** That this Ordinance shall become effective immediately upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 6th day of June, 2013.**



\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:



\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED:

\_\_\_\_\_  
May 16, 2013

READ SECOND TIME AND ADOPTED:

\_\_\_\_\_  
June 6, 2013

# ORDINANCE 13-13

## EXHIBIT A

### Parcel A:

(O.R. Book 16815, Page 1159)

A portion of the following described Parcel: (Deed Book 1128, Page 203)  
Beginning at a point 763 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26, Township 28 South, Range 15 East, and run South to the Southwest corner of said Quarter Section, thence East along the South line of said Quarter Section 128.75 feet, thence North to a point 763 feet South of the North line of said Quarter Section, thence West 128.75 feet to the Point of Beginning.  
The East 15 feet thereof dedicated for road purposes.

Description as per Letter addressed to the Pinellas County Board of Commissioners, from "Pinellas County Title Company" Dated November 17, 1978:

Begin at the N.W. corner of the S.E. 1/4 of N.E. 1/4 of Section 26, Township 28 S., Range 15 E., and run thence S 00°00'13" W, 1163.0 feet to the Point of Beginning; thence S 89°25'15" E, 128.75 feet; thence S 00°00'13" W to North R/W line of State Road #580; thence West along said R/W line a distance of 128.75 feet; thence N 00°00'13" E to the Point of Beginning. LESS East 15 feet for road Right-of-Way.

LESS Right-of-Way for State Road #580:

(O.R. Book 5836, Page 1055)

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of said Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West 1955.09 feet; thence North 00°32'17" East 59.62 feet; thence South 89°30'10" East 637.61 feet for a Point of Beginning; continue thence South 89°30'10" East 129.33 feet; thence North 00°01'27" East 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West 45.38 feet; thence South 00°00'32" East 9.20 feet to the Point of Beginning.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43"

West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the Point of Beginning, said point also being the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet; thence South 89°19'33" E, 128.91 feet; thence South 00°01'20" West, 101.91 feet to the Point of Beginning.  
Subject to an Ingress-Egress Easement across the East 15 feet thereof.  
Containing 13314.3 Square Feet or 0.31 Acres (More or Less)

Parcel B:

(O.R. Book 16815, Page 1162)

The South Half (South 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.78 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.91 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 6442.3 Square Feet or 0.15 Acres (More or Less)

Parcel C:

(O.R. Book 16815, Page 1156)

The North Half (North 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 154.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.66 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.78 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 6436.2 Square Feet or 0.15 Acres (More or Less)

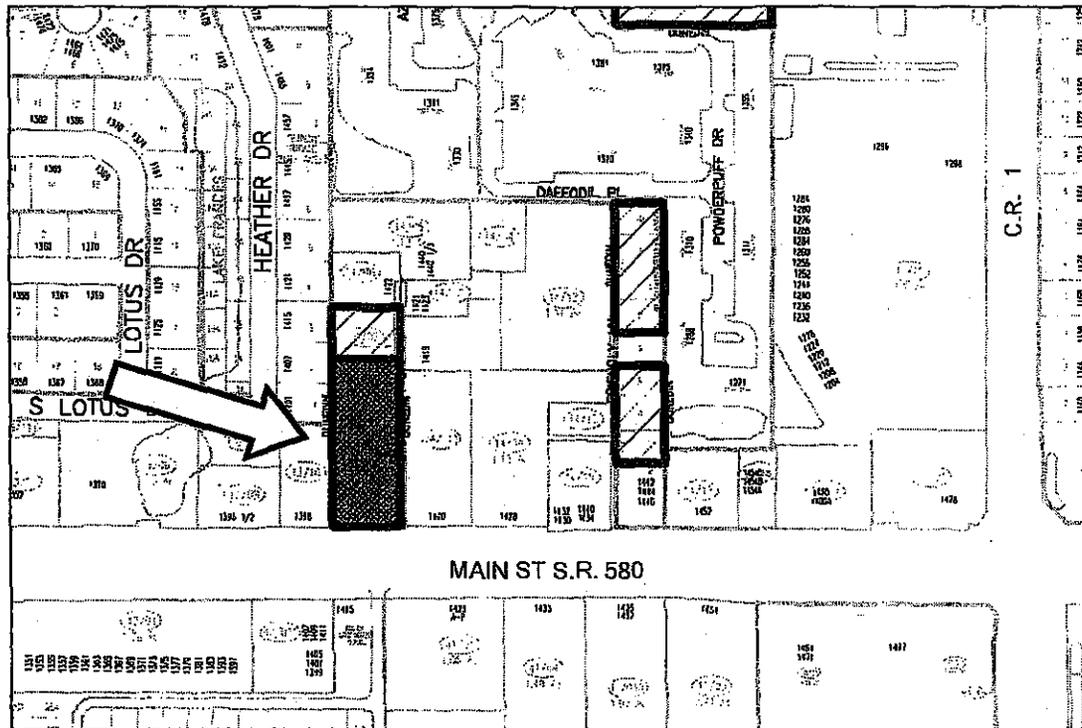
Parcel D:

(O.R. Book 16823, Page 221)

Begin 963 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26, Township 28 South, Range 15 East for a Point of Beginning; run thence South 100 feet; thence East 128.75 feet; thence North 100 feet; thence West 128.75 feet to the Point Of Beginning, Less the East 15 feet of said Tract, which has been dedicated for road purposes.

Containing 12,875 Square Feet or 0.30 Acres (More or Less)

**ORDINANCE 13-13  
EXHIBIT B**



Application No.  
AN-LUP-Zo 13-54.00 Z/C  
Property at 1410 Main St., 1402 Carnation Dr., vacant land immediately  
north of 1402 Carnation Dr. and 1418 Carnation Dr.

## ORDINANCE 13-14

**AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21, CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1410 MAIN STREET, 1402 CARNATION DRIVE, VACANT LAND IMMEDIATELY NORTH OF 1402 CARNATION DRIVE AND 1418 CARNATION DRIVE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.9 ACRES, ASSIGNING A COMMERCIAL GENERAL (CG) LAND USE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan following annexation; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed following annexation to Commercial General (CG); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed following annexation to Commercial General (CG); and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property following annexation to Commercial General (CG), as said designation is more particularly described in said Land Use Plan:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

**Section 2.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued

or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of August, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: June 6, 2013

READ SECOND TIME AND ADOPTED: August 15, 2013

Parcel A:

(O.R. Book 16815, Page 1159)

A portion of the following described Parcel: (Deed Book 1128, Page 203)

Beginning at a point 763 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26, Township 28 South, Range 15 East, and run South to the Southwest corner of said Quarter Section, thence East along the South line of said Quarter Section 128.75 feet, thence North to a point 763 feet South of the North line of said Quarter Section, thence West 128.75 feet to the Point of Beginning. The East 15 feet thereof dedicated for road purposes.

Description as per Letter addressed to the Pinellas County Board of Commissioners, from "Pinellas County Title Company" Dated November 17, 1978:

Begin at the N.W. corner of the S.E. 1/4 of N.E. 1/4 of Section 26, Township 28 S., Range 15 E., and run thence S 00°00'13" W, 1163.0 feet to the Point of Beginning; thence S 89°25'15" E, 128.75 feet; thence S 00°00'13" W to North R/W line of State Road #580; thence West along said R/W line a distance of 128.75 feet; thence N 00°00'13" E to the Point of Beginning. LESS East 15 feet for road Right-of-Way.

LESS Right-of-Way for State Road #580:

(O.R. Book 5836, Page 1055)

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of said Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West 1955.09 feet; thence North 00°32'17" East 59.62 feet; thence South 89°30'10" East 637.61 feet for a Point of Beginning; continue thence South 89°30'10" East 129.33 feet; thence North 00°01'27" East 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West 45.38 feet; thence South 00°00'32" East 9.20 feet to the Point of Beginning.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the Point of Beginning, said point also being the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet; thence South 89°19'33" E, 128.91 feet; thence South 00°01'20" West, 101.91 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 13314.3 Square Feet or 0.31 Acres (More or Less)

Application #  
AN-LUP-Zo 13-54.00 Z/C

Parcel B:

(O.R. Book 16815, Page 1162)

The South Half (South 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.78 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.91 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 6442.3 Square Feet or 0.15 Acres (More or Less)

Parcel C:

(O.R. Book 16815, Page 1156)

The North Half (North 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.  
Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 154.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.66 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.78 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 6436.2 Square Feet or 0.15 Acres (More or Less)

**Parcel D:**

(O.R. Book 16823, Page 221)  
Begin 963 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26,  
Township 28 South, Range 15 East for a Point of Beginning; run thence South 100 feet; thence East 128.75  
feet; thence North 100 feet; thence West 128.75 feet to the Point Of Beginning, Less the East 15 feet of said  
Tract, which has been dedicated for road purposes.  
Containing 12,875 Square Feet or 0.30 Acres (More or Less)

## **ORDINANCE 13-15**

**AN ORDINANCE ZONING CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1410 MAIN STREET, 1402 CARNATION DRIVE, VACANT LAND IMMEDIATELY NORTH OF 1402 CARNATION DRIVE AND 1418 CARNATION DRIVE WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 0.9 ACRES, TO GENERAL BUSINESS (GB) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned following annexation to General Business (GB); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned General Business (GB) as said zoning classification is more particularly described in Dunedin's Land Development Code:

**See EXHIBIT "A" attached hereto and made a part hereof.**

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of August, 2013.**



\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: June 6, 2013

READ SECOND TIME AND ADOPTED: August 15, 2013

Parcel A:

(O.R. Book 16815, Page 1159)

A portion of the following described Parcel: (Deed Book 1128, Page 203)  
Beginning at a point 763 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26, Township 28 South, Range 15 East, and run South to the Southwest corner of said Quarter Section, thence East along the South line of said Quarter Section 128.75 feet, thence North to a point 763 feet South of the North line of said Quarter Section, thence West 128.75 feet to the Point of Beginning.  
The East 15 feet thereof dedicated for road purposes.

Description as per Letter addressed to the Pinellas County Board of Commissioners, from "Pinellas County Title Company" Dated November 17, 1978:

Begin at the N.W. corner of the S.E. 1/4 of N.E. 1/4 of Section 26, Township 28 S., Range 15 E., and run thence S 00°00'13" W, 1163.0 feet to the Point of Beginning; thence S 89°25'15" E, 128.75 feet; thence S 00°00'13" W to North R/W line of State Road #580; thence West along said R/W line a distance of 128.75 feet; thence N 00°00'13" E to the Point of Beginning. LESS East 15 feet for road Right-of-Way.

LESS Right-of-Way for State Road #580:

(O.R. Book 5836, Page 1055)

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of said Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West 1955.09 feet; thence North 00°32'17" East 59.62 feet; thence South 89°30'10" East 637.61 feet for a Point of Beginning; continue thence South 89°30'10" East 129.33 feet; thence North 00°01'27" East 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West 45.38 feet; thence South 00°00'32" East 9.20 feet to the Point of Beginning.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the Point of Beginning, said point also being the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet; thence South 89°19'33" E, 128.91 feet; thence South 00°01'20" West, 101.91 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 13314.3 Square Feet or 0.31 Acres (More or Less)

Application #

AN-LUP-Zo 13-54.00 Z/C

Parcel B:

(O.R. Book 16815, Page 1162)

The South Half (South 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

More particularly described as follows:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.38 feet; thence North 00°09'37" East, 104.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.78 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.91 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 8442.3 Square Feet or 0.15 Acres (More or Less)

**Parcel C:**

(O.R. Book 16815, Page 1156)

The North Half (North 50 feet) of the following described property:  
Beginning at a point on the West boundary of the Southeast quarter of the Northeast quarter of Section 26, Township 28 South, Range 15 East; which is 1063 feet South of the Northwest corner of the said Southeast quarter of the Northeast quarter of the said Section 26, run thence South 100 feet along the said West boundary; thence run East 128.75 feet parallel to the South boundary of said Southeast quarter of the Northeast quarter of the said Section 26; thence run North 100 feet parallel to the said West boundary of the said Southeast quarter of the Northeast quarter of said Section 26; thence run West 128.75 feet to the Point of Beginning.

Subject to a dedication previously made of the East 15 feet of the above tract for road purposes, as appears in Deed Book 1128, Page 203 of the Public Records of Pinellas County, Florida.

**More particularly described as follows:**

That part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 28 South, Range 15 East.

Being described as follows:

Commence at the Easterly boundary of the Southeast 1/4 of Section 26, Township 28 South, Range 15 East, at a point 11.57 feet South 00°49'21" East of the Southeast corner of the Northeast 1/4 of Section 26, said corner being 2649.62 feet South 00°18'03" West of the Northeast corner of the Northeast 1/4 of said Section 26; run thence North 89°26'43" West, 1955.09 feet; thence North 00°32'17" East, 59.62 feet; thence South 89°30'10" East, 766.94 feet thence North 00°01'27" East, 11.40 feet to the beginning of a curve concave to the Southerly, having a radius of 22982.31 feet; thence from a tangent bearing of South 89°39'31" West run Westerly along said curve 83.96 feet through a central angle of 00°12'33" to the end of said curve; thence South 89°26'58" West, 45.36 feet; thence North 00°09'37" East, 154.53 feet to the Point of Beginning; thence continue North 00°09'37" East, 50.00 feet; thence South 89°19'33" East, 128.66 feet; thence South 00°01'20" West, 50.00 feet; thence North 89°19'33" West, 128.78 feet to the Point of Beginning.

Subject to an Ingress-Egress Easement across the East 15 feet thereof.

Containing 6436.2 Square Feet or 0.15 Acres (More or Less)

**Parcel D:**

**(O.R. Book 16823, Page 221)**

**Begin 963 feet South of the Northwest corner of the Southeast Quarter of Northeast Quarter of Section 26, Township 28 South, Range 15 East for a Point of Beginning; run thence South 100 feet; thence East 128.75 feet; thence North 100 feet; thence West 128.75 feet to the Point Of Beginning, Less the East 15 feet of said Tract, which has been dedicated for road purposes.**

**Containing 12,875 Square Feet or 0.30 Acres (More or Less)**

App.# AN-LOR-20 15-33.00 2/0  
I DO HERE-BY CERTIFY THAT THIS IS A TRUE  
AND CORRECT COPY OF ORDINANCE 13-16  
PASSED AND ADOPTED BY THE CITY  
COMMISSION OF THE CITY OF DUNEDIN  
13-087-01  
  
CITY CLERK

## ORDINANCE 13-16

AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 1774 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 6.24 ACRES, MOL, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.



**WHEREAS**, pursuant to the provisions of the Florida Statutes, the City of Dunedin may lawfully annex land lying contiguous to the boundaries of the City upon written petition of the property owners thereof; and

**WHEREAS**, the City of Dunedin has received a written petition of the property owners of the following described property and has received proper proof of title setting forth the names of all persons, firms or corporations owning any interest in said property; and

**WHEREAS**, said property is reasonably compact and is contiguous to the City of Dunedin, lying in an unincorporated area; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** The City of Dunedin, acting by and through its City Commission hereby declares its intention to annex into the corporate limits of the City Dunedin the following property lying contiguous to the territorial limits of said City:

**SEE ATTACHED EXHIBIT "A"**

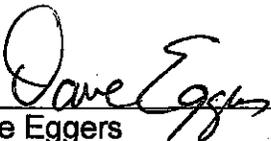
**A map clearly showing the annexed area is attached hereto as Exhibit "B" and incorporated herein by reference.**

**Section 2.** Upon final passage and adoption a certified copy of this Ordinance shall be duly recorded in the Office of the Circuit Court of Pinellas County and filed with the Department of State, State of Florida and the County Administrator of Pinellas County, Florida.

**Section 3.** When this Ordinance has been duly recorded and filed as aforesaid, the territory hereinabove described shall be thereupon annexed to the City of Dunedin and the inhabitants thereof shall enjoy all the privileges and be subject to all liabilities as are applicable to the other lands and inhabitants within the corporate limits and subject to all laws and ordinances of the City of Dunedin.

Section 4. That this Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: July 11, 2013

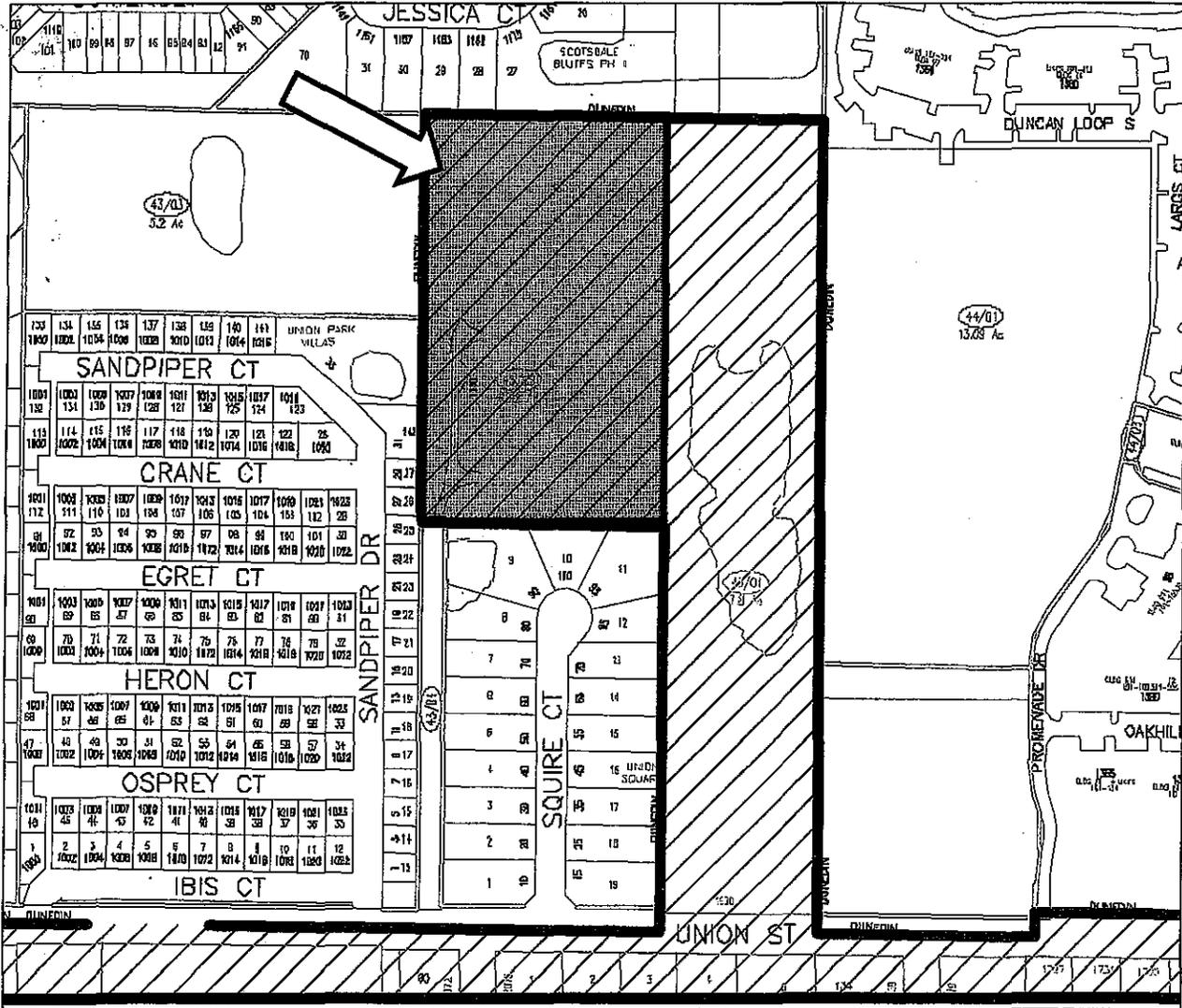
READ SECOND TIME AND ADOPTED: August 1, 2013

"THE WEST 405.80 FEET MORE OR LESS OF THE NORTH  $\frac{1}{2}$  OF THE EAST  $\frac{1}{2}$  OF THE  
SOUTHWEST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 35,  
TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA"

CONTAINING 6.2414 ACRES MORE OR LESS

Parcel ID: 35-28-15-00000-430-0200

a/k/a 1774 Union Street



## ORDINANCE 13-17

**AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21 ON CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1774 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 6.24 ACRES, MOL, ASSIGNING A TRANSPORTATION/UTILITY (T/U) LAND USE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan following annexation; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed following annexation to Transportation/Utility (T/U); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed following annexation to Transportation/Utility (T/U); and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

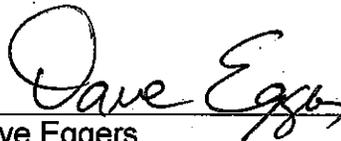
**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property following annexation to Transportation/Utilities (T/U), as said designation is more particularly described in said Land Use Plan:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is

issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.**



\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:



\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED:

\_\_\_\_\_  
July 11, 2013

READ SECOND TIME AND ADOPTED:

\_\_\_\_\_  
August 1, 2013

"THE WEST 405.80 FEET MORE OR LESS OF THE NORTH  $\frac{1}{2}$  OF THE EAST  $\frac{1}{2}$  OF THE  
SOUTHWEST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 35,  
TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA"

CONTAINING 6.2414 ACRES MORE OR LESS

Parcel ID: 35-28-15-00000-430-0200

a/k/a 1774 Union Street

## ORDINANCE 13-18

**AN ORDINANCE ZONING CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1774 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 6.24 ACRES, MOL, TO AGRICULTURAL RESIDENTIAL (AR) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned following annexation to Agricultural Residential (AR); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

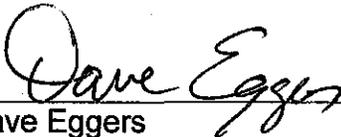
**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Agricultural Residential (AR) as said zoning classification is more particularly described in Dunedin's Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: July 11, 2013

READ SECOND TIME AND ADOPTED: August 1, 2013

"THE WEST 405.80 FEET MORE OR LESS OF THE NORTH ½ OF THE EAST ½ OF THE  
SOUTHWEST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 35,  
TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA"

CONTAINING 6.2414 ACRES MORE OR LESS

Parcel ID: 35-28-15-00000-430-0200

a/k/a 1774 Union Street

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2013261168 08/09/2013 at 10:09 AM  
OFF REC BK: 18118 PG: 1063-1066  
DocType:GOV RECORDING: \$35.50

I DO HERE-BY CERTIFY THAT THIS IS A TRUE  
AND CORRECT COPY OF Ordinance 13-19  
PASSED AND ADOPTED BY THE CITY  
COMMISSION OF THE CITY OF DUNEDIN

Aug 17 2013

CITY CLERK



**ORDINANCE 13-19**

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF DUNEDIN, FLORIDA, TO ANNEX CERTAIN REAL PROPERTY LOCATED AT 1680 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 7.85 ACRES, MOL, INTO THE CORPORATE LIMITS OF THE CITY OF DUNEDIN AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, pursuant to the provisions of the Florida Statutes, the City of Dunedin may lawfully annex land lying contiguous to the boundaries of the City upon written petition of the property owners thereof; and

**WHEREAS**, the City of Dunedin has received a written petition of the property owners of the following described property and has received proper proof of title setting forth the names of all persons, firms or corporations owning any interest in said property; and

**WHEREAS**, said property is reasonably compact and is contiguous to the City of Dunedin, lying in an unincorporated area; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** The City of Dunedin, acting by and through its City Commission hereby declares its intention to annex into the corporate limits of the City Dunedin the following property lying contiguous to the territorial limits of said City:

**SEE ATTACHED EXHIBIT "A"**

**A map clearly showing the annexed area is attached hereto as Exhibit "B" and incorporated herein by reference.**

**Section 2.** Upon final passage and adoption a certified copy of this Ordinance shall be duly recorded in the Office of the Circuit Court of Pinellas County and filed with the Department of State, State of Florida and the County Administrator of Pinellas County, Florida

**Section 3.** When this Ordinance has been duly recorded and filed as aforesaid, the territory hereinabove described shall be thereupon annexed to the City of Dunedin and the inhabitants thereof shall enjoy all the privileges and be subject to all liabilities as are applicable to the other lands and inhabitants within the corporate limits and subject to all laws and ordinances of the City of Dunedin.

**Section 4.** That this Ordinance shall become effective immediately upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.**



Dave Eggers  
Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED:

July 11, 2013

READ SECOND TIME AND ADOPTED:

August 1, 2013

Ordinance 13-19 was adopted with the following conditions:

1. The wetland area of the parcel at 1680 Union Street to remain undeveloped as a natural buffer to the existing residential developments to the north and west of the parcel.
2. The wetland portion of the parcel will continue to count toward the overall density allowed on the parcel.
3. The wetland area can be used as a passive park for the residents of any future development on the non-wetland portion of the parcel.

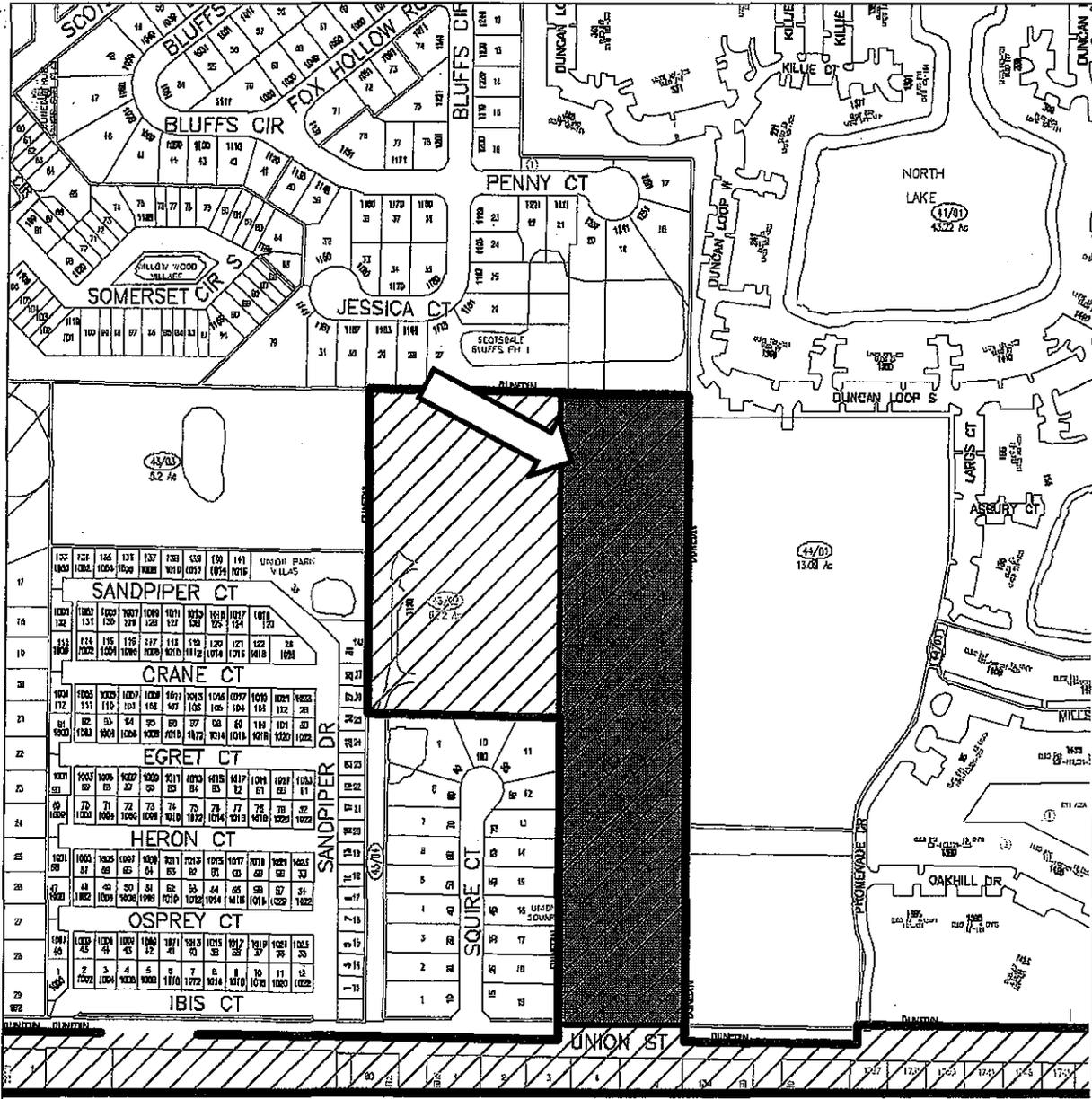
"THE EAST ONE-HALF (E1/2) OF THE FOLLOWING DESCRIBED PROPERTY:

THE EAST ONE-HALF (E1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, LESS THE WEST 144.00 FEET OF SAID EAST ONE-HALF (E ½) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4)."

CONTAINING 7.851 ACRES, MORE OR LESS

Parcel ID: 35-28-15-00000-430-0100

a/k/a 1680 Union Street



## ORDINANCE 13-20

**AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21 ON CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1680 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 7.85 ACRES, MOL, ASSIGNING A RESIDENTIAL URBAN (RU) LAND USE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan following annexation; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed following annexation to Residential Urban (RU); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed following annexation to Residential Urban (RU); and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

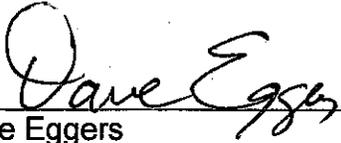
**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property following annexation to Residential Urban (RU), as said designation is more particularly described in said Land Use Plan:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is

issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: July 11, 2013

READ SECOND TIME AND ADOPTED: August 1, 2013

Ordinance 13-20 was adopted with the following conditions:

1. The wetland area of the parcel at 1680 Union Street to remain undeveloped as a natural buffer to the existing residential developments to the north and west of the parcel.
2. The wetland portion of the parcel will continue to count toward the overall density allowed on the parcel.
3. The wetland area can be used as a passive park for the residents of any future development on the non-wetland portion of the parcel.

"THE EAST ONE-HALF (E1/2) OF THE FOLLOWING DESCRIBED PROPERTY:

THE EAST ONE-HALF (E1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, LESS THE WEST 144.00 FEET OF SAID EAST ONE-HALF (E ½) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4)."

CONTAINING 7.851 ACRES, MORE OR LESS

Parcel ID: 35-28-15-00000-430-0100

a/k/a 1680 Union Street

5

## ORDINANCE 13-21

**AN ORDINANCE ZONING CERTAIN REAL PROPERTY FOLLOWING ANNEXATION LOCATED AT 1680 UNION STREET WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 7.85 ACRES, MOL, TO MULTIFAMILY RESIDENTIAL (MF-7.5) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned following annexation to Multifamily Residential (MF-7.5); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

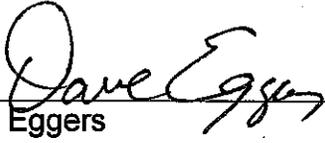
**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Residential Multifamily Residential (MF-7.5) as said zoning classification is more particularly described in Dunedin=s Land Development Code:

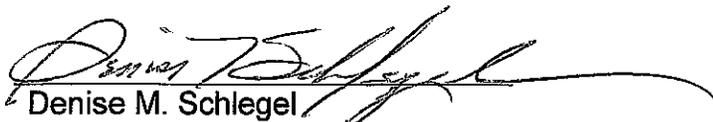
See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 1st day of August, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: July 11, 2013

READ SECOND TIME AND ADOPTED: August 1, 2013

Ordinance 13-21 was adopted with the following conditions:

1. The wetland area of the parcel at 1680 Union Street to remain undeveloped as a natural buffer to the existing residential developments to the north and west of the parcel.
2. The wetland portion of the parcel will continue to count toward the overall density allowed on the parcel.
3. The wetland area can be used as a passive park for the residents of any future development on the non-wetland portion of the parcel.

"THE EAST ONE-HALF (E1/2) OF THE FOLLOWING DESCRIBED PROPERTY:

THE EAST ONE-HALF (E1/2) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4) OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, LESS THE WEST 144.00 FEET OF SAID EAST ONE-HALF (E ½) OF THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE1/4)."

CONTAINING 7.851 ACRES, MORE OR LESS

Parcel ID: 35-28-15-00000-430-0100

a/k/a 1680 Union Street

**ORDINANCE 13-22**

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, APPROVING AN AMENDED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DUNEDIN AND PIZZUTI DUNEDIN, LLC; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Dunedin wishes to enter into an Amended Development Agreement with Pizzuti Dunedin, LLC; and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the terms and conditions of the Amended Development Agreement, and has recommended that the same be approved; and

**WHEREAS**, due and proper public hearings on the said Amended Development Agreement having been completed pursuant to Section 104-33.7.2 of the City's Land Development Code and Florida Statute 163.3225; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That the Amended Development Agreement between the City of Dunedin and Pizzuti Dunedin, LLC and attached hereto as Exhibit "A" is hereby approved and the Mayor is authorized to execute same.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 12th day of September, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: July 18, 2013

READ SECOND TIME AND ADOPTED: September 12, 2013

(July 12, 2013, 2013 Version)

**AMENDED DEVELOPMENT AGREEMENT  
CITY OF DUNEDIN/PIZZUTI DUNEDIN, LLC**

**THIS AGREEMENT** (the "**Agreement**") made and entered into this 12<sup>th</sup> day of SEPTEMBER 2013, by and between the **CITY OF DUNEDIN**, a municipal corporation of the State of Florida hereinafter referred to as "**City**" and **PIZZUTI DUNEDIN LLC**, an Ohio Limited Liability Company authorized to transact business in the State of Florida, hereinafter referred to as "**Developer**".

**FOR AND IN CONSIDERATION** of the mutual promises made and agreed to be kept hereunder and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the approval of certain uses by the City and conditioned on the performance in all respects of this Agreement by each of the parties, it is hereby agreed between the parties as follows:

**RECITALS**

1. The City and Developer have previously entered into a Development Agreement dated September 10, 2008. The parties wish to make certain changes to the said Development Agreement and desire their Agreement be incorporated into one document and that the previous Development Agreement thereto be terminated in its entirety and that this Amended Development Agreement constitute the entire understanding between them regarding the development contemplated by the Developer and more particularly described below.

2 The City is presently the fee simple owner of the certain tract of land approximately 1.935 acres in size located within the City of Dunedin, Pinellas County, Florida, hereinafter referred to as the "**City Property**" said property being legally described pursuant to Exhibit "A" attached hereto and incorporated herein by reference. Developer and City have entered into that certain Second Purchase and Sale Agreement, dated as of August 13, 2008, (the "Second Purchase and Sale Agreement") as well as a First, Second and Third Amendment to Second Purchase and Sale Agreement which extended the closing date, as well as a Ground Lease and Option to Purchase. Developer in those certain parcels lying adjacent to the City Property (hereinafter "Pizzuti Parcels") collectively approximately 2.315 acres in size, said parcels being legally described pursuant to Exhibit "B", attached hereto and made a part hereof. Together the City Property and the Pizzuti Parcels are approximately 4.25 acres in size and shall be collectively referred to hereafter as the "**Property**."

3.a. The following development rights are hereby approved pursuant to this Agreement on the Property: a mixed-use development consisting of 124 residential units and 24,450 square feet of commercial uses (hereinafter referred to as the "**Project**").

b. All calculations for infrastructure improvements and land use requirements, such as but not limited to, drainage calculations, parking requirements and other requirements, shall be based on the site and character of the Project.

Agreement and this Agreement shall act as a covenant running with the Property and shall be enforceable by the parties hereto.

The City shall have the absolute discretion to amend and/or enforce life safety codes of general applicability that may modify the provisions of this Agreement or may impose additional burdens on the Developer as is otherwise authorized by State Statutes, City ordinances or the regulation of governmental administrative agencies. The parties agree that the legislative discretion of the City Commission to adopt such life safety codes shall be superior to any agreements contained herein and such codes may be adopted without any special notice to the Developer and that the Developer shall not be entitled to any special hearing relative to the adoption of such codes.

7. It is agreed between the parties that the City is exercising its right as a property owner as to certain elements of this Agreement regarding the City Property in addition to the powers that it exercises as a governmental entity pursuant to the Act and Code. In requiring adherence to the Final Site Plan, Architectural Renderings and other development and use provisions set forth herein, the City is not acting solely in its capacity as a governmental jurisdiction having zoning and land use regulatory control over the City Property. It is acknowledged between the parties that, acting as a private property owner, the City has the same latitude of choice and discretion as any other property owner and is not constrained in the exercise of that discretion in the same way as it would be operating only as a governmental authority regulating the development of the City Property pursuant to its ordinances and other land development regulations. The parties acknowledge and agree that within the scope of negotiating the terms of this Development Agreement, the City has acted in a manner that may otherwise be inappropriate if it was only exercising its governmental authority for regulation of the City Property and that the City has enjoyed a substantially greater latitude of choice as a private property owner. Notwithstanding anything to the contrary herein, the City acknowledges that the terms and conditions of this Development Agreement constitute legally binding and enforceable obligations of the City.

8. The Project shall be developed in accordance with the Architectural Renderings attached hereto as Exhibit "C", and incorporated herein by reference, and in accordance with the Final Site Plan attached hereto as Exhibit "D". The Architectural Renderings and Final Site Plan reflect the architectural style of the buildings to be built on the Property, exterior materials, building height of two and three story configurations, roofing system and color scheme and constitute a material part of this Agreement. The Architectural Renderings including the color scheme are specifically devised to be harmonious with the Dunedin downtown and the architectural preferences of the City and such requirements are agreed to by the parties in order to insure the continued compatibility of the Property with the future of the downtown. This same concept and obligation also applies to the Final Site Plan and constitutes a material part of the Agreement between the parties, without which the City would not have agreed to the sale of the City Property for commercial and residential uses. For this reason, the compliance by the City, Developer and respective successors in title with the Architectural Renderings and Final Site Plan, as described in Exhibits "C" and "D", respectively, on a continuing basis is of critical importance to the City and Developer, and any deviation therefrom shall be deemed to be a material breach of this Agreement and of the covenants which are entered into by the parties and are recorded for the long-term protection of the public.

It is the goal and intent of the parties hereto to develop the Property within the time periods set forth on Exhibit "H", attached hereto and made a part hereof, subject to acts of

15. Authority. This Agreement is authorized by Section 163.3220, et seq. F.S. (2012) and Sections 104-33.1 through 104-33.15 of the Land Development Code of the City of Dunedin. See recital 6 regarding applicability of Statutes and Codes.

16. Effective Date. This Agreement shall be effective as of the date it is recorded in the Pinellas County public records ("Effective Date"). In the event that there is an appeal or legal proceeding challenging this Agreement or challenging the other matters affecting the purpose, intent, or the rights of the Developer or the City to develop the Property as contemplated hereby, the Effective Date of this Agreement shall be extended and shall commence upon the conclusion of such litigation, including appeals and upon all rights of appeal having expired. In the event that a Court decision materially changes any aspect of this Agreement or has made the performance of a portion of this Agreement impossible or unacceptable to one of the parties, either party may choose to terminate this Agreement upon thirty (30) days written notice to the other party and the parties shall assist each other in returning each party to the positions and legal status that it enjoyed immediately prior to the date of the entry into this Agreement; or, alternatively, the parties shall work together to restore the material benefit if such is reasonably possible.

In the event that this Agreement is subject to termination pursuant to the provisions hereof, either party may record an affidavit signed by all parties hereto or their respective successors and assigns in the Public Records of Pinellas County, Florida reflecting that such termination has occurred and that this Agreement is thereby terminated and by such affidavit, notice that the termination provisions of this Agreement pursuant to this paragraph have occurred. The party recording such affidavit shall send a copy of the recorded affidavit to the other party and this Agreement shall be terminated and shall be deemed void and of no further force and effect. In the event that the Developer's fee simple title is encumbered by any mortgages, liens or other rights of third persons which are not subordinated to the terms, conditions, covenants and restrictions set forth in this Agreement, said third party encumbrances shall be of no force and effect as to the provisions of this Agreement.

The parties acknowledge that this Agreement may be executed contemporaneously with the transfer of title in the City Property from the City to the Developer and the transfer of the Jernigan Parcel as more particularly described in Exhibit "G", attached hereto, from the Developer to the City. This Agreement shall be superior to any mortgages, liens or other rights of third persons even though mortgages or liens on the City Property may come into being contemporaneously with the transfer of title in the City Property to the Developer. Any mortgages or liens or encumbrances on the City Property created contemporaneously or after the transfer of title from the City to the Developer shall specifically provide that they are subject to and subordinate to the terms of this Agreement.

In the event that this Agreement is not executed by the Developer on or before 5:00 p.m. on the 15<sup>th</sup> day of September, 2013, this Agreement shall be null and void and of no further force and effect and any development permissions granted pursuant hereto shall no longer be valid.

17. Duration of Agreement. This Agreement shall terminate upon the later of the following dates: (i) the date on which all tax increment payments due and owing to Developer pursuant to Section 27 hereof are fully paid; or (ii) fifteen (15) years from the Effective Date. This time period may be extended by mutual agreement of the parties

20. No Estoppel. The parties agree that prior to the approval of this Agreement by the City Commission, the City's interest in entering into this Agreement, the studies, surveys, environmental studies, consultant plans or investigations, the expenditure of substantial funds, the staff approval or recommendation relative to the proposed development, submittals to or before the Pinellas Planning Council, the Board of County Commissioners of Pinellas County, Florida, or the Florida Department of Economic Opportunity, f/k/a Florida Department of Community Affairs and any other act in furtherance of this Agreement, shall not be used by the Developer or its successors in title in any way whatsoever as committing the City legally through a theory of equitable estoppel, action in reliance, or any other legal theory as to the approval of such proposed development in the event that this Agreement is not approved by the City Commission or for any other reason does not take effect in all material respects.

The parties further agree that any and all action by the Developer or its representatives in negotiation of this Agreement, including all acts or expenditures in the establishment of this Agreement or submittals to other governmental bodies shall in no way be deemed to be an action in reliance giving rise to an equitable estoppel.

21. No Partnership or Joint Venture. The City and Developer agree that the matters contained in this Agreement shall under no circumstances constitute a joint venture, partnership or agency between them. No third party shall be deemed to have any beneficial interest in this Agreement or any expectation of benefit or property rights or any other rights of any kind arising from this Agreement.

22. Final Site Plan. In order to avoid any adverse impacts from the development of the Property on the abutting property owners and on the residents of the City of Dunedin, and in order to further the improvement of the Dunedin downtown area and to act as a gateway development for downtown City of Dunedin, the parties agree that the Property will be developed in substantial conformance with the Final Site Plan attached hereto as Exhibit "D" as such Final Site Plan may be modified by the requirements of the Southwest Florida Water Management District and other state and county governmental agencies having jurisdiction over the development of the Property. The appearance and use of the Property after development are the reasons that the City Commission exercised its legislative authority and entered into this Agreement. Except as may be authorized by the parties hereto, any material deviation from the commitments made by the parties herein shall be considered material defaults in this Agreement. The City of Dunedin shall not consent to any modification unless it deems that such is in the best interest of the public and in its discretion in reaching such decision it shall be deemed to be acting in a legislative capacity and within its sole and absolute discretion taking into account the public health, safety and welfare. The following specific requirements shall also be met and are incorporated by reference in the Exhibit "F" Restrictive Covenant which has been recorded contemporaneously with this Agreement:

- a. The Property shall be developed and landscaped in accordance with the Final Site Plan attached hereto as Exhibit "D" and incorporated herein. The landscaping within the Property and along Milwaukee Avenue even in the public right-of-way, shall be maintained by the Developer. The purpose of heavy landscaping and the continued development and care of the landscaping on the Property is, in part, for the benefit of the abutting property owners and to screen light, noise and other possible negative aspects of the development. Such landscaping shall be provided prior to a

exception or other process which would serve to vary or change the terms of this Development Agreement and the Final Site Plan attached hereto. The only change which may be requested by the parties is for an amendment to this Agreement which revised amendment is legislatively considered by the City Commission and agreed to by the City Commission, set forth in writing as an amendment to this Agreement and executed by the parties hereto or their successors or assigns. The Developer, and its successors and assigns specifically waive and relinquish any right to change the terms of this Agreement through any administrative or legal process, including a decision by a court of competent jurisdiction, unless agreed to by the parties.

23. **Public Infrastructure.** Except as otherwise provided in this Agreement, the Developer or its successor in title, as appropriate, at its sole cost, shall design, construct and maintain, until acceptance by the City and conveyance by recordable instrument or bill of sale, as appropriate, to the City, all public infrastructure facilities and lands necessary to serve the Project provided that said public infrastructure facilities have received construction plan approval and that all applicable review procedures have been complied with fully, inspected and accepted by the City. Public infrastructure facilities shall include those facilities to be located in rights-of-way or easement areas conveyed to the City, as shown on the approved engineering construction drawings and shall include, but not be limited to the following:

- a. Roads, streets and alleyways located on the Property to be used by vehicles. In the event that there is any drainage infrastructure beneath the Milwaukee Avenue extension that serves the Property, the Developer will be given access to such drainage structures by the City by easement and the Developer shall be responsible for the proper functioning of said drainage structures in perpetuity. The Developer and the City shall execute such legal documents as are deemed reasonable to ensure continued responsibility of the Developer or successor property owner for the maintenance and construction or reconstruction of such drainage structure.
- b. Pedestrian ways, brick sidewalks, and crosswalks located on the Property, as shown on the Final Site Plan.
- c. Sewer collection systems, located on the Property including any necessary pumping facilities providing for transmission of sewage flows generated by the Project.
- d. Water distribution system, located on the Property including fire protection facilities and reclaimed water facilities as may be necessary to serve the Project.
- e. Stormwater drainage systems serving public facilities located on the Property serving to conduct, transmit, channel or otherwise provide for stormwater flow from, through and to adjoining lands according to the natural site topography including retention/detention ponds or any other stormwater facilities required by the City of Dunedin or any other governmental agency with jurisdiction concerning such facilities. Any required easements or other rights of access to insure the continued maintenance and working condition of

- a. City of Dunedin building permits.
- b. Southwest Florida Water Management District surface water management permit.
- c. City of Dunedin Engineering construction permit.
- d. Florida Department of Transportation driveway connection permit.
- e. Florida Department of Transportation utility permit.
- f. Florida Department of Transportation drainage connection permit.
- g. Florida Department of Environmental Protection NPDES permit.
- h. Florida Department of Health drinking water permit.
- i. Florida Department of Environmental Protection wastewater collection permit.
- j. All other approvals or permits as required by existing governmental regulations as they now exist.

Except as set forth in this Agreement, all development permits required to be obtained by the Developer for the Project will be obtained at the sole cost of the Developer and in the event that any required development permissions issued by entities other than the City are not received, no further development of the Property shall be allowed until such time as the City and the Developer have reviewed the matter and determined whether to modify or terminate this Agreement.

26. City Impact Fees and Credits.

a. The City has computed and will grant certain impact fee credits for the Project to the Developer consistent with City ordinances and reflecting previous uses on the Property, which entitle the Developer to the following impact fee credits:

- 1. Law enforcement and fire facility impact fee credit equal to fifty percent (50%) of the amount required by City Code, up to a maximum of \$25,000; and
- 2. Transportation/mass transit impact fee credit of \$134,000.00 for the dedication of the ROW that serves as the Milwaukee Avenue extension.

b. The City has computed and Developer shall pay the City sewer and water impact fees in the amount of \$449,748.00, payable in pro-rata amounts as individual construction permits are issued.

c. The impact fee credits and the concurrency reservations for the Project are reflected on Exhibit "E" and incorporated herein by reference.

6. During the construction of the Project the Developer will work diligently and continuously towards the completion of such construction and no partially completed buildings will be allowed to remain on the Property. The Developer shall not abandon the work in a partially completed state, but shall continue the construction to completion with a continuing effort towards final completion of all Project improvements.
- 7.
8. Parking as shown on the Final Site Plan, together with public parking on the Milwaukee Avenue extension and on Main Street adjacent to the City Property is sufficient to meet the parking requirements of the Project.

28. **LEED Certification.** The Developer will use best efforts to have the Project certified by a national or state certification program and to design the Project for the purpose of obtaining such certification and to use environmentally sensitive materials, constructions techniques and design choices as are appropriate to achieve such certification. As a guide, the Developer will consider such design features as water efficient landscaping, use of reclaimed water for irrigation, construction waste management and innovation in design features.

29. **Recycling.** The Developer and its successors-in-title will cooperate with City to encourage and promote recycling activities within the Project and such commitment will be reflected in a covenant running with the Property.

30. **Purchase and Sale Agreement.** The parties hereto have previously or contemporaneously with this Agreement entered into a Second Purchase and Sale Agreement and three amendments for the sale of the City Property owned by the City to the Developer. This Agreement is a contingency of said Purchase and Sale Agreement, as amended.

31. **Annual Review.** Pursuant to Section 104-33.14 of the Land Development Code of the City of Dunedin the City shall review the Project once every twelve (12) calendar months from the Effective Date in compliance with the above quoted Ordinance.

32. **Recordation.** Not later than fourteen (14) days after the execution of this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court in Pinellas County, Florida. The burdens of this Agreement shall be binding upon, and the benefits of the Agreement shall inure to, all successors and assigns in interest to the parties to this Agreement.

33. **Agreement as Covenant.** This Agreement shall constitute a covenant running with the Property for the duration hereof and shall be binding upon and inure to the benefit of the Developer and upon all persons deriving title by, through or under said Developer and upon its successors and assigns in title. The agreements contained herein shall benefit, bind and limit all present and future owners of the Property and the City for the term hereof. The Restrictive Covenant set forth herein shall be of the duration expressed therein.

34. **Legislative Act.** This Agreement is agreed to be an legislative act of the City in furtherance of its powers to regulate land use and development within its boundaries and,

agreements, terms, or provisions contained herein shall be in no way affected, prejudiced, or disturbed thereby.

39. **Estoppel Certificates.** Within twenty (20) days after request in writing by either party or any lender, the other party will furnish a written statement in form and substance reasonably acceptable to the requesting party, duly acknowledging the fact that (a) this Development Agreement is in full force and effect, (b) there are no uncured defaults hereunder by City or Developer, if that be the case, and (c) additional information concerning such other matters as reasonably requested. In the event that either party shall fail to deliver such estoppel certificate within such twenty (20) day period, the requesting party shall forward such request directly to the City Manager and the City Attorney or to the Developer with copies to the Developer's general counsel by certified mail, return receipt requested or by Federal Express or other delivery service in which delivery must be signed for. In the case where the Developer is the requesting party, the Developer may in its sole discretion but without obligation, appear at a public meeting and request the estoppel certificate to insure that the City Manager and staff are aware of the request and the Developer may rely on the statement of the City Manager at such public meeting or may request that the City Manager be directed by the City Commission to respond to the estoppel certificate request in a timely manner.

40. **Venue.** Venue for the enforcement of this Agreement shall be exclusively in Pinellas County, Florida.

41. **Default.** Upon default or breach of any substantive portion of this Agreement by any party, the non-defaulting party shall provide written notice via overnight, traceable delivery service of the default and opportunity to cure within sixty (60) days to the defaulting party. Upon the failure of the Developer to cure such defaults, the City shall provide notice via overnight traceable delivery service to Developer of its intent to terminate this Agreement on a date not less than sixty (60) days from the date of such notice and upon the expiration of such period, the City, unless ordered otherwise by a court of competent jurisdiction, may revoke the then existing development permits issued by it and the Developer shall have no claim for damages against the City arising from such revocation. Alternatively, the City may proceed in court to obtain any legal or equitable remedies available to it to enforce the terms of this Agreement. In the event of any default or breach of any substantive portion of this Agreement by the City, the Developer may: (i) give written notice via overnight traceable delivery service to the City of said default with an opportunity to cure within sixty (60) days of receipt of such notice. In the event City fails to cure within said time period, the Developer may thereafter proceed in a court of competent jurisdiction to institute proceedings for specific performance or to obtain any other legal or equitable remedy to cure the default of this Agreement by the City. In any litigation arising hereunder, the prevailing party shall be entitled to recover its costs and attorneys fees at mediation, trial and through any appellate proceedings.

42. **Notices.** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be mailed by certified or registered mail, postage prepaid or by Federal Express, Air Borne Express or similar overnight delivery services, addressed as follows:

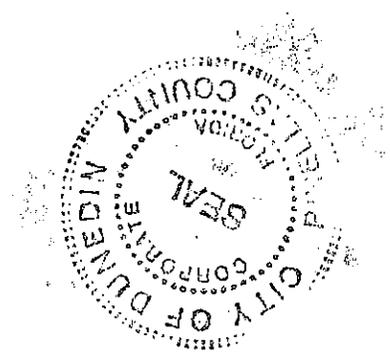
**To the City:**

**To Developer:**

James Russell, Executive Vice President

Denise M. Schlegel  
**DENISE M. SCHLEGEL, CITY CLERK**

(City Seal)

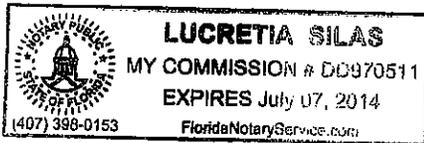


Approved to form:

Thomas J. Trask  
**THOMAS J. TRASK, CITY ATTORNEY**

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of SEPTEMBER, 2013, by **DAVE EGGERS**, Mayor of the City of Dunedin, () who is personally known to me or () who has produced a \_\_\_\_\_ driver's license or \_\_\_\_\_ as identification.



Lucretia Silas  
Notary Public  
My Commission Expires:

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of SEPTEMBER, 2013, by **ROBERT DISPIRITO**, City Manager of the City of Dunedin, () who is personally known to me or () who has produced a \_\_\_\_\_ driver's license or \_\_\_\_\_ as identification.



Lucretia Silas  
Notary Public  
My Commission Expires:

Witnesses:

Robert C. Truitt

Robert C. Truitt  
Print Name

**PIZZUTI DUNEDIN LLC, AN OHIO LIMITED LIABILITY COMPANY, AUTHORIZED TO TRANSACT BUSINESS IN THE STATE OF FLORIDA**

**Composite Exhibit "A"**  
**Legal Description of City Property**

**SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST**

**DESCRIPTION:**

A parcel of land lying in Section 27, Township 28 South, Range 15 East, City of Dunedin, Pinellas County, Florida described as follows:

Commence at the most easterly corner of Lot 29, MAIN STREET SUBDIVISION, according to the plat thereof recorded in Plat Book 17, Page 20 of the Public Records of Pinellas County, Florida and run N.48°18'06"E., along the northwesterly right-of-way line of Main Street, 30.83 feet; thence, continue along said right-of-way line, N.41°21'42"E., 276.57 feet for a Point of Beginning; thence, leaving said northwesterly right-of-way line, N.48°38'18"W., 28.83 feet; thence, S.41°26'44"W., 7.62 feet; thence, N.48°33'21"W., 50.18 feet; thence, N.41°26'19"E., 53.20 feet; thence, N.48°33'41"W., 193.65 feet; thence, S.41°39'17"W., 93.89 feet to the cusp of a curve; thence, along said curve to the left, having a radius of 109.50 feet, an arc length of 52.42 feet, a chord length of 51.92 feet and a chord bearing of N.11°55'41"E.; thence, N.01°47'10"W., 138.92 feet; thence, N.43°42'26"E., 14.02 feet to the south right-of-way line of Skinner Boulevard (State Road 580) per Official Records Book 6077, Page 2135 of the Public Records of Pinellas County, Florida; thence, N.89°11'10"E., along said south right-of-way line, 226.28 feet; thence, leaving said south right-of-way line, S.00°53'18"E., 193.99 feet; thence, S.89°06'40"E., 26.88 feet; thence, S.48°38'18"E., 75.00 feet to the northwesterly right-of-way line of Main Street; thence, S.41°21'42"W., along the northwesterly right-of-way line of Main Street, 139.01 feet to the Point of Beginning.

Containing 1.316 acres more or less.

**CITY OF DUNEDIN - DUNEDIN GATEWAY**

**LOT 4**

**BOUNDARY PLAN AND DESCRIPTION**

DUNEDIN

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**MR. ROBERT IRONSMITH**  
 ECONOMIC DEVELOPMENT  
 AND HOUSING DIRECTOR  
 CITY OF DUNEDIN  
 737 LOUDEN AVENUE  
 DUNEDIN, FLORIDA 34698  
 Phone: (727) 298-3204



**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.  
 CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965 Fax: (727) 784-8153

REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>35808</b>
	APPROVED BY:	
	DATE: 5-15-13	<b>2 OF 2</b>

**BOUNDARY PLAN AND DESCRIPTION**

**DESCRIPTION:**

A parcel of land lying in Section 27, Township 28 South, Range 15 East, City of Dunedin, Pinellas County, Florida, described as follows:

Begin at the most easterly corner of Lot 29, MAIN STREET SUBDIVISION according to the Plat thereof recorded in Plat Book 17, Page 20 of the Public Records of Pinellas County, Florida and run N.41°41'54"W., along the northeast lot line of said Lot 29, 110.01 feet to the north boundary line of said MAIN STREET SUBDIVISION; thence, leaving said northeast lot line, S.89°29'31"W., along said north boundary line, 70.08 feet; thence, leaving said north boundary line, N.01°46'28"W., along the east boundary line of SARA J. LEWIS SUBDIVISION, according to the Plat thereof recorded in Plat Book 3, Page 5 of the Public Records of Pinellas County, Florida, 150.66 feet; thence, leaving said east boundary line of SARA J. LEWIS SUBDIVISION, along a curve to the right, having a radius of 131.00 feet, an arc length of 103.81 feet, a chord length of 101.12 feet and a chord bearing of N.20°55'53"E.; thence, N.43°38'04"E., 29.51 feet; thence, N.30°35'57"E., 42.54 feet; thence, along a curve to the left, having a radius of 69.50 feet, an arc length of 39.29 feet, a chord length of 38.77 feet and a chord bearing of N.14°24'24"E.; thence, N.01°47'10"W., 139.60 feet; thence, N.32°29'27"W., 11.75 feet to the south right-of-way line of Skinner Boulevard (State Road No. 580) per Official Records Book 6077, Page 2135 of the Public Records of Pinellas County, Florida; thence, N.89°11'10"E., along the said south right-of-way line of Skinner Boulevard, 56.01 feet; thence, leaving said south right-of-way line, S.43°42'26"W., 14.02 feet; thence, S.01°47'10"E., 138.92 feet; thence, along a curve to the right, having a radius of 109.50 feet, an arc length of 52.42 feet, a chord length of 51.92 feet and a chord bearing of S.11°55'41"W.; thence, S.19°11'16"W., 52.61 feet; thence, S.30°35'52"W., 33.78 feet; thence, along a curve to the left, having a radius of 147.50 feet, an arc length of 194.06 feet, a chord length of 180.36 feet and a chord bearing of S.07°05'23"E.; thence, S.44°46'43"E., 112.18 feet to the northwesterly right-of-way line of Main Street; thence, S.41°21'42"W., along said northwesterly right-of-way line, 19.51 feet to an angle point of said right-of-way line; thence, S.48°18'06"W., along said northwesterly right-of-way line, 30.83 feet to the Point of Beginning.

Containing 0.769 acres more or less.

**CITY OF DUNEDIN**  
**DUNEDIN GATEWAY**  
**BOUNDARY PLAN AND DESCRIPTION**  
**MILWAUKEE AVENUE PARCEL**

DUNEDIN

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**MR. ROBERT IRONSMITH**  
 ECONOMIC DEVELOPMENT  
 AND HOUSING DIRECTOR  
 CITY OF DUNEDIN  
 737 LOUDEN AVENUE  
 DUNEDIN, FLORIDA 34698  
 Phone: (727) 298-3204



**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

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REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>35808</b>
	APPROVED BY:	<b>2 OF 2</b>
	DATE: 5-15-13	

**BOUNDARY PLAN AND DESCRIPTION**

SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST

**SKINNER BOULEVARD  
(STATE ROAD 580)**

(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

N



0' 50' 100'  
SCALE: 1" = 100'

BASIS OF BEARINGS  
N.89°11'10"E.  
87.61'

SOUTH RIGHT-OF-WAY LINE OF SKINNER BOULEVARD (STATE ROAD 580) PER O.R. BOOK 8077, PAGE 2135

S.32°29'27"E.  
11.75'

WELLINGTON PLACE TOWNHOUSE COMMUNITY  
PLAT BOOK 127, PAGES 82 & 83

338.33'

POINSETTA HEIGHTS  
PLAT BOOK 4, PAGE 25

S.01°47'10"E.  
139.60'

RADIUS = 69.50'  
ARC = 39.29'  
CHORD = 38.77'  
C.B. = S.14°24'24"W.

N.01°46'28"W.

MILWAUKEE AVENUE

S.30°35'57"W.  
42.54'

S.43°38'04"W.  
29.51'

P.O.B.

RADIUS = 131.00'  
ARC = 103.81'  
CHORD = 101.12'  
C.B. = S.20°55'53"W.

SARA J. LEWIS SUBDIVISION  
PLAT BOOK 3, PAGE 5

N.01°46'28"W.  
150.66'

EAST BOUNDARY LINE OF SARA J. LEWIS SUBDIVISION

NORTHWESTERLY RIGHT-OF-WAY LINE OF MAIN STREET

S.89°29'31"W.  
70.08'

NORTH BOUNDARY LINE OF MAIN STREET SUBDIVISION

MAIN STREET SUBDIVISION  
PLAT BOOK 17, PAGE 28

N.4°41'54"W.  
110.01'

P.O.C.

THE MOST EASTERLY CORNER OF LOT 29  
MAIN STREET  
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

PREPARED FOR:

MR. ROBERT IRONSMITH  
ECONOMIC DEVELOPMENT  
AND HOUSING DIRECTOR  
CITY OF DUNEDIN  
737 LOUDEN AVENUE  
DUNEDIN, FLORIDA 34698  
Phone: (727) 298-3204

**ABBREVIATION LEGEND**

C	=	CENTERLINE
O.R.	=	OFFICIAL RECORDS
P.O.B.	=	POINT OF BEGINNING
P.O.C.	=	POINT OF COMMENCEMENT

**CITY OF DUNEDIN - DUNEDIN GATEWAY**

LOT 1

**BOUNDARY PLAN AND DESCRIPTION**

DUNEDIN

PINELLAS COUNTY

FLORIDA

APPROVED BY:

*(Signature)*  
SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

#LB 0000208

29228 U.S. HIGHWAY 19 N.

CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965

Fax: (727) 784-8153

REVISIONS

	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>35808</b>
	APPROVED BY: <i>(Signature)</i>	
	DATE: 5-15-13	
	SCALE: 1" = 100'	

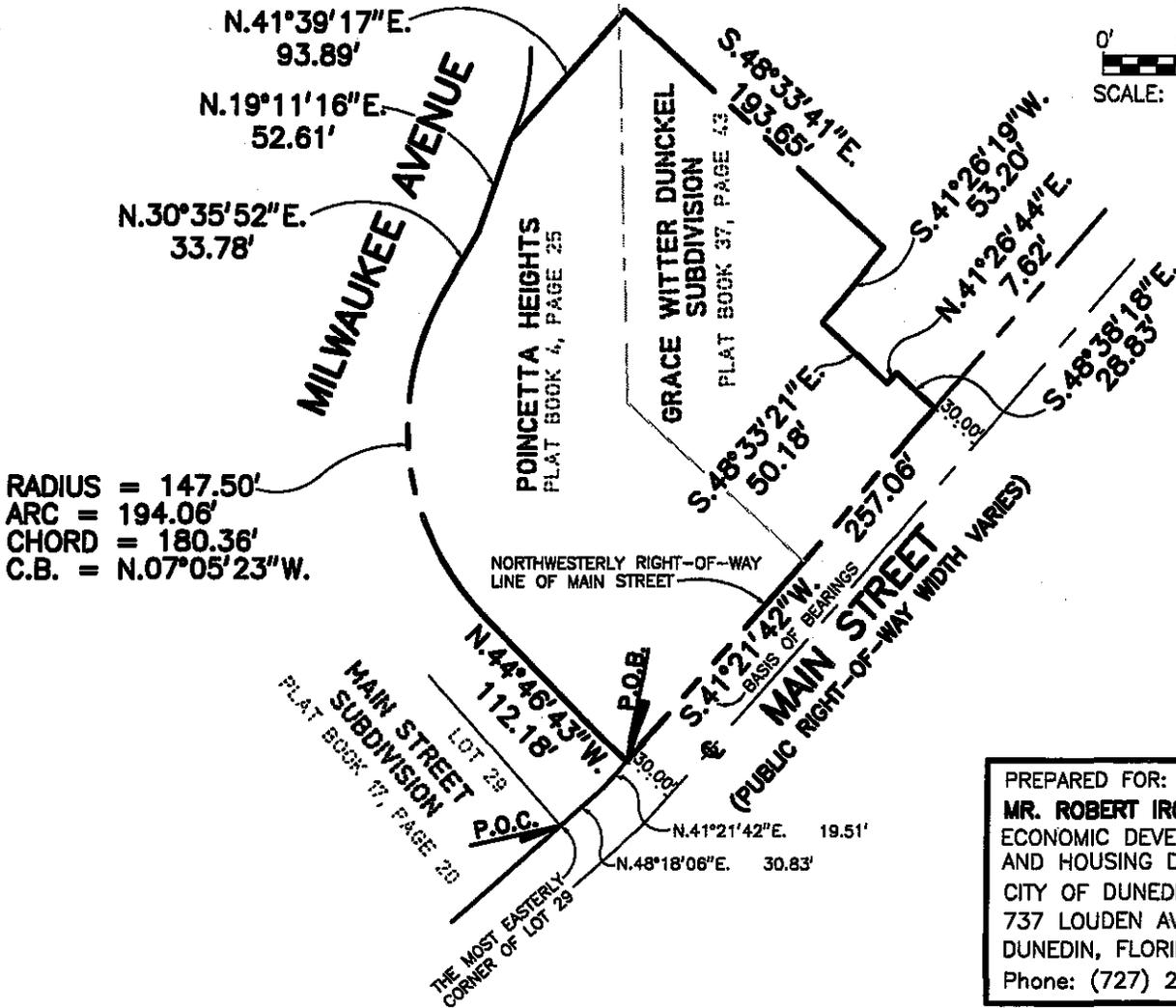
1 OF 2

**BOUNDARY PLAN AND DESCRIPTION**

DEV. SPD LDO B-51.0 2/C



0' 50' 100'  
SCALE: 1" = 100'



RADIUS = 147.50'  
ARC = 194.06'  
CHORD = 180.36'  
C.B. = N.07°05'23\"W.

PREPARED FOR:  
**MR. ROBERT IRONSMITH**  
ECONOMIC DEVELOPMENT  
AND HOUSING DIRECTOR  
CITY OF DUNEDIN  
737 LOUDEN AVENUE  
DUNEDIN, FLORIDA 34698  
Phone: (727) 298-3204

ABBREVIATION LEGEND	
⊕	= CENTERLINE
P.O.B.	= POINT OF BEGINNING
P.O.C.	= POINT OF COMMENCEMENT

**CITY OF DUNEDIN – DUNEDIN GATEWAY**

**LOT 2**

**BOUNDARY PLAN AND DESCRIPTION**

DUNEDIN PINELLAS COUNTY FLORIDA

APPROVED BY:

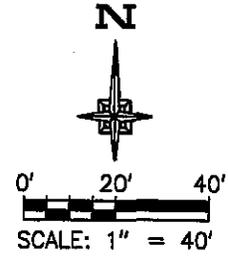
**LLOVERAS, BAUR & STEVENS**  
ENGINEERS – SURVEYORS – PLANNERS

#LB 0000208  
29228 U.S. HIGHWAY 19 N.  
CLEARWATER, FLORIDA 33761  
Phone: (727) 784-3965 Fax: (727) 784-8153

S. SANDY LLOVERAS  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. LS 1762  
**THIS IS NOT A BOUNDARY SURVEY**

REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>35808</b>
	APPROVED BY:	
	DATE: 5-15-13	
	SCALE: 1" = 100'	<b>1 OF 2</b>

SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST



THE MOST NORTHERLY CORNER OF LOT 2

LOT 3  
GRACE WITTER DUNCKEL  
SUBDIVISION  
PLAT BOOK 37, PAGE 43

N.00°53'18"W. 118.99'

LOT 3

EASTERLY LOT  
LINE OF LOT 3

LOT 4  
GRACE WITTER DUNCKEL  
SUBDIVISION  
PLAT BOOK 37, PAGE 43  
NORTHEASTERLY LOT  
LINE OF LOT 2  
S.48°38'18"E.

LOT 5

174.90'

LOT 2  
GRACE WITTER DUNCKEL  
SUBDIVISION  
PLAT BOOK 37, PAGE 43

THE MOST EASTERLY  
CORNER OF LOT 2

NORTHWESTERLY RIGHT-OF-WAY  
LINE OF MAIN STREET

SOUTH LOT LINE  
OF LOT 3

S.89°06'40"W.  
26.88'

SOUTHWESTERLY LOT  
LINE OF LOT 2

LOT 1

GRACE WITTER DUNCKEL  
SUBDIVISION  
PLAT BOOK 37, PAGE 43

N.48°38'18"W.  
75.00'

P.O.B.

THE MOST SOUTHERLY  
CORNER OF LOT 2

S.41°21'42"W.  
70.00'

BASIS OF BEARINGS

30.00'  
30.00'  
MAIN STREET  
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

PREPARED FOR:  
**MR. ROBERT IRONSMITH**  
ECONOMIC DEVELOPMENT  
AND HOUSING DIRECTOR  
CITY OF DUNEDIN  
737 LOUDEN AVENUE  
DUNEDIN, FLORIDA 34698  
Phone: (727) 298-3204

ABBREVIATION LEGEND	
⊕	= CENTERLINE
P.O.B.	= POINT OF BEGINNING

**CITY OF DUNEDIN – DUNEDIN GATEWAY**

**LOT 3**

**BOUNDARY PLAN AND DESCRIPTION**

DUNEDIN

PINELLAS COUNTY

FLORIDA

APPROVED BY

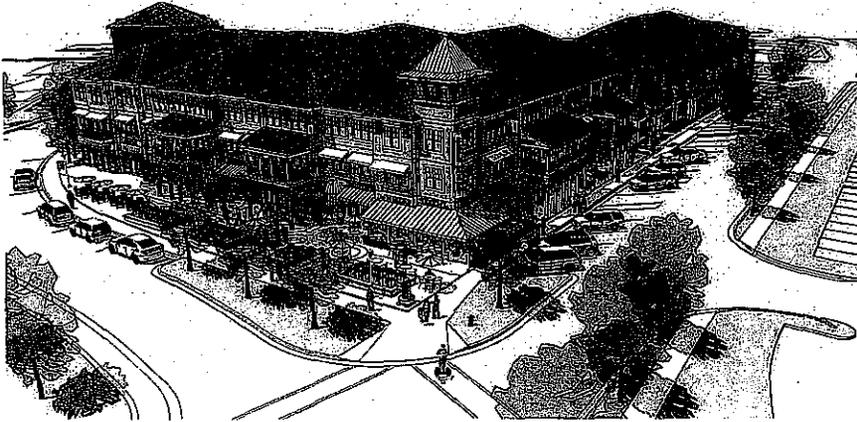
**LLOVERAS, BAUR & STEVENS**  
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REVISIONS	DRAWN BY: KB	JOB No.
	CHECKED BY: RO	<b>35808</b>
	APPROVED BY:	
	DATE: 5-15-13	
	SCALE: 1" = 40'	<b>1 OF 2</b>

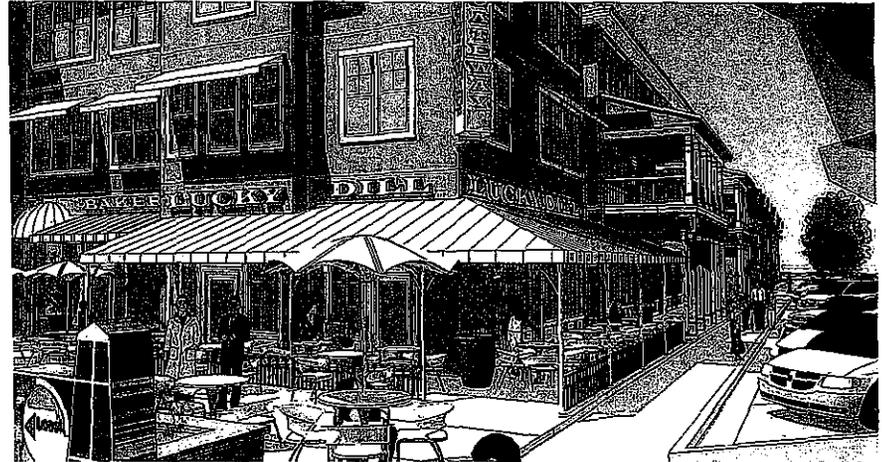
**BOUNDARY PLAN AND DESCRIPTION**

**Exhibit "C"**  
**Architectural Renderings**  
**Dated June 6, 2013**

View looking North across Main Street



Close-up of Retail Space



Main Street Facade



View looking Southwest on Main Street





2 BUILDING B - REAR ELEVATION



2 BUILDING B - LEFT ELEVATION



2 BUILDING B - FRONT ELEVATION

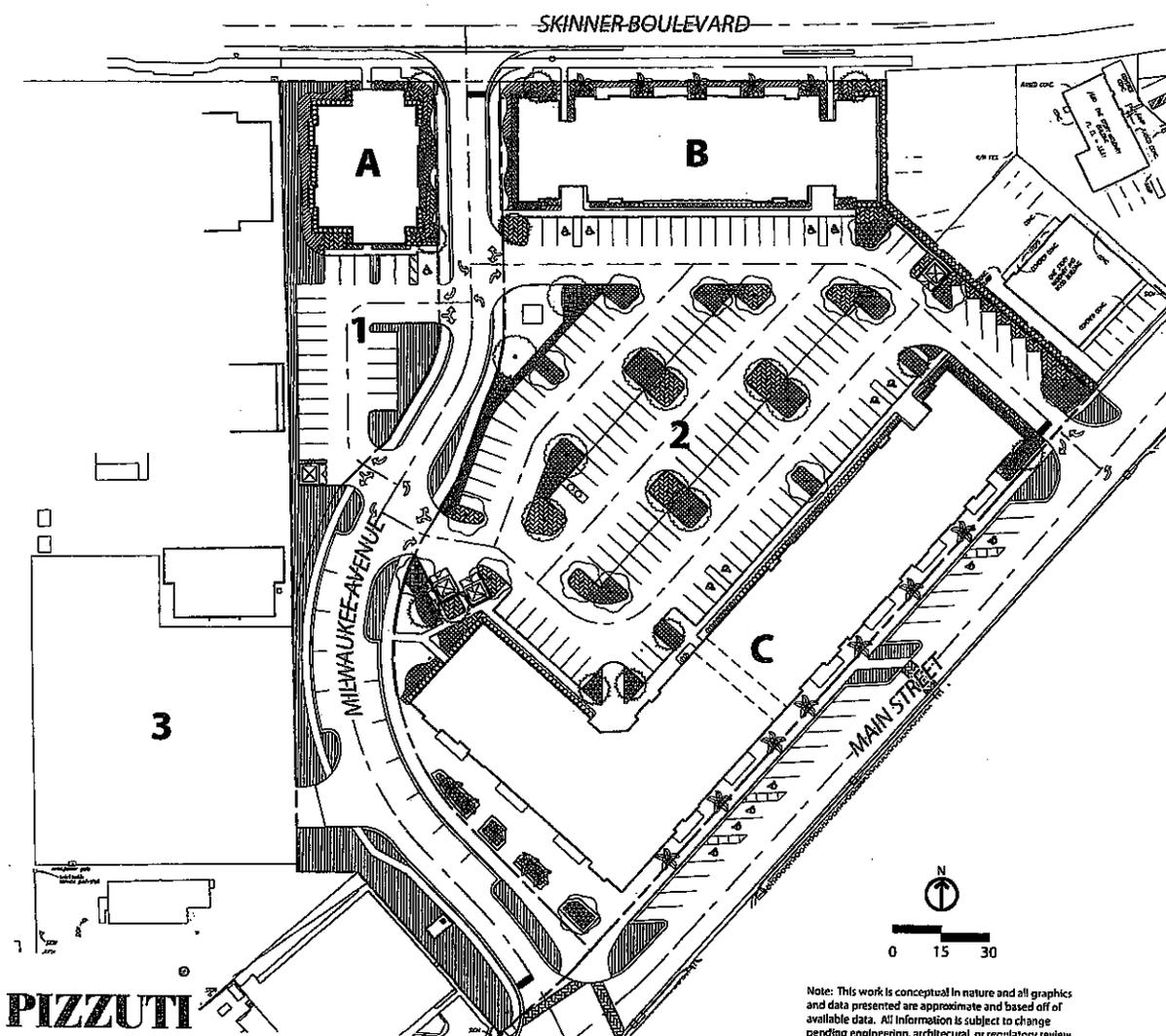


2 BUILDING B - RIGHT ELEVATION



6 JUNE 2013  
ARCHITECTURAL ELEVATIONS BUILDING B  
DUNEDIN GATEWAY  
Dunedin, Florida

**Exhibit "D"**  
**Final Site Plan**  
**Dated July 25, 2013**



**SITE DATA\***

Open Space Provided: ± 0.99 Acres (± 32 % of site)  
 Total Landscaped Area: ± 0.64 Acres (± 15 % of site)  
 \*Excludes ± 0.62 Acres of Parcel 3 - Calculated using ± 3.63 Acres

**PARKING LOT LANDSCAPING**

Parking Landscape Area: ± 10,333 Square Feet  
 Total Parking Area: ± 76,759 Square Feet  
 Percent Landscaped: ± 13.5 %

**PERIMETER LANDSCAPE BUFFERS\***

LOCATION	REQUIRED	PROVIDED
Skinner Boulevard	None	5' Min.
Milwaukee Boulevard	None	None
Main Street	None	None
Eastern Perimeter	None	5' Min.
Western Perimeter	None	5' Min.

\*Excludes Parcel 3

**PLANT PALETTE**

SYM	MATERIAL	QTY	SIZE/SPACING
	Live Oak	10	14' Min. Ht., 3" D.B.H./ As shown on plan
	Sweet Gum/ S. Magnolia/ S. Red Cedar	15	10' Min. Ht., 2" D.B.H./ As shown on plan
	Yaupon Holly/ Crepe Myrtle	12	8' Min. Ht., 1.5" O.B.H./ As shown on plan
	Sabal Palm	17	8' Min. Clear Trunk/ As shown on plan
	Podocarpus/ Anise/Viburnum	141/ 142/206	3 Gal., 24" Min. Ht. Full/36" O.C.
	Existing Landscaping		
	Muhly Grass/ Firebush/Plumbago	1,033	1 Gal., 12" Min. Ht. Full/24" O.C.
	Indian Hawthorne/ Dwarf Yaupon Holly	1,124	3 Gal., 24" Min Ht. Full/24" O.C.
	Asiatic Jasmine/ Coonile	1,919	1 Gal.; Full/18" O.C.
	African Bulbine/ Plumbago	549	1 Gal.; Full/24" O.C.
	Flax Lily/Liriope	303	1 Gal., 12" Min Ht.; Full/ 18" O.C.
	St. Augustine Sod	2300 sf	

Note: This work is conceptual in nature and all graphics and data presented are approximate and based off of available data. All information is subject to change pending engineering, architectural, or regulatory review.

JULY 25 2013  
**GREEN SPACE PLAN**  
**DUNEDIN GATEWAY**  
 Dunedin, Florida

**PIZZUTI**

**Exhibit "G"**  
**Jernigan Parcel**

**SECTION 27, TOWNSHIP 28 SOUTH, RANGE 15 EAST**

**DESCRIPTION:**

A portion of Lots 13 and 14, SARA J. LEWIS SUBDIVISION as recorded in Plat Book 3, Page 5 of the Public Records of Pinellas County, Florida, described as follows:

Commence at the most northeasterly corner of Lot 28, MAIN STREET SUBDIVISION, as recorded in Plat Book 17, Page 20 of the Public Records of Pinellas County, Florida and run S.89°29'31"W., along the north boundary line of said Plat, 36.85 feet; thence, N.01°46'28"W., 4.64 feet for a Point of Beginning; thence S.89°04'54"W., along the south boundary line of said Lot 13 and Lot 14, 161.37 feet; thence, N.01°32'14"W., 189.91 feet; thence, N.89°11'53"E., 78.63 feet to the west boundary line of WELLINGTON PLACE TOWNHOUSE COMMUNITY, as recorded in Plat Book 127, Pages 82 and 83 of the Public Records of Pinellas County, Florida; thence, S.01°32'14"E., along said west boundary line, 43.74 feet; thence, leaving said west boundary line, N.89°04'54"E., along the south boundary line of said WELLINGTON PLACE TOWNHOUSE COMMUNITY, 82.14 feet to the west boundary line of POINCETTA HEIGHTS, as recorded in Plat Book 4, Page 25 of the Public Records of Pinellas County, Florida; thence, S.01°46'28"E., along said west boundary line, 146.02 feet to the Point of Beginning.

Containing 0.619 acres more or less.

**CITY OF DUNEDIN - DUNEDIN GATEWAY**

**LOT 5**

**BOUNDARY PLAN AND DESCRIPTION**

DUNEDIN

PINELLAS COUNTY

FLORIDA

PREPARED FOR:  
**MR. ROBERT IRONSMITH**  
 ECONOMIC DEVELOPMENT  
 AND HOUSING DIRECTOR  
 CITY OF DUNEDIN  
 737 LOUDEN AVENUE  
 DUNEDIN, FLORIDA 34698  
 Phone: (727) 298-3204



**LLOVERAS, BAUR & STEVENS**

ENGINEERS - SURVEYORS - PLANNERS

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CLEARWATER, FLORIDA 33761

Phone: (727) 784-3965 Fax: (727) 784-8153

REVISIONS	DRAWN BY: KB	JOB No. <b>35808</b>
	CHECKED BY: RO	
	APPROVED BY:	<b>2 OF 2</b>
	DATE: 5-15-13	

**BOUNDARY PLAN AND DESCRIPTION**

**Exhibit "F"**  
**Restrictive Covenant**

**This Exhibit intentionally left blank.**

## ORDINANCE 13-23

AN ORDINANCE OF THE CITY OF DUNEDIN AMENDING CHAPTER 58, PENSIONS AND RETIREMENT, ARTICLE II, RETIREMENT, DIVISION 2, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF DUNEDIN; AMENDING SECTION 58-51, DEFINITIONS, BY AMENDING THE DEFINITION OF "CREDITED SERVICE"; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

**Section 1:** That Chapter 58, Pensions and Retirement, Article II, Retirement, Division 2, Firefighters' Retirement System, of the City of Dunedin Code of Ordinances, is hereby amended by amending Section 58-51, Definitions, by adding the following paragraph to the end of the definition of "Credited Service":

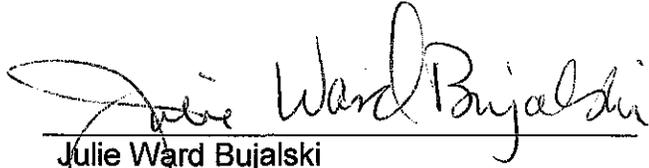
Beginning January 1, 2009, to the extent required by section 414(u)(12) of the code, an individual receiving differential wage payments (as defined under section 3401(h)(2) of the code) from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415 of the code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

**Section 2:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**Section 3:** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**Section 4:** That this Ordinance shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 26th day of September, 2013.

  
Julie Ward Bujalski  
Vice-Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: September 12, 2013

READ SECOND TIME AND ADOPTED: September 26, 2013

**ORDINANCE 13-24**

**AN ORDINANCE OF THE CITY OF DUNEDIN AMENDING CHAPTER 58, PENSIONS AND RETIREMENT, ARTICLE II, RETIREMENT, DIVISION 2, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF DUNEDIN; AMENDING SECTION 58-51, DEFINITIONS, BY AMENDING THE DEFINITION OF "ACTUARIAL EQUIVALENT"; AMENDING SECTION 58-54, FINANCES AND FUND MANAGEMENT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That Chapter 58, Pensions and Retirement, Article II, Retirement, Division 2, Firefighters' Retirement System, of the City of Dunedin Code of Ordinances, is hereby amended by amending Section 58-51, Definitions, by amending the definition of "Actuarial Equivalent", to read as follows:

*Actuarial equivalent* means a benefit or amount of equal value, based upon the ~~1983 Group Annuity~~ RP-2000 Generational Mortality Table and an interest rate of seven and three quarters percent per annum determined on the basis of actuarial equivalency using assumptions adopted by the board such that benefit calculations are not subject to city discretion.

**Section 2:** That Chapter 58, Pensions and Retirement, Article II, Retirement, Division 2, Firefighters' Retirement System, of the City of Dunedin Code of Ordinances, is hereby amended by amending Section 58-54, Finances and Fund Management, subsection (f)(2), to read as follows:

- ~~(2) All monies paid into or held in the fund shall be invested and reinvested by the board and the investment of all or any part of such funds shall be limited to:~~
  - ~~a. Annuity and life insurance contracts with life insurance companies in amounts sufficient to provide, in whole or in part, the benefits to which all of the members in the fund shall be entitled under the provisions of this system and pay the initial and subsequent premium thereon.~~

- ~~b. Time or savings accounts of a national bank, a state bank insured by the Bank Insurance Fund or a savings/building and loan association insured by the Savings Association Insurance Fund which is administered by the Federal Deposit Insurance Corporation or a state or federal chartered credit union whose share accounts are insured by the National Credit Union Share Insurance Fund.~~
- ~~c. Obligations of the United States or obligations guaranteed as to principal and interest by the government of the United States or by an agency of the government of the United States.~~
- ~~d. Bonds issued by the State of Israel.~~
- ~~e. Stocks, commingled funds administered by national or state banks, mutual funds and bonds or other evidences of indebtedness, provided that:
  - ~~1. Except as provided in subsection (f)(2)e.2 of this section, all individually held securities and all securities in a commingled or mutual fund must be issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia and, in the case of bonds only, shall hold a rating in one of the three highest classifications by a major rating service.~~
  - ~~2. Up to twenty five percent of the assets of the fund on a market value basis may be invested in foreign securities.~~
  - ~~3. The board of trustees shall not invest more than five percent of its assets in the common stock, capital stock or convertible securities of any one issuing company, nor shall the aggregate investment in any one issuing company exceed five percent of the outstanding capital stock of that company. The board shall determine and establish in its written investment policy the maximum investment in common stock, capital stock and convertible securities.~~~~
- ~~f. Real estate, provided that the board shall not invest more than ten percent at cost in real property or real estate.~~

(2) All monies paid into or held in the Fund shall be invested and reinvested by the Board and the investment of all or any part of such funds shall be subject to the following:

- a. Notwithstanding any limitation provided for in F.S. ch. 175 to the contrary (unless such limitation may not be amended by local ordinance) or any limitation in prior city ordinances to the contrary, all monies paid into or held in the Fund may be invested and reinvested in such securities, investment vehicles or property wherever situated and of whatever kind, as shall be approved by the Board, including but not limited to common or preferred stocks, bonds, and other evidences of indebtedness or ownership. In no event, however, shall more than twenty-five percent of the assets of the Fund at market value be invested in foreign securities.
- b. The Board shall develop and adopt a written investment policy statement setting forth permissible types of investments, goals and objectives of investments and setting quality and quantity limitations on investments in accordance with the recommendations of its investment consultants. The investment policy statement shall be reviewed by the Board at least annually.
- c. In addition, the Board may, upon recommendation by the Board's investment consultant, make investments in group trusts meeting the requirements of Internal Revenue Service Revenue Ruling 81-100 and Revenue Ruling 2011-1 or successor rulings or guidance of similar import, and operated or maintained exclusively for the commingling and collective investment of monies, provided that the funds in the group trust consist exclusively of trust assets held under plans qualified under Section 401(a) of the Code, individual retirement accounts that are exempt under Section 408(e) of the Code, eligible governmental plans that meet the requirements of Section 457(b) of the Code, and governmental plans under 401(a)(24) of the Code. For this purpose, a trust includes a custodial account that is treated as a trust under Section 401(f) or under Section 457(g)(3) of the Code. While any portion of the

assets of the Fund are invested in such a group trust, such group trust is itself adopted as a part of the system or plan.

**Section 3:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**Section 4:** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**Section 5:** That this Ordinance shall become effective immediately upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 17th day of October, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: October 03, 2013

READ SECOND TIME AND ADOPTED: October 17, 2013

## ORDINANCE 13-25

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING CHAPTER 103 OF THE LAND DEVELOPMENT CODE OF THE CITY OF DUNEDIN; AMENDING SECTION 103-23.4.5, TO LIMIT THE NUMBER OF HOOFED ANIMALS ALLOWED WITHIN THE "AR" ZONING DISTRICT; AMENDING SECTION 103-23.3.6.6, COVERED BOAT DOCKS TO CLARIFY REQUIREMENTS; AMENDING TABLES 103-23.11.1, TABLE 103-23.12.1, TABLE 103-23.13.1, TABLE 103-23.14.1 AND TABLE 103-23.15.1 TO REVISE THE FRONT YARD SETBACKS; AMENDING SECTION 103-23.16.5.2 TO REDUCE THE NUMBER OF OFF-STREET PARKING SPACES TO ONE IN THE "MH" ZONING DISTRICT; DELETING "PR-1" AND "PR-2" ZONING DISTRICTS, AND AMENDING SECTION 103-23.17 TO CREATE A "PRD" ZONING DISTRICT; AMENDING TABLE 103-23.19.2, SUBSECTION 103-23.19.5, TABLE 103-23.24.2, SUBSECTION 103-23.24.5, TABLE 103-23.27.2 AND SUBSECTION 103-23.27.5 TO ALLOW FOR ALTERNATIVE DENSITY AND INTENSITY TEMPORARY LODGING USE STANDARDS FOR TRANSIENT USES; AMENDING SUBSECTION 103-40.4.1 THROUGH 103-40.4.3 TO PROVIDE FOR AN ALTERNATIVE SET-BACK REQUIREMENT OF "A", "B" AND "C" STREETS; AMENDING TABLE 103-40.1 TO REMOVE THE "PR-1" AND "PR-2" ZONING DISTRICTS AND TO INCORPORATE THE "PRD" ZONING DISTRICT; REPLACING THE "PR-2" REFERENCE WITHIN SUBSECTION 103-40.7 WITH "PRD"; DELETING SECTION 103-40.8 AND ITS REFERENCES FOUND IN TABLE 103-40.1, WHICH PROVIDED HEIGHT EXCEPTIONS FOR DEMONSTRATED PUBLIC BENEFITS; AMENDING TABLE 103-50.1 TO CLARIFY AND CREATE ADDITIONAL SETBACK ENCROACHMENTS; AMENDING IN ITS ENTIRETY TABLE 103-60.1, USE MATRIX; AMENDING APPENDIX A TO REVISE AND INCORPORATE DEFINITIONS FOR ART SCHOOL/STUDIO, ASSISTED LIVING FACILITY, COMMUNITY RESIDENTIAL HOME, CONGREGATE CARE FACILITY, CRAFT/MICRO BREWERY, WINERY OR DISTILLERY, GROUP LIVING HOME, LIVE-WORK UNIT AND URBAN NURSERY AND DELETING THE DEFINITION OF PERSONAL SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

**WHEREAS**, certain revisions and additions to Chapter 103 of the Land Development Code are found to be necessary and appropriate for the proper functioning of the code; and

**WHEREAS**, a limitation to the number of hooved animals allowed within the "AR" (Agricultural Residential) zoning district is necessary; and

**WHEREAS**, amendments to the covered boat lift regulations are necessary for the proper functioning of the code in accordance with the adopted standards of the Pinellas County Water and Navigation Control Authority Regulations; and

**WHEREAS**, the 15' front yard setback within the within the "R-60", "MF-7.5", "MF-10", "MF-12.5", and "MF-15" zoning districts causes incompatible building line of sight within neighborhoods which were previously established under a 25' front yard setback but is warranted for those nonconforming lots within the "R-60", "MF-7.5", "MF-10", "MF-12.5", and "MF-15" zoning districts with less than the minimum required lot depth; and

**WHEREAS**, elimination of the front yard setback specific to a single-family use within multifamily zoning districts "MF-7.5", "MF-10", "MF-12.5" and "MF-15" is merited; and

**WHEREAS**, there exists a conflict for the parking requirements within the "MH" (Mobile Home) zoning district between Chapter 103 and Chapter 105 of the Land Development Code; and

**WHEREAS**, City staff has determined a need for consolidating the analogous "PR-1" (Planned Residential Development) and "PR-2" (Planned Residential Development) zoning districts into one, "PRD" (Planned Residential Development) zoning district; and

**WHEREAS**, alternative density and intensity temporary lodging use standards for transient uses are permitted under Section 4.2.7.7 of the Countywide Plan Rules of Pinellas County, Florida and the City wishes to allow for alternative density and intensity temporary lodging use standards under this Rule; and

**WHEREAS**, the reference within the special requirements "DC" (Downtown Core) zoning district for auto service stations and enclosed automobile repair is inaccurate; and

**WHEREAS**, an amendment to the density standards for motel, hotel units and condo-hotel unit within the "DC" (Downtown Core) zoning district is necessary; and

**WHEREAS**, a revision to the step-back requirement of "A", "B" and "C" Streets that provides for an alternative requirement at the discretion of the City Commission is necessary; and

**WHEREAS**, additional height exceptions for demonstrated public benefits are no longer justified or merited for those certain zoning districts; and

**WHEREAS**, certain clarifications and additional allowances for setback encroachments listed in Table 103-50.1, "Permitted Setback Encroachments" are essential; and

**WHEREAS**, revisions to Table 103-60.1, "Use Matrix" for incorporating and clarifying "Group Living Home", "Community Home", "Assisted Living Facility", "Congregate Care Facility", "Craft/Micro Brewery, Winery or Distillery", "Urban Nursery", "Art School/Studio", and "Live-Work Unit" as permitted or conditional uses and the amendment or incorporation of definitions for these uses within Appendix A are necessary; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Subsection 103-23.4.5 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.4.5 - Special Requirements**

The following are special requirements for the "AR" (Agricultural) district:

- (A) Infrastructure standards, see *Chapter 104 - Procedures*.
- (B) Land dedication, see *Chapter 104 - Procedures*.
- (C) Only three hooved animals shall be allowed per acre.

**Section 2.** That Subsection 103-23.3.6.6 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.3.6.6 – Covered Boat Docks**

- (A) For the purpose of this section, "covered boat docks" shall include boat lifts, davits and wet slips. A permit may be administratively granted for covered boat docks as accessory structures incidental to a single-family residence provided no variance from the rules and regulations of the Pinellas County Water and Navigation Control Authority is required.

(B) In addition to the regulations of 103-23.3.6.3 - *Design Criteria Private Docks*, allowable covered boat docks must comply with the following minimum standards:

1. The boat dock must be legally conforming.
2. Covered boat docks must conform to the adopted standards of the Pinellas County Water and Navigation Control Authority Regulations and comply with applicable building codes.
3. Covered boat docks shall not be greater than 450 square feet in area.
4. The top of the roof structure may not be greater than 14 feet above the deck of the boat dock.
5. The pitch of the roof shall be 3/12 pitch or less.
6. In the event that the covered structure is damaged by fire, hurricane or other natural disaster, the structure shall be repaired, replaced or removed within 180 days.

(C) No variance may be allowed to the terms and requirements of this subparagraph (B).

**Section 3.** That Table 103-23.11.1, Table 103-23.12.1, Table 103-23.13.1, Table 103-23.14.1 and Table 103-23.15.1 of the Land Development Code of the City of Dunedin shall be amended in their entirety to read as follows:

<b>Table 103-23.11.1</b>	
<b>Zoning District: R-60 Single-Family Residential</b>	<b>R-60</b>
Lot size (minimum, square feet)	6,000
Lot width, interior (minimum, feet)	60
Lot width, corner (minimum, feet)	77.5
Lot depth (minimum, feet)	100
Front setback (minimum, feet)	25 <sup>1</sup>
Secondary front yard setback (minimum, feet)	10
Side setback (minimum, feet)	7.5
Rear setback (minimum, feet)	20
Height (maximum, feet)	27

Stories (maximum)	2
<sup>1</sup> For lots with less than 70' depth or lots less than 6,000 square feet, the minimum front yard setback shall be 15 feet.	

<b>Table 103-23.12.1</b>	
<b>Zoning District: MF-7.5 Multifamily Residential</b>	<b>MF-7.5</b>
Lot size (minimum, square feet)	7,000
Lot width, interior (minimum, feet)	70
Lot width, corner (minimum, feet)	85
Lot depth (minimum, feet)	100
Front setback (minimum, feet)	25 <sup>1</sup>
Secondary front yard setback, Single-family use (min., ft)	10
Side setback (minimum, feet)	10
Side setback, Single-family use (minimum, feet)	7.5
Rear setback (minimum, feet)	20
Height (maximum, feet)	35*
Height, Single-family use (maximum, feet)	27*
Stories (maximum)	3*
*Please refer to <i>Division 4: Supplemental Height Regulations</i> of this chapter for supplemental criteria.	
<sup>1</sup> For lots with less than 70' depth or lots less than 6,000 square feet, the minimum front yard setback shall be 15 feet.	

<b>Table 103-23.13.1</b>	
<b>Zoning District: MF-10 Multifamily Residential</b>	<b>MF-10</b>
Lot size (minimum, square feet)	8,000
Lot width, interior (minimum, feet)	70
Lot width, corner (minimum, feet)	85
Lot depth (minimum, feet)	100

Front setback (minimum, feet)	25 <sup>1</sup>
Side setback (minimum, feet)	10
Secondary front yard setback, Single-family use (min., ft)	10
Side setback, Single-family use (minimum, feet)	7.5
Rear setback (minimum, feet)	20
Height (maximum, feet)	35
Height, Single-family use (maximum, feet)	27
Stories (maximum)	3
Units per acre (UPA) - residential use (maximum, net)	10
Floor area per unit (minimum, square feet)	600
<sup>1</sup> For lots with less than 70' depth or lots less than 6,000 square feet, the minimum front yard setback shall be 15 feet.	

<b>Table 103-23.14.1</b>	
<b>Zoning District: MF-12.5 Multifamily Residential</b>	<b>MF-12.5</b>
Lot size (minimum, square feet)	9,000
Lot width, interior (minimum, feet)	70
Lot width, corner (minimum, feet)	85
Lot depth (minimum, feet)	100
Front setback (minimum, feet)	25 <sup>1</sup>
Secondary front yard setback, Single-family use (min., ft)	10
Side setback (minimum, feet)	10
Side setback, Single-family use (minimum, feet)	7.5
Rear setback (minimum, feet)	20
Height (maximum, feet)	50
Height, Single-family use (maximum, feet)	27
Stories (maximum)	5
Units per acre (UPA) - residential use (maximum, net)	12.5

Floor area per unit (minimum, square feet)	600
<sup>1</sup> For lots with less than 70' depth or lots less than 6,000 square feet, the minimum front yard setback shall be 15 feet.	

<b>Table 103-23.15.1</b>	
<b>Zoning District: MF-15 Multifamily Residential</b>	<b>MF-15</b>
Lot size (minimum, square feet)	10,000
Lot width, interior (minimum, feet)	70
Lot width, corner (minimum, feet)	85
Lot depth (minimum, feet)	100
Front setback (minimum, feet)	25 <sup>1</sup>
Secondary front yard setback, Single-family use (min., ft)	10
Side setback (minimum, feet)	10
Side setback, Single-family use (minimum, feet)	7.5
Rear setback (minimum, feet)	20
Height (maximum, feet)	50
Height, Single-family use (maximum, feet)	27*
Stories (maximum)	5*
Units per acre (UPA) - residential use (maximum, net)	15
Floor area per unit (minimum, square feet)	500
<p>*Please refer to <i>Division 4: Supplemental Height Regulations</i> of this chapter for supplemental criteria.</p> <p><sup>1</sup>For lots with less than 70' depth or lots less than 6,000 square feet, the minimum front yard setback shall be 15 feet.</p>	

**Section 4.** That Subsection 103-23.16.5.2 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.16.5.2 - Parking Requirements**

There shall be at least one off-street parking space designated in the "MH" (Mobile Home) residential district for each mobile home unit. Off-street

parking may be provided in common parking areas or on individual mobile home lots.

**Section 5.** That Subsection 103-23.17 and Subsections 103-23.18 of the Land Development Code of the City of Dunedin shall be amended in their entirety to read as follows:

**103-23.17 Planned Residential Development (PRD)**

**103-23.17.1 Purpose**

"PRD" (Planned Residential Development) districts provide a moderate to high density and offer flexibility in design and dimensional standards, as determined by an approved Final Design Review (refer to *Chapter 104 - Procedures* of the Land Development Code). "PRD" (Planned Residential Development) zoning encourages the clustering of dwelling units and the provisions of common open spaces. Dimensional standards shall be compatible with the surrounding area.

**103-23.17.2 - Use Regulations**

Please refer to the Use Matrix (Table 103-60.1).

**103-23.17.3 - Dimensional Standards**

The dimensional standards within the "PRD" (Planned Residential Development) district are outlined in Table 103-23.17.1.

<b>Table 103-23.17.1</b>	
<b>Zoning District: Planned Residential Development</b>	<b>PRD</b>
Lot and setback requirements (minimum, feet)	site plan
Perimeter lot front setback (minimum, feet)	site plan
Perimeter lot side setback (minimum, feet)	site plan
Perimeter lot rear setback (minimum, feet)	site plan
Maximum Height*/ Stories	40*/ 3
Common recreation area (minimum, percent)	site plan
*Please refer to <i>Division 4: Supplemental Height Regulations</i> of this chapter for supplemental criteria.	

### 103-23.17.4 - Permissible Land Use Designations

The dimensional standards associated with the permissible land uses are outlined in Table 103-23.17.2.

<b>Table 103-23.17.2</b>	
<b>Land Use: RS - Residential Suburban</b>	
Units per Acre (UPA) - residential use (maximum, net)	2.5
Residential Equivalent Use Standard (REUS)	3 beds/d.u.
Floor Area Ratio (FAR) - Nonresidential Use	0.30
Impervious Surface Ratio (ISR)	0.60
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	28
<b>Land Use: RL - Residential Low</b>	
Units per acre (UPA) - residential use (maximum, net)	5.0
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.40
Impervious surface ratio (ISR)	0.65
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact-trips per day per acre)	50
<b>Land Use: RU - Residential Urban</b>	
Units per acre (UPA) - residential use (maximum, net)	7.5
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.40
Impervious surface ratio (ISR)	0.65
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	68

<b>Land Use: RLM - Residential Low Medium</b>	
Units per acre (UPA) - residential use (maximum, net)	10.0
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.50
Impervious surface ratio (ISR)	0.75
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	67
<b>Land Use: RM - Residential Medium</b>	
Units per acre (UPA) - residential use (maximum, net)	15.0
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.50
Impervious surface ratio (ISR)	0.75
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	102
<b>Land Use: RH - Residential High</b>	
Units per acre (UPA) - residential use (maximum, net)	30.0
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.60
Impervious surface ratio (ISR)	0.85
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	198
<b>Land Use: RFM - Resort Facilities Medium</b>	
Units per acre (UPA) - residential use (maximum, net)	15.0
Residential equivalent use standard (REUS)	3 beds/d.u.

Units per acre (UPA) - temporary lodging use (maximum, net)	30
Floor area ratio (FAR) - nonresidential use	0.65
Impervious surface ratio (ISR)	0.85
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	178

### 103-23.17.5 - Special Requirements

The following are special requirements for the "PRD" (Planned Residential Development) districts:

- (A) Conceptual plan review, see *Chapter 104 - Procedures*.
- (B) Final design review, see *Chapter 104 - Procedures*.
- (C) Infrastructure standards, see *Chapter 104 - Procedures*.
- (D) Home owner's association, see *Chapter 104 - Procedures*.
- (E) Guarantee of completion, see *Chapter 104 - Procedures*.
- (F) Amendments and additions, see *Chapter 104 - Procedures*.
- (G) Land dedication, see *Chapter 104 - Procedures*.
- (H) Landscape regulations, see *Chapter 105 - Development Standards*.

### 103-23.18

*(Reserved)*

**Section 6.** That Table 103-23.19.2 of the Land Development Code of the City of Dunedin shall be amended in its entirety to read as follows:

<b>Table 103-23.19.2</b>	
<b>Land Use: CR - Commercial Recreation</b>	
Units per acre (UPA) - residential use (maximum, net)	24.0
Residential equivalent use standard (REUS)	3 beds/d.u
Units per acre (UPA) - temporary lodging use (maximum, net)	40*
Floor area ratio (FAR) - nonresidential use	0.55

Impervious surface ratio (ISR)	0.90
Institutional; Transportation/Utility Use Limit	5 acres
Traffic Generation (typical impact - trips per day per acre)	550
<b>Land Use: CG - Commercial General</b>	
Units per acre (UPA) - residential use (maximum, net)	15.0
Residential equivalent use standard (REUS)	3 beds/d. u.
Units per acre (UPA) - temporary lodging use (maximum, net)	40*
Floor area ratio (FAR) - nonresidential use	0.55
Impervious surface ratio (ISR)	0.90
Institutional; Transportation/Utility Use Limit	5 acres
Traffic Generation (typical impact - trips per day per acre)	487
<b>Land Use: RFM - Resort Facilities Medium</b>	
Units per acre (UPA) - residential use (maximum, net)	15.0
Residential equivalent use standard (REUS)	3 beds/d. u.
Units per acre (UPA) - temporary lodging use (maximum, net)	30*
Floor area ratio (FAR) - nonresidential use	0.65
Impervious surface ratio (ISR)	0.85
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation	178
<b>* Refer to Section 103-23.19.5(C).</b> (typical impact - trips per day per acre)	

**Section 7.** That Subsection 103-23.19.5 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.19.5 - Special Requirements**

The following are special requirements for the "TF" (Tourist Facility) district:

- (A) For a single motel, hotel, or condo-hotel rental unit, the maximum floor area is 600 square feet. For a single motel, hotel, or condo-hotel unit, the minimum floor area is 300 square feet.
- (B) Screening, see *Chapter 105 - Development Standards*
- (C) Density/Intensity, see Table 103-23.19.2 above for motels, hotels, and condo-hotels. Higher densities for temporary lodging shall be allowable only when a development agreement

is adopted pursuant to the requirements of Section 4.2.7.6 of the Countywide Plan Rules.

- (D) All condo-hotel units shall comply with *Chapter 107 - Supplemental Use Regulations*.
- (E) Conceptual plan review, see *Chapter 104 - Procedures*.
- (F) Final design review, see *Chapter 104 - Procedures*.
- (G) Infrastructure standards, see *Chapter 105 - Development Standards*.
- (H) Landscape regulations, see *Chapter 105 - Development Standards*.
- (I) Land dedication, *Chapter 104 - Procedures*.

**Section 8.** That Table 103-23.24.2 of the Land Development Code of the City of Dunedin shall be amended in its entirety to read as follows:

<b>Table 103-23.24.2</b>	
<b>Land Use: I - Institutional</b>	
Units per acre (UPA) - residential use (maximum, net)	12.5
Residential equivalent use standard (REUS)	3 beds/d.u.
Floor area ratio (FAR) - nonresidential use	0.65
Impervious surface ratio (ISR)	0.85
Ancillary Nonresidential Transportation/Utility Use Limit	10 acres
<b>Land Use: CRD- Community Redevelopment District</b>	
Units per acre (UPA) - residential use (maximum, net)	30
Residential equivalent use standard (REUS)	3 beds/d.u.
Units per acre (UPA) – temporary lodging use (maximum, net)	50
Impervious surface ratio (ISR)	0.85

**Section 9.** That Subsection 103-23.24.5 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.24.5 - Special Requirements**

Special requirements for the "DC" (Downtown Core) district shall be as follows:

- (A) For a single motel, hotel, or condo-hotel rental unit, the maximum floor area is 600 square feet. For a single motel, hotel, or condo-hotel unit, the minimum floor area is 300 square feet.

- (B) All condo-hotel units shall comply with *Chapter 107 - Supplemental Use Regulations*.
- (C) Minimum floor area for multifamily residential dwelling units shall be 600 square feet for one bedroom units and 800 square feet for two bedroom units.
- (D) Appropriate screening shall be required as per *Chapter 105 - Development Standards*.
- (E) Developments shall be subject to applicable procedures and rules of the infrastructure standards, *Chapter 104 - Procedures*.
- (F) Developments shall be subject to the landscape regulations in *Chapter 105 - Development Standards*.
- (G) Restaurant establishments that are permitted to have on-site consumption of alcoholic beverages shall not locate closer than 50 feet to the property of a church or school. Bar establishments that are permitted to have on-site consumption of alcoholic beverages shall not locate closer than 300 feet to the property of a church or school. Furthermore, bar establishments shall not locate any closer than 300 feet to another bar establishment. The method of measuring such distances shall be a straight line from the nearest point of the property of one such establishment to the nearest point of the property of the other establishment, or of the church or school.
- (H) More than one principal structure may be permitted.
- (I) Establishments shall comply with applicable standards as required by *Chapter 107 - Supplemental Use Regulations*.
- (J) Residential uses shall be subject to the land dedication regulations in *Chapter 104 - Procedures*.
- (K) All other applicable code requirements, except as specifically modified in this division.

**Section 10.** That Table 103-23.27.2 of the Land Development Code of the City of Dunedin shall be amended in its entirety to read as follows:

<b>Table 103-23.27.2</b>	
<b>Land Use: RFM - Resort Facilities Medium</b>	
Units per acre (UPA) - residential use (maximum, net)	15.0
Residential equivalent use standard (REUS)	3 beds/d.u.

Units per acre (UPA) - temporary lodging use (maximum, net)	30*
Floor area ratio (FAR) - nonresidential use	0.65
Impervious surface ratio (ISR)	0.85
Ancillary Nonresidential Transportation/Utility Use Limit	3 acres
Institutional Use	5 acres
Traffic Generation (typical impact - trips per day per acre)	178
<b>Land Use: CR - Commercial Recreation</b>	
Units per acre (UPA) - residential use (maximum, net)	24.0
Residential equivalent use standard (REUS)	3 beds/d.u
Units per acre (UPA) - temporary lodging use (maximum, net)	40*
Floor area ratio (FAR) - nonresidential use	0.55
Impervious surface ratio (ISR)	0.90
Institutional; Transportation/Utility Use Limit	5 acres
Traffic Generation (typical impact - trips per day per acre)	550
* Refer to <i>Section 103-23.27.5(E)</i>	

**Section 11.** That Subsection 103-23.27.5 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-23.27.5 - Special Requirements**

The following are special requirements for the "CR" (Commercial Recreation) district:

- (A) Screening, as required by *Chapter 105 - Development Standards*.
- (B) For a single motel or hotel unit, the minimum floor area is 300 square feet.
- (C) Infrastructure standards, see *Chapter 104 - Procedures*.
- (D) Landscape regulations, see *Chapter 105 - Development Standards*.
- (E) Density/Intensity see Table 103-23.27.2 above for motels, hotels, and condo-hotels. Higher densities for temporary lodging shall be allowable only when a development agreement is adopted pursuant to the requirements of Section 4.2.7.6 of the Countywide Plan Rules.

**Section 12.** That Subsection 103-40.4.1 through 103-40.4.3 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-40.4.1 - "A" Streets**

"A" streets—New construction shall be built directly to the front lot line or edge of public right-of-way and maintain a continuous facade. One passageway between buildings (seven-foot maximum width) shall be provided mid-point per block. Passageway construction may be waived at the discretion of the zoning administrator if no demonstrated public benefit is achieved by the provisions of such passageway. Maximum building height shall be limited to three stories, or 40 feet, whichever is less. First floor minimum height shall be 16 feet and remaining floors shall be a minimum height of ten feet. Minimum floor heights may be varied at the discretion of the city commission. Application to the city commission, through the local planning agency (LPA) shall be made by an applicant for the city to determine if a proposed floor height reduction meets the intent of the zoning district and the applicable standards. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way or the Pinellas Trail. Step back area may be utilized as a balcony, gallery, or similar purpose. At the discretion of the City Commission, the 10 foot step back may be waived if other architectural features are able to eliminate the "canyon effect" caused by multi-storied buildings with flat, non-dimensional frontage. Portions of roadways and/or right-of-way areas designated as "A" streets within the CRA district are referenced in Exhibit C-1.

#### **103-40.4.2 - "B" Streets**

"B" streets—New construction shall be built along a mandatory build-to line that is set back a minimum of zero feet to a maximum of ten feet from the fronting street or edge of public right-of-way. One passageway between buildings (seven-foot maximum width) shall be provided mid-point per block. Passageway construction may be waived at the discretion of the zoning administrator if no demonstrated public benefit is achieved by the provisions of such passageway. Maximum building height shall be limited to three stories, or 40 feet, whichever is less. At the discretion of the city commission, projects exhibiting a "demonstrated public benefit" may be permitted a maximum building height of 52 feet, or four stories, whichever is less. For all mixed-use (two or more vertically integrated retail, commercial office or residential development uses within each project) buildings, the first floor minimum height shall be 16 feet and remaining floors shall be a minimum height of ten feet. Minimum floor heights may be varied at the discretion of the city commission. Application to the city commission, through the local planning agency (LPA) shall be made by an applicant for the city to determine if a proposed floor height reduction meets the intent of the zoning district and the applicable standards. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way or the Pinellas Trail. Step back area may be utilized as

a balcony, gallery, or similar purpose. At the discretion of the City Commission, the 10 foot step back may be waived if other architectural features are able to eliminate the "canyon effect" caused by multi-storied buildings with flat, non-dimensional frontage. Portions of roadways and/or right-of-way areas designated as "B" streets within the CRA district are referenced in Exhibit C-1.

**103-40.4.3 - "C" Streets**

"C" streets—New construction shall be built along a mandatory build-to line that is set back a minimum of zero feet to a maximum of ten feet from the fronting street or edge of public right-of-way. One passageway between buildings (seven-foot maximum width) shall be provided mid-point per block. Passageway construction shall be waived at the discretion of the zoning administrator if no demonstrated public benefit is achieved by the provisions of such passageway. Maximum building height shall be limited to four stories, or 52 feet, whichever is less. For all mixed use (two or more vertically integrated retail, commercial office or residential development uses within each project) buildings, the first floor minimum height shall be 16 feet and remaining floors shall be a minimum height of ten feet. Minimum floor heights may be varied at the discretion of the city commission. Application to the city commission, through the local planning agency (LPA) shall be made by an applicant for the city to determine if a proposed floor height reduction meets the intent of the zoning district and the applicable standards. For multiple story buildings, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering a public right-of-way or the Pinellas Trail. Step back area may be utilized as a balcony, gallery, or similar purpose. At the discretion of the City Commission, the 10 foot step back may be waived if other architectural features are able to eliminate the "canyon effect" caused by multi-storied buildings with flat, non-dimensional frontage. Portions of roadways and/or right-of-way areas designated as "C" streets within the CRA district are referenced in Exhibit C-1.

**Section 13.** That Table 103-40.1 of the Land Development Code of the City of Dunedin shall be amended in its entirety to read as follows:

<b>Table 103-40.1</b>		
<b>Zoning Classification</b>	<b>Height</b>	<b>Additional Requirements/Entitlements by Zone</b>
C	35 feet	None

MPL	As determined by the city commission	None
MP	35 feet	None
AR	35 feet	None
R-300	35 feet	None
R-200	35 feet	None
R-150	27 feet	None
R-100	27 feet	None
R-90	27 feet	None
R-75	27 feet	None
R-60	27 feet	None
MF-7.5	35 feet	See § 103-40.4 for additional criteria
MF-10	35 feet	None
MF-12.5	50 feet	None
MF-15	50 feet	See § 103-40.4 § 103-40.7 for additional criteria.
MH	35 feet	None
PRD	40 feet	See § 103-40.7 for additional criteria.
TF	50 feet	See § 103-40.7 for additional criteria.
DR	40/52 feet west of New York Avenue	See § 103-40.4 for additional criteria.
GO	35 feet	None
NB	35 feet	None
GB	50 feet	One foot additional setback at ground level for each two feet above 30 feet for yards abutting residential uses
DC	35 feet at marina; 40/52 feet west of New York Avenue	See § 103-40.4 for additional criteria.

SC	50 feet	One foot additional setback at ground level for each two feet above 30 feet for yards abutting residential uses
CP	35 feet	None
CR	50 feet	See § 103-40.7 for additional criteria.
LI	50 feet	None
GI	60 feet	None
DI	52 feet	See § 103-40.4 for additional criteria.

**Section 14.** That Subsection 103-40.7 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-40.7 - Additional Multiple Story Regulations**

For multiple story buildings within parcels designated TF, MF-15, PRD and CR located within the Dunedin Causeway corridor and/or directly abutting the open waters of St. Joseph's Sound, a ten-foot minimum step back behind the primary facade of the building shall be required for stories above the second story for portions of a building facing or bordering the water, a public right-of-way or the Pinellas Trail. For all mixed use (two or more vertically integrated retail, commercial office or residential development uses within each project) buildings, the first floor minimum height shall be 16 feet and remaining floors shall be a minimum height of ten feet. Minimum floor heights may be varied at the discretion of the city commission. Application to the city commission, through the local planning agency (LPA) shall be made by an applicant for the city to determine if a proposed floor height reduction meets the intent of the zoning district and the applicable standards.

**Section 15.** That Subsection 103-40.8 of the Land Development Code of the City of Dunedin shall be deleted in its entirety.

**Section 16.** That Table 103-50.1 of the Land Development Code of the City of Dunedin shall be amended in its entirety to read as follows:

<b>Table 103-50.1</b>		
<b>STRUCTURE/ IMPROVEMENT</b>	<b>F = Front S = Side SF = Secondary Front R = Rear W = Waterfront</b>	<b>PERMITTED SETBACK ENCROACHMENTS</b>

Arbor (up to 80 sq. ft. in area and no more than 12' in height)	F, S, SF, R	To property line
	W	No more than 8' from setback line
Arbor (up to 200 sq. ft. in area and no more than 12' in height)	F, S, SF, R, W	No more than 8' from setback line
Awnings	All	No more than 3' beyond set-back line, but no closer to property line or seawall than 2'
Balcony (open on three sides)	All	Leading edge no more than 3' beyond setback line
Barbeque, Masonry (up to 10' in height)	S, SF, R, W	No more than 5' beyond setback line
Bay Window (without a footer)	All	No more than 3' beyond setback line
Carport, detached (on lot sizes 9,000 sf or less; no more than 650 sf in area; and no higher than the principal structure)	S	No closer to property line than 3'
	R	No closer to property line than 5'
	SF	No more than 5' from setback line but no closer to property line than 5'
Chimney, (attached)	All	No more than 2' beyond setback line, no closer to property line or seawall than 4'
Decks, Uncovered (up to 12 inches above existing grade)	S, R, W	To property line or seawall
	SF	No closer to property line than 5'
Eaves	All	No more than 3' from setback line, but no closer to property line or seawall than 2'
Fences (also refer to Chapter 105, Development Standards for additional requirements)	All	To property line or seawall as prescribed by fence and wall regulations

Flags, Wall-Mounted	All	No more than 4' from setback line, but no closer to property line or seawall than 2'
Fire pits, Outdoor Fireplaces, Fire Rings, Chimney (detached)	S, R, W	No closer to property line or seawall than 10 ft. Must be located not less than 10 feet from any structure, accessory structure or fence.
Garage, detached (on lot sizes 9,000 sf or less; no more than 650 sf in area; and no higher than the principal structure)	S	No closer to property line than 3'
	R	No closer to property line than 5'
	SF	No more than 5' from setback line but no closer to property line than 5'
Gazebo	S	No closer to property line than 7.5'
	R	No closer to property line than 10'
Outdoor Kitchen	S, SF, R,W	No more than 5' beyond setback line
Patios, uncovered	S, R	To property line
	SF	No closer to property line or seawall than 5'
	W	No closer to property line or seawall than 5'. When required for drainage purposes, patios, uncovered, may align with the top of a reconstructed seawall but shall be no higher than 12" above existing grade.
Patios, covered	S, SF, R	No closer to property line than 8'

	W	No closer to property line than 10'
Pool, Above Ground	S, SF, R	No closer to property line than 5'
	W	No closer to property line or seawall than 8'
Pool, In-ground (pools adjacent to seawalls shall require additional engineering to avoid conflict with existing, underground tie-backs)	S, SF, R, W	No closer to property line or seawall than 5'
Porch, Open	F, SF	No more than 10' from setback line
Ramp, disability access (zoning administrator design approval required)	F, SF, S, R, W	No closer to property line or seawall than 5'
Screen Enclosure (screen roof)	S, SF, R, W	No closer to property line or seawall than 5'
Screen Enclosure (solid roof)	S, SF, R	No closer to property line than 8'
	W	No closer to property line or seawall than 10'
Shed, detached (maximum of 100 sf area / maximum 9 ft height)	S, R	No closer to property line than 1' (must be screened from adjoining property)
Shed, detached (greater than 100 sf area / greater than 9 ft height)	S	No closer to property line than 7.5'
	R	No closer to property line than 10'
Spa	S, SF, R, W	No closer to property line or seawall than 5'
Steps, Stairs (steps, stairs shall not exceed 3 feet in height above grade.)	F, R, W	No more than 6' from setback line but no closer to property line or seawall than 4'
	S, SF	No more than 4' from setback line but no closer to property line than 4'

Stoop (up to 3' by 6' in area)	All	No more than 3' from setback line but no closer to property line or seawall than 4'
Tiki Hut	S	No closer to property line than 7.5'
	R	No closer to property line than 10'

**Section 17.** That Table 103-60.1 is amended in its entirety as reflected on Exhibit "A" attached hereto and incorporated herein by reference.

**Section 18.** That a definition for "Art School/Studio" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Art School/Studio:* A room or place for instruction or experimentation in one of the arts or artisan crafts (including, but not limited to dance, photography, filmmaking, music, writing, painting, flame working, pottery, sculpturing or printmaking).

**Section 19.** That the definition of "Assisted Living Facility" found within Appendix A of the Land Development Code of the City of Dunedin shall be amended as follows:

*Assisted living facility:* Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. Personal services are defined by Florida Statute 429.02(16).

**Section 20.** That a definition for "Community Residential Home" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Community Residential Home:* A dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

**Section 21.** That a definition for "Congregate Care Facility" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Congregate Care Facility:* A facility that offer a continuum of care for older adults living in assisted living facilities which enable residents to age in place by providing a higher level of care and an expanded scope of services than is permitted in a standard assisting living facility.

**Section 22.** That a definition for "Craft/Micro Brewery, Winery or Distillery" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Craft/Micro Brewery, Winery or Distillery:* A small-scale, licensed manufacturing establishment which produces, processes, ferments, rectifies or blends craft brews, wines or distilled spirits; may or may not offer tastings, and may or may not provide on-site sale and consumption of the products.

**Section 23.** That the definition of "Group Residential Home" shall be renamed "Group Living Home" as found within Appendix A of the Land Development Code of the City of Dunedin and shall be amended as follows:

*Group living home:* A residential facility which provides a family-living or home-like environment for compensation, including supervision and personal services. Group living homes are for 6 or fewer residents. Personal services are defined by Florida Statute 429.02(16).

**Section 24.** That a definition for "Live-Work Unit" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Live-Work Unit:* A unit which combines personal living space, professional workspace and sales to the public in such a way that none is compromised.

**Section 25.** That the definition of "Personal Services" found within Appendix A of the Land Development Code of the City of Dunedin shall be deleted.

**Section 26.** That a definition for "Urban Nursery" shall be incorporated within Appendix A of the Land Development Code of the City of Dunedin as follows:

*Urban Nursery:* A small business that sells plants, trees, equipment and supplies in a built-out environment. The business may also conduct training and education to teach urban agriculture.

**Section 27.** That this Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 19th day of December, 2013.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: December 5, 2013

READ SECOND TIME AND ADOPTED: December 19, 2013

TABLE 103-60.1 LAND DEVELOPMENT CODE USE MATRIX

Use/Activity	C	MP	AR	R-300	R-200	R-150	R-100	R-90	R-75	R-60	MF-7.5	MF-10	MF-12.5	MF-15	MH	PRD	TF	DR	GO	NB	GB	DC	DI	SC	CP	CR	LI	GI
<b>Residential</b>																												
Dwelling, single-family detached	-	-	P	P	P	P	P	P	P	P	P	P	P	P	C	P	C	P	-	-	-	P	-	-	-	-	-	-
Dwelling, single-family attached	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	C	P	-	-	-	P	-	-	-	-	-	-
Dwelling, two family (duplex)	-	-	-	-	-	-	-	-	C	C	P	P	P	P	C	P	C	P	-	-	-	P	-	-	-	-	-	-
Zero lot line development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	P	-	-	-	-	-	-
Townhouses	-	-	-	-	-	-	-	-	C	C	P	P	P	P	C	P	C	P	P	P	P	P	-	-	-	-	-	-
Manufactured home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-
Multifamily dwelling	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	P	P	-	-	-	-	-	-
Group living home (6 or fewer residents / live-in care)	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	P	-	-	-	C	-	-	-	-	-	-	
Community residential home (7 to 14 residents)	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	C	-	-	-	C	-	-	-	-	-	-
Assisted living facility	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	C	-	P	P	C	-	-	-	-	-	-
Congregate care facility	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	C	-	P	P	C	-	-	-	-	-	-
Live-Work Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	-	-	-	-
<b>Transient Use</b>																												
Bed-and-breakfast inn	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	C	-
Rooming house	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	-	-	-	-
Hotel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	C	-	-	-	-	C	-
Motel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	C	-	-	-	-	C	-
Condo-Hotel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	C	-	-	-	-	-	-
<b>Commercial</b>																												
Shop or store building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	P	P	-	-
Shop or store building with drive-through facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	-
Restaurant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	P	C	-	-
Department store building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	-
Warehouse discount store/superstore	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	-
Gasoline station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	P	-	-	-
Automobile repair and service structures (enclosed)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	C	P	-	-	-
Car dealer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	-	-
Bus, truck, mobile home or large vehicle dealers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Motorcycle, all-terrain vehicle dealers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Boat or marine craft dealer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-
Parts, accessories or tires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	P	-	-	-
Lumberyard and building materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	P
Laundry and dry cleaning facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-
Outdoor resale business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-

Note: Listed uses, which are permitted or conditional permit uses, must be allowed in correlation with the underlying land use category.  
 "P" means Permitted Use "A" means Accessory Use "C" means Conditional Use Permit from the BAA

TABLE 103-60.1 LAND DEVELOPMENT CODE USE MATRIX

Use/Activity	C	MP	AR	R-300	R-200	R-150	R-100	R-90	R-75	R-60	MF-7.5	MF-10	MF-12.5	MF-15	MH	PRD	TF	DR	GO	NB	GB	DC	DI	SC	CP	CR	LI	GI			
Pawnshops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	-			
Beer, wine, and liquor store (off-premises consumption of alcohol)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-		
Shopping center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	-	-		
Convenience stores or centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	P	-	-	-		
Car washes, automatic	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	P	-	-	-		
Car washes, self-service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	C	-	-	-		
Office building, stand-alone (without drive-through facility)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	P	-		
Office building (with drive-through facility)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	C	C	-	P	-		
Mixed use building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-		
Research-and-development services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	C	-	-	-	P	P		
Car rental and leasing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P		
Leasing trucks, trailers, recreational vehicles, etc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P		
Services to buildings and dwellings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P		
Bars, taverns, and nightclubs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	P	P	P	P	-	-	-		
Craft/Micro Brewery, Winery or Distillery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	P	-	-	-	P	P		
Camps, camping, and related establishments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-		
Tattoo parlors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-		
Art School/Studio	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	-	-		
<b>Industrial</b>																															
Light industrial structures and facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P		
Manufacturing plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P		
Industrial parks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P		
Laboratory facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P		
Recycling business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P		
Warehouse or storage facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P		
Mini-warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P		
Wholesale trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P		
<b>Public assembly</b>																															
Performance theater	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	C	P	-	-	
Movie theater	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	
Amphitheater	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-		
Amusement, sports, or recreation establishment (not specifically listed)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	
Amusement or theme park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	-	
Arcade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	
Miniature golf establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-

Note: Listed uses, which are permitted or conditional permit uses, must be allowed in correlation with the underlying land use category.  
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TABLE 103-60.1 LAND DEVELOPMENT CODE USE MATRIX

Use/Activity	C	MP	AR	R-300	R-200	R-150	R-100	R-90	R-75	R-60	MF-7.5	MF-10	MF-12.5	MF-15	MH	PRD	TIF	DR	GO	NB	GB	DC	DI	SC	CP	CR	LI	GI		
Fitness, recreational sports, gym, or athletic club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	C	C	P	P	P	-	-	
Bowling, billiards, pool, etc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	
Skating rinks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	-	
Sports stadium or arena	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	C	-	
Racetrack	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	C	C	-	
Exhibition, convention, or conference structure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	P	P	-	-	-	-	-	
Churches, temples, synagogues, mosques, and other religious facilities	-	-	C	C	C	C	C	C	C	C	C	C	C	C	-	C	-	P	P	P	P	P	P	-	C	C	-	-		
Active open space/athletic fields/golf courses	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	-	P	C	C	
<b>Institutional or community facilities</b>																														
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Clinic, dental or medical	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	-	-	
Social assistance, welfare, and charitable services (not otherwise listed)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-	
Child and youth services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-	
Day care center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-	
Community food services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	C	C	-	-	-	
Emergency and relief services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-	
Services for elderly and disabled	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-	
Animal hospitals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	C	-	P	P	-	-	-
School	-	-	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	P	P	P	C	-	P	P	-	P	-	
Library	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Museum	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	C	C	P	-	-	
Planetarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	C	C	P	-	-	
Aquarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	P	-	-	
Zoological parks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-	
Police station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-	
Emergency operation center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-	-	
Correctional or rehabilitation facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Cemetery, monument, tombstone, or mausoleum	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Funeral homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	
Cremation facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
Public administration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-	-	
Post offices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	P	-	
Fraternal organizations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	C	-	P	P	-	-	-	
<b>Transportation-related facilities</b>																														
Surface parking, open	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	-	P	P	P	C	P	-	-	-	C	C		

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TABLE 103-60.1 LAND DEVELOPMENT CODE USE MATRIX

Use/Activity	C	MP	AR	R-300	R-200	R-150	R-100	R-90	R-75	R-60	MF-7.5	MF-10	MF-12.5	MF-15	MH	PRD	TF	DR	GO	NB	GB	DC	DI	SC	CP	CR	LI	GI		
Surface parking, covered	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	C	P	-	-	-	C	C	
Parking structure, commercial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	C	P	P	P	C	C	C	
Transit station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	P	C	P	C	C	-	-	-	P	P	
Bus stop shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	
Bus or truck maintenance facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
Truck and freight transportation services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
Local transit systems—mixed mode	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	
Local transit systems—commuter rail	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	
Local transit systems— bus, special needs, and other motor vehicles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	
Interurban, charter bus, and other similar establishments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	P	
Taxi and limousine service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	
Towing and other road services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P	
Postal transportation services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	P	
Courier and messenger services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	-	P	P	
Heliport facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	P	
Communication towers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	P	
Radio, television, or wireless transmitter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	P	
Weather stations or transmitters	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	P	
Environmental monitoring station (air, soil, etc.)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	-	P	P	
Roadside stand, pushcarts, etc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	C	C	-	C	C	
Kiosks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	P	-
Playground equipment	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	C	-	-	-	P	-	-	-	P	-	-	
<b>Agriculture, forestry, fishing, and hunting</b>																														
Greenhouses/nurseries	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	P	
Urban nurseries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	
Stables and other equine-related facilities	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	
Kennels and other canine-related facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-	C	
<b>Marina Facilities</b>																														
Transient Use	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	
Commercial Use	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	

Note: Listed uses, which are permitted or conditional permit uses, must be allowed in correlation with the underlying land use category.  
 "P" means Permitted Use "A" means Accessory Use "C" means Conditional Use Permit from the BAA

## ORDINANCE 13-26

AN ORDINANCE AMENDING THE CITY OF DUNEDIN LAND USE PLAN, AS ADOPTED BY ORDINANCE 89-21 ON CERTAIN REAL PROPERTY LOCATED AT 375, 403 AND 407 PATRICIA AVENUE, 1060 SCOTSDALE STREET, AND UNASSIGNED ADDRESS AT SCOTSDALE STREET (PARCEL NOS. 35-28-15-00000-310-0400, 35-28-15-00000-240-0120, 35-28-15-00000-240-0110, 35-28-15-00000-310-0100 AND 35-28-15-00000-310-0700), WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 23.22 ACRES MOL, FROM INDUSTRIAL LIMITED (IL) AND COMMERCIAL GENERAL (CG) TO PLANNED REDEVELOPMENT MIXED-USE (PR-MU) LAND USE DESIGNATION; ADOPTING A SPECIAL AREA PLAN FOR THE PLANNED REDEVELOPMENT MIXED-USED (PR-MU) DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

**WHEREAS**, the owners of the property described herein have requested that the said property receive an amended land use designation on the Dunedin Land Use Plan; and

**WHEREAS**, the owners of the property described herein have requested that the Dunedin Land Use Plan be changed to Planned Redevelopment Mixed-Use (PR-MU) with a Special Area Plan; and

**WHEREAS**, the Local Planning Agency of the City of Dunedin has duly considered the type of land use designation that would be appropriate on said property and has recommended that the property herein below be changed to Planned Redevelopment Mixed-Use (PR-MU) with a Special Area Plan; and

**WHEREAS**, the City Commission of the City of Dunedin has considered such request and finds that such request should be granted; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That the Dunedin Land Use Plan as adopted by Ordinance 89-21 be amended by redesignating the following described real property to Planned Redevelopment Mixed-Use (PR-MU), as said designation is more particularly described in said Land Use Plan:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2.** In addition to the land use plan redesignation to Planned Redevelopment Mixed-Use (PR-MU), the Special Area Plan attached hereto and made a part hereof as Exhibit "B," is hereby adopted.

**Section 3.** The effective date of this small scale development plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), F.S. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, F.S. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 17th day of April, 2014.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

**ATTEST:**

  
Denise M. Schlegel  
City Clerk

**READ FIRST TIME AND PASSED:** \_\_\_\_\_ December 5, 2013

**READ SECOND TIME AND ADOPTED:** \_\_\_\_\_ April 17, 2014

## Exhibit "A"

THE FOLLOWING DESCRIPTION IS A COMPOSITE OF ALL PARCELS AS A CONTIGUOUS DESCRIPTION:

A TRACT OF LAND LYING AND BEING A PART OF THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, ALSO BEING A POINT IN THE CENTERLINE OF PATRICIA AVENUE; THENCE S88°52'03"E ALONG THE EAST/WEST CENTER LINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, 50.01 FEET TO THE POINT OF BEGINNING; AND THENCE ALONG A LINE 50.01 FEET FROM AND BEING PARALLEL WITH THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, N00°09'32"E, 30 FEET; THENCE 30 FEET FROM AND BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, S88°52'03"E, 300 FEET; THENCE ALONG A LINE BEING THE EAST LINE OF THE WEST 350 FEET OF THE SE 1/4, OF THE NW 1/4, OF SAID SECTION 35, N00°09'03"E, 100.02 FEET TO A POINT ON THE SOUTH BOUNDARY OF PATRICIA ESTATES, ACCORDING TO THE PLAT THEREFORE, AS RECORDED IN PLAT BOOK 54, PAGE 38, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID SOUTH BOUNDARY LINE OF PATRICIA ESTATES, S88°52'03"E, 318.99 FEET; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 35, S00°09'32"W, 130.02 FEET TO A POINT ON THE EAST/WEST CENTERLINE OF SAID SECTION 35; THENCE CONTINUE ALONG SAID EAST/WEST CENTERLINE, S88°52'03"E, 411.05 FEET; THENCE S47°18'47"W, 105.23 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 400 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 145.17 FEET; SAID CURVE HAVING A CENTRAL ANGLE OF 20°47'15", A CHORD DISTANCE OF 144.33 FEET AND BEARING OF S57°42'25"W; THENCE ALONG A LINE BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SAID SECTION 35, S88°52'03"E, 398.74 FEET, SAID POINT BEING 50 FEET FROM THE NORTH/SOUTH CENTERLINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG A LINE BEING 50 FEET FROM AND PARALLEL WITH THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, S00°08'48"W, 488.77 FEET MORE OR LESS, TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY OF SCOTSDALE STREET; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF SCOTSDALE STREET, S51°59'27" W, 312.93 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTH; HAVING A RADIUS OF 200 FEET; THENCE ALONG THE ARC OF SAID CURVE 136.10 FEET SAID CURVE HAVING A CENTRAL ANGLE OF 38°59'24", A CHORD DISTANCE OF 133.49 FEET AND BEARING OF

S71°23'33"W; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF SCOTSDALE STREET BEING 60 FEET FROM AND PARALLEL WITH THE NORTH BOUNDARY OF WILLOW WOOD VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGES 9 THROUGH 11, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, N89°01'18"W, 859.32 FEET TO THE EAST RIGHT-OF-WAY OF PATRICIA AVENUE, SAID LINE ALSO BEING 50.01 FEET FROM THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF PATRICIA AVENUE, ALSO BEING 50.01 FEET FROM AND PARALLEL WITH THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 35, N00°17'00"E, 715.08 FEET MORE OR LESS; THENCE ALONG A LINE BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SAID SECTION 35, S88°52'03"E, 277.61 FEET; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF NE 1/4 OF THE SW 1/4 OF SAID SECTION 35, N00°17'00"E, 131.01 FEET; THENCE S88°52'03"E, 25 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 815 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 13°02'43", THENCE ALONG THE ARC OF SAID CURVE 185.56 FEET, A CHORD DISTANCE OF 185.16 FEET AND BEARING OF N84°36'09"E TO A POINT OF REVERSE CURVATURE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 735 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 166.94 FEET; SAID CURVE HAVING A CENTRAL ANGLE OF 13°00'48", A CHORD DISTANCE OF 166.58 FEET AND BEARING OF N84°36'09"E TO A POINT ON THE EAST/WEST CENTER LINE OF SAID SECTION 35; THENCE CONTINUE ALONG SAID EAST/WEST CENTER LINE OF SECTION 35, N88°52'03"W, 652.67 FEET TO THE POINT OF BEGINNING.

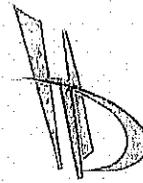
SAID PARCEL CONTAINING 1,002,707.01 SQUARE FEET OR 23.02 ACRES MORE OR LESS.

A TRIANGLE PORTION OF LAND LYING AND BEING IN THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCE AT SOUTHWEST CORNER OF NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, S89°01'18"E, 1,332.95 FEET TO THE SOUTHEAST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, N00°08'48"E, 490.98 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY BOUNDARY OF WILLOW WOOD VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGES 9 THROUGH 11, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

THENCE N41°03'43"W, 137.37 FEET ALONG SAID EASTERLY BOUNDARY OF WILLOW WOOD VILLAGE TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF SCOTSDALE STREET; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF SCOTSDALE STREET, N51°59'27"E, 115.09 FEET TO A POINT ON THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, SAID POINT ALSO BEING THE WESTERLY MOST CORNER OF SCOTSDALE BLUFFS PHASE 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGES 83 THROUGH 85, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE ALONG SAID NORTH/SOUTH CENTERLINE OF SAID SECTION 35, ALSO BEING THE WESTERLY BOUNDARY OF SAID SCOTSDALE BLUFF PHASE 1, S00°08'48"W, 174.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 7893.79 SQUARE FEET OR 0.18 ACRES MORE OR LESS.



HEIDT  
DESIGN

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**ORDINANCE 13-26**

**Exhibit "B"**

**Special Area Plan  
For  
375 Patricia Avenue  
City of Dunedin, Florida**

**Prepared for Wells Fargo**

**August 9, 2013  
Revised October 8, 2013  
Revised November 14, 2013  
Revised February 12, 2014  
Tew & Associates  
Lincks & Associates  
Heidt Design**

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## Introduction

375 Patricia Avenue is located at the northeast corner of Patricia Avenue and Scotsdale Street within the City of Dunedin, Florida. The 23-acre site was formerly occupied by Nielsen Media Research; however, the company vacated the site in 2005 and the site has sat vacant now for nine (9) years. Several redevelopment concepts and proposals have been brought before the City over the years; however, multiple factors have prevented the site from being utilized. The economic downturn, lack of a clear vision for the property and, most importantly, an inherent problem with the current land use and zoning have all contributed to the continued vacancy of the property. Both the 2009 Patricia Avenue Corridor Study (See Appendix Item A) and a current Market and Economic Impact Analysis (See Appendix Item B) performed by the City's independent economic consultant identify 375 Patricia Avenue as one of the most important properties in the City, in general, and in the Patricia Avenue corridor, in particular. Nevertheless, due to its severe locational constraints, and practical market impediments, industrial or large corporate users have not been attracted to the site. While a single, large corporate user still should be encouraged to locate here, the applicant (and the City's independent economic consultant) believe it is unlikely to occur.

As originally contemplated by the City's approved Patricia Avenue Corridor Study, a Planned Redevelopment Mixed Use (PR-MU) amendment to the Comprehensive Plan is proposed to enable development of a mixed use site that has the potential to transform a long-vacant site into a vibrant mixed use center. This land use change then can act as a catalyst to encourage further, desirable redevelopment of the Patricia Avenue corridor. The PR-MU amendment is not intended to preclude the potential attraction of target employment users, but instead is specifically intended to make the site more attractive to such uses incident to a more community-friendly mixed-use project, which also offers other viable development options in concert with such potential employment uses.

From the compatibility standpoint, the site is surrounded on three sides by existing residential development, with historically-mixed commercial uses on the west side of Patricia Avenue. Beginning with a well-attended neighborhood charrette, much care has been taken by both the applicant and the City to ensure that the area residents and business owners were supportive of a mixed use development. The community has wholeheartedly endorsed the mixed-use concept as preferable over the existing, more-restrictive industrial land use entitlements, which they find less compatible with their existing mixed-use, but predominately residential, community. The property owner is not seeking a specific set of entitlements for a specific user, nor a pre-determined set of alternative development scenarios. Instead, to ensure a true mixed use development with the maximum flexibility possible to attract desired uses, the Special Area Plan proposes (and requires) three primary land uses, with a minimum and maximum range of uses required for each use. Consequently, the City will be assured that all three primary land use types must be represented, with each at

a guaranteed minimum land allocation. Importantly, target employment center use will remain an essential ingredient of the Special Area Plan. The desired goal is to establish flexible entitlements that support a wide range of mixed use development scenarios (including target employment uses) that can be implemented in conformance with emerging market demands, and yet remain compatible with the existing neighborhood and consistent with the City's and County's Comprehensive Plans. In addition, the proposed Special Area Plan is specifically responsive to the Economic Impact and market Analysis prepared by the City's independent economic consultant, which study has been provided as a supplemental, supporting document for this application (See Appendix Item B).

#### A. Special Area Plan Issues and Objectives

##### Existing Land Use and Related Characteristics of the Area

The Pinellas County Property Appraiser website identifies the subject properties' existing land use as Vacant Commercial and Industrial Land. The site was previously home to Nielsen Media Research Inc. and contained three buildings totaling approximately 211,000 square feet. The Nielsen facility employed approximately 1,000 persons engaged in corporate office, research and analysis jobs, plus additional employees in a printing/production facility. Between 2003 and 2005 the company moved their operations to Oldsmar, Florida. Despite almost ten years of continuous effort, no replacement use could be procured under the existing land use entitlements, and the current owner demolished the obsolete buildings in 2012.

The Approved Future Land Use categories within the properties are Industrial Limited (IL) and Commercial General (CG). The property is bounded by Patricia Avenue to the west, which has an historical mix of Commercial General uses west of the right-of-way, including an auto body shop, medical office, restaurant and produce stand. North of the property the uses include Commercial General (veterinary office and bowling alley) and Residential Urban. East of the property is a right-of-way easement that separates the property from multi-family Residential Low Medium. The southern edge of the property is bounded by Scotsdale Street, which provides a buffer between the property and the Residential Low Medium single family and multifamily development south of the site. A 0.18 acre parcel south of and abutting Scotsdale Street is also included in the application and is proposed as an open space area. (See Exhibit 1)

Since the closure of Nielsen Media, Patricia Avenue has experienced a substantial reduction of street traffic volumes and economic activity. This has resulted in substantial, negative impacts to the City of Dunedin and adjacent businesses that supported this former employment center. Many of the businesses along Patricia Avenue have struggled to stay open and have seen higher than average turnover

rates. The surrounding business and residential areas are in decline and in dire need for a catalyst to spark responsible, smart growth in the Patricia Avenue Corridor.

#### Issues to be Addressed by the Plan

This Special Area Plan is designed to address this 23.22 acres of vacant land located on a north-south collector road. Given the limited vacant land opportunities available within the City of Dunedin, this is a significantly large and important piece of redevelopment property, and it presents the City with unique opportunities for a marquee redevelopment project within the Patricia Avenue Corridor. The proposed Future Land Use for the property is Planned Redevelopment Mixed Use (PR-MU). This potential future land use change has been discussed multiple times since the departure of Nielsen Media, including in the City of Dunedin's 2009 Patricia Avenue Corridor Plan (See Appendix Item A) which specifically recommended and contemplates this designation. Though Nielsen Media functioned on this site with a commercial and industrial land use, to the surrounding businesses and residents it felt and acted more like an office complex. This proposed PR-MU mixed use category is intended to give the property greater flexibility to promote infill and redevelopment and to be more responsive to fluctuating market conditions, while preserving the target employment use options, and yet doing so through a form of development that is more compatible with the surrounding residential community.

To ensure that the applicant's plans aligned with the local constituency, the applicant presented its mixed use concept to the City Commission at a Workshop on April 23, 2013. With encouraging feedback from the Commission, the applicant's representatives proceeded to hold a very well-attended neighborhood meeting on May 20, 2013, to assess how the surrounding residents and business owners would like to see this site redeveloped. The participants were shown images of various uses that would currently be allowed to develop under the Industrial Limited Land Use category. Of the potential uses shown, only one use (office) received a higher than 50% approval rate and no single image received more than two-thirds approval. The audience was then shown images of various forms of mixed-use development, primarily from West Park Village in Hillsborough County. All but four of the thirty-one mixed use images shown received greater than 50% approval from the constituency.

The proposed mix of primary uses under this Special Area Plan will include residential, retail, and office (specifically including target employment center uses), with a minimum land allocation required for each of the three (3) primary land use categories. The more intense retail and office/target employment center uses would be clustered closer to Patricia Avenue, including the potential vertical mix of uses. Residential uses also could be vertically integrated as a second and/or third story use along Patricia Avenue, over retail and/or office uses, and also could

be utilized further eastward on the parcel at a lower density to ensure compatibility in the areas adjacent to the other residential uses surrounding the site. Any of the other supporting uses (government, school, day care, other institutional uses) would be located so as to enhance the function and attraction of the mixed-use concept.

The proposed methodology for the mandatory inclusion of the 3 primary land uses within the development pattern requires that ranges of percentages of the developable land mass be dedicated to the 3 mandatory land uses. The mandatory inclusion of three primary land uses (Retail/Other, Office/Target Employment Center and Residential) will be required to guarantee the desired mixed-use development pattern. The proposed ranges of allocation of the developable land area\* required for the 3 primary land uses are:

Land Use	Land Alloc.* (Min. %)	Land Alloc.* (Max. %)	FAR (Min/Max.)	Density (Max.)
Retail/Other	5%	25%	None to 0.45	N/A
Office/TEC	15%	75%	.25 to .75**	N/A
Residential	15%	80%	N/A to N/A	18-24/ac*** 334 total du's

\* To ensure that the potential quantity of desired building sf can be constructed for each required primary land use, the required minimum land allocation ratios shall be applied with reference to "developable land area," rather than "gross land area." For purposes of calculation of such minimum land allocations, "developable land area" shall exclude (i) public rights-of-way, (ii) public park or other publicly dedicated open space, and (iii) master retention/detention facilities. If a mixed use portion of the project has retail use on the ground floor and office/TEC use on any other floor, then such land area shall be counted toward both the retail and office/TEC land use minimum requirements, to encourage such mixed use. Any of the supporting/ancillary uses (government, school, day care, other institutional uses) are considered "Other" uses, and shall be allocated to the Retail/Other category, above.

\*\*To encourage the more efficient use of the land for potential TEC uses, and thereby to increase the job capacity for the project, the minimum FAR shall be 0.60 and the maximum FAR shall be 0.75 for TEC uses, only; other medical, professional or general

offices uses shall be permitted in a more traditional "garden-office" form at a minimum 0.25 FAR to a maximum of 0.45 FAR; however, such non-TEC office uses should be limited to not more than 50% of the minimum 15% office/TEC land allocation above. However, this restriction may be removed by amendment to this Special Area Plan after the City of Dunedin provides replacement TEC designations in other, more favorable corridors of the City, which are acceptable to the Pinellas Planning Council and the Countywide Planning Agency. Upon completion of such Special Area Plan amendment, the designated office/TEC land allocation area(s) for 375 Patricia may be fully utilized for garden office uses, if not previously utilized for TEC uses. For all purposes within this Special Area Plan, the term "TEC" or "TEC uses" shall mean the same as "Target Employment" is defined in the Countywide Rules: Target Employment means "high-wage, primary employment that imports revenue from outside of Pinellas County, including but not limited to, the fields of aviation/aerospace, financial services, high tech industries, information technology, marine science, medical technology, microelectronics, modeling/simulation, optics/photonics, research/development, and wireless technology."

\*\*\*Notwithstanding the method of allocation of "net developable" land areas to retail and/or office/TEC uses, above, the allowable residential density for the project shall be calculated on a "gross-acreage" basis, at not more than 18 du/gross acre in the exclusively residential land area, and at not more than 24 du/gross acre in the vertically mixed-use area. However, the total, aggregate residential density allowed for the total project shall not exceed 334 residential du's whether located in the exclusive residential portions of the project and/or in the mixed use portions of the project. Any residential density not used in the exclusively residential area(s) of the project may be used in the mixed-use areas, either clustered or as vertical mixed-use units, up to the 24/du acre limit in the mixed-use area. This method of calculation is to encourage the mix of uses and to avoid any penalty for such residential use in concert with the retail and/or office/TEC mixed uses.

As previously mentioned, the property is bounded by two roadways allowing easy access to the site. At the northern end of the property, there is currently a signalized intersection at Patricia Avenue and Beltrees Street, which is expected to be the primary entrance into the property. Additional secondary access points are envisioned along Patricia Avenue and Scotsdale Street. There is a sidewalk on the east side of Patricia Avenue and on the north side of Scotsdale Street. There are also three bus stops along Patricia Avenue adjacent to the property, two on the west side of the roadway and one on the east side. As the City of Dunedin is a golf-cart friendly city, the property can incorporate golf cart access and parking as well.

Along with the proposed amendment to the future land use, the owner has a concurrent rezoning application pending with the City of Dunedin to rezone the

property's Light Industrial (LI) and General Business (GB) zoning designations to the new Form Based Code Mixed Use (FX-M) zoning category. This new zoning category will incorporate smaller, more pedestrian friendly block lengths with building "build to" lines rather than setbacks. Internal to the property, a promenade type street would include wider sidewalks that invite outdoor gathering places, including on-street dining areas. This mixed use redevelopment was envisioned by the City in its 2005 Dunedin Community Visioning workshops and in its 2009 Patricia Avenue Corridor Study. The Corridor Study acknowledges that the main identity for the corridor is the former Nielsen Media property. A vacant property of this size in an established area of Pinellas County is extremely rare and is a unique redevelopment opportunity that could revitalize the existing local businesses, and serve as the primary catalyst for new business employment opportunities along the entire Patricia Avenue Corridor. Rezoning of the subject property to the new FX-M form-based category will allow sufficient flexibility to respond to fluctuating market conditions, while ensuring that the form of development is compatible with a desirable, walkable urban neighborhood.

In addition, the City's Landscape Plan for Patricia Avenue was recently adopted, and the new streetscape improvements already have been installed by the City. The property owner has provided a letter of maintenance commitment to the City which will also be binding upon any successor owners. This commitment also has been provided as a supplementary, supporting document to the application (See Appendix Item C).

Plan Objectives in Relationship to the Dunedin 2025 Comprehensive Plan and *Pinellas By Design: An Economic Development and Redevelopment Plan for the Pinellas Community*

## **Dunedin 2025 Comprehensive Plan**

### **Support Services Element Objectives**

***Section 1: WASTEWATER OBJECTIVE C: THE REQUIRED INCREASE IN CAPACITY OR EXTENSION OF WASTEWATER FACILITIES SHALL OCCUR CONCURRENTLY WITH DEVELOPMENT.***

The City Utilities Department has confirmed that existing utilities had sufficient capacity to serve the original 211,000 square feet of development that previously existed on the site; in addition, the City has confirmed that it currently has sufficient wastewater facilities capacity to accommodate the various mix of uses that could be developed, within the land allocation constraints and maximum potential development density/intensity set forth herein (the net effect of any of which are comparable to the prior use demand). The applicant has provided such use demand examples as a supplementary, supporting document to this application.

**Section 2: POTABLE WATER OBJECTIVE A: DEVELOPMENT PERMITS WILL BE ISSUED ONLY IF THE FOLLOWING POTABLE WATER LEVELS OF SERVICE ARE MET:**

*Policy A-1: The City shall be able to provide 110 gallons per capita per day (gpcpd).*

*Policy A-1: The capacity to store in public potable water facilities the amount of potable water pumped for use during an average day.*

The City Utilities Department confirmed that existing utilities had sufficient capacity to serve the original 211,000 square feet of development that previously existed on the site. Currently, the City has capacity to address demands that would approach 1,200 gpm at the Patricia Avenue site, which is sufficient to accommodate the demands of the various use scenarios that would be allowed within the land allocation constraints set forth herein.

**Section 3: STORMWATER OBJECTIVE F: NEW DEVELOPMENT AND REDEVELOPMENT SHALL BE REQUIRED TO HAVE ONSITE RETENTION OF WATER AND CONTROL THE QUANTITY, QUALITY, AND RATE OF FLOW BEFORE RELEASE INTO THE DRAINAGE SYSTEM.**

The property currently contains two drainage ditches conveying offsite flow from the south side of Scotsdale Street and from the east of the property. The flows are conveyed ultimately to an existing drainage culvert under Patricia Avenue. The mandatory application of the City of Dunedin Land Development Code as well as the Southwest Florida Water Management District Basis of Review for Environmental Resource Permitting will ensure the conformance with the adopted level of service for the stormwater system to be implemented in any redevelopment plans for the property.

**Transportation Element Objectives**

**Section 4: OBJECTIVE I-B: IMPLEMENT ROADWAY IMPROVEMENTS AND PROGRAMS UNDER THE CITY'S JURISDICTION THAT WILL FACILITATE A SAFE, CONVENIENT AND EFFICIENT MOTORIZED TRANSPORTATION SYSTEM.**

The project's internal roadway network will take advantage of the signalized intersection at Patricia Avenue and Beltrees Street for its primary access. A secondary access point is proposed farther south on Patricia, as well as on Scotsdale Street. All of these access points will be connected internally with the use of a grid pattern street network that will provide motorists with safe, convenient and efficient transportation options to navigate the uses within the project while staying off of Patricia Avenue.

The City of Dunedin is a Golf Cart Friendly City. Golf carts would be permitted within the project and potentially have designated parking areas. Currently golf carts are only allowed to cross Patricia Avenue at three locations. The applicant would propose a fourth location at the intersection of Patricia Avenue and Beltrees Street for better access to the site.

***Section 5: OBJECTIVE II-A: MAINTAIN, EXPAND AND PROMOTE A SAFE, CONVENIENT AND EFFICIENT NON- MOTORIZED TRANSPORTATION SYSTEM.***

Sidewalks and a bus stop currently exist along Patricia Avenue and Scotsdale Street along the project's boundary. Internal to the site a pedestrian promenade is envisioned for easy access and leisurely strolls between the mix of uses proposed for the project. All roadways within the property will incorporate sidewalks on both sides of each street in the grid pattern of streets to promote a pedestrian friendly neighborhood with pedestrian and bicycle interconnections available to surrounding communities and properties.

**Housing Element Objectives**

***Section 6: OBJECTIVE II-A: MAINTAIN AND IMPROVE THE INTEGRITY OF EXISTING VIABLE NEIGHBORHOODS.***

In the City's Visioning Workshop, specific attention was paid to the 375 Patricia parcel noting that the site is the main identity for the Patricia Avenue corridor, it is underutilized and represents an opportunity for redevelopment with multiple uses creating a much needed revitalized center for the corridor. Creating a neighborhood center on this 23.22 acre vacant piece of property in a pedestrian-friendly environment, will improve the overall viability of the existing surrounding neighborhoods.

**Future Land Use Element Objectives**

***Section 7: OBJECTIVE B: ALL DEVELOPMENT AND REDEVELOPMENT SHALL BE DEPENDENT ON THE AVAILABILITY OF ADEQUATE ROADS, PARKS, POTABLE WATER, SANITARY SEWER, STORMWATER MANAGEMENT FACILITIES AND SOLID WASTE DISPOSAL.***

Patricia Avenue functions as the main north – south roadway within southwest Dunedin and will be accessed by the development. The City of Dunedin 2025 Comprehensive Plan, Transportation Element lists Patricia Avenue as a two-lane, City-designated collector roadway. The development will comply with the Recreation and Open Space section of the City of Dunedin Land Development Code to ensure adequate parks and open space on the site. The City of Dunedin Utilities Department confirmed that the existing utilities have the capacity to serve the proposed development on the site. The mandatory application of the City of Dunedin Land Development Code as well

as the Southwest Florida Water Management District Basis of Review for Environmental Resource Permitting will ensure the conformance with the adopted level of service for the stormwater system to be implemented in any redevelopment plans for the property. The applicant will work with the City to ensure adequate solid waste disposal is available for the project.

***Section 8: OBJECTIVE O: THE CITY SHALL EVALUATE DEVELOPMENT AND REDEVELOPMENT AS IT RELATES TO THE COMPATIBILITY OF THE SURROUNDING LAND AND ITS USES. DEVELOPMENT AND REDEVELOPMENT DEEMED NOT COMPATIBLE WILL BE DENIED. COMPATIBILITY SHALL BE BROADLY DEFINED TO INCLUDE PHYSICAL DIMENSION, COMPATIBILITY WITH SURROUNDING PROPERTIES, ECONOMIC USE COMPATIBILITY WHEN APPROPRIATE IN RETAIL AREAS OR ADJACENT TO RETAIL AREAS, ARCHITECTURAL COMPATIBILITY WITH RETAIL AREAS AND RESIDENTIAL AREAS AND OTHER MATTERS THAT ARE RELEVANT TO THE INTEGRATION OF THE PROPOSED DEVELOPMENT OR REDEVELOPMENT INTO THE PORTION OF THE CITY IN WHICH IT IS LOCATED.***

The applicant believes that the proposed Planned Redevelopment – Mixed Use (PR-MU) Future Land Use category will provide greater compatibility with the surrounding land than the currently approved Industrial Limited (IL) and Commercial General (CG) categories. The property is bordered on three sides with residential development. These residents were very clear at the neighborhood meeting, hosted by the applicant that they did not want to see industrial uses constructed in close proximity to their homes. The mixed use category would allow for new residential development adjacent to existing residential neighborhoods with a transition to more intense office/targeted employment center (TEC) and retail uses along the Patricia Avenue corridor where those uses currently exist under the Commercial General (CG) land use category.

Surrounding existing residential densities will be taken into consideration when planning the site. Higher residential densities and a more integrated mix of residential, retail and office uses will be developed closer to the Patricia Avenue corridor, while lower residential densities and natural buffers, such as the existing vegetation (trees) will be enhanced and preserved as much as practical along the eastern edge of the property. Hypothetical, conceptual project layouts are provided as design examples, only, for the potential application of just two (2) of the almost unlimited combinations of the Special Area Plan land uses (within the permissible min/max ranges) that could be applied to the project site through the City's new FX-M form-based zoning category. (See Potential Sample Concept Plans in Appendix Item D).

Building height, scale and architectural detail will also be considered during the design phase of construction so as to maintain compatibility with the surrounding existing residential neighborhoods, while creating a new and innovative destination. The City's new form-based (FX-M) zoning category will further ensure such compatibility. (See Appendix Item E)

### Intergovernmental Coordination

**Section 9: OBJECTIVE I-A: CONTINUE THE ESTABLISHED PROCEDURES FOR COORDINATING THE COMPREHENSIVE PLAN AND PROPOSED DEVELOPMENTS WITH THE PLANS OF THE SCHOOL BOARD, AND UNITS OF GOVERNMENT AND AGENCIES WHO PROVIDE SERVICES BUT DO NOT HAVE REGULATORY AUTHORITY OVER THE USE OF LAND, AND WITH THE COMPREHENSIVE PLANS OF PINELLAS COUNTY AND THE CITY OF CLEARWATER.**

The Special Area Plan submitted for the 375 Patricia development anticipates the requirement of concurrency and sufficiency for the respective city, county and state agencies from which permits and approvals will be required.

### Recreation and Open Space

**Section 10: OBJECTIVE I-A: ENSURE THE PARKS AND RECREATION FACILITIES ARE ADEQUATELY PROVIDED.**

Any proposed redevelopment will comply with the City of Dunedin Land Development Code requirements for open space. A proposed park in the northeast corner of the property would be adjacent and in addition to the already existing Scotsdale Community Private Park, which also provides a buffer for the adjacent neighborhood. The triangle parcel located on the south side of Scotsdale Street also is proposed for use as open space. All other park requirements shall be met within the project, including public gathering spaces within the mixed-use project.

### Capital Improvements

**Section 11: OBJECTIVE C: FUTURE DEVELOPMENT SHALL BEAR A PROPORTIONATE COST OF FACILITY IMPROVEMENTS RESULTING FROM DEVELOPMENT, TO MAINTAIN ADOPTED LEVELS OF SERVICE.**

The developer(s) will contribute their proportionate share towards any improvements required to maintain adopted levels of service.

**Section 12: OBJECTIVE E: THE ISSUANCE OF DEVELOPMENT ORDER PERMITS WILL BE BASED UPON COORDINATION OF THE DEVELOPMENT REQUIREMENTS OF THIS PLAN, THE APPLICABLE LAND DEVELOPMENT REGULATIONS, AND THE AVAILABILITY OF NECESSARY PUBLIC FACILITIES NEEDED TO SUPPORT SUCH DEVELOPMENT AT THE TIME NEEDED.**

Applicants for development order permits will coordinate with all appropriate regulatory agencies and comply with applicable land development regulations.

**Section 13: OBJECTIVE F: THE CITY OF DUNEDIN, IN COORDINATION WITH THE SCHOOL DISTRICT, SHALL ENSURE THAT THE CAPACITY OF PUBLIC SCHOOLS IS SUFFICIENT TO SUPPORT THE ANTICIPATED STUDENTS FROM RESIDENTIAL SITE PLANS AND FINAL RESIDENTIAL SUBDIVISION APPROVALS CONSISTENT WITH THE ADOPTED LEVEL-OF-SERVICE STANDARDS FOR PUBLIC SCHOOLS.**

The applicant has contacted the School District to ensure that there is adequate capacity for the maximum number of students generated by the proposed residential development within the project boundaries. The table below illustrates student generation analysis based upon the School District's Student Yield Factor.

375 Patricia Avenue  
Student Generation Analysis

	Dunedin Elementary 6 Grades	Dunedin Middle 3 Grades	Dunedin High 4 Grades
Generation Rate SF/MF	.32	.32	.32
2013-14 Capacity	774	1,475	1,491
Currently Enrolled	650	1,110	1,652
Remaining Capacity	124	365	161
<b>Probable Units 270*</b>	<b>Elem 40</b>	<b>Middle 20</b>	<b>High 26</b>

\*The maximum number of residential units will be constrained by the required minimum allocation of "net developable land" to the mandatory retail and office/TEC land uses; therefore, it is estimated that not more than 15 acres of net developable land could be utilized for residential purposes. Application of the residential density to this acreage results in a probable maximum of 270 residential units on the property. This table also assumes that all of the residential units were constructed in a single year (not likely), and that no other school capacity (via re-districting or otherwise) was made available by the School District.

### Pinellas By Design

#### CHAPTER 4: ECONOMIC INVESTMENT AND JOB CREATION

375 Patricia has been 23.22 acres of vacant land for nearly a decade, bringing in no revenue or taxable value to the City of Dunedin. The three buildings on the site were outdated and contained asbestos; thus they were demolished and the site remediated. The property is now a clean slate and ready for redevelopment.

Multiple studies and visioning exercises have been conducted by the City in hopes of revitalizing the Patricia Avenue corridor. The City has taken the first step by implementing a Landscape Plan for the corridor. The market and economic impact analysis for the site which was conducted by the City's independent economic advisor, indicates that the project is expected to create approximately 120 temporary construction jobs and over 150 permanent jobs as a result of redevelopment. The City of Dunedin also has been quite successful in implementing economic development initiatives. The continued use of economic and/or other incentives will ensure that ongoing and future initiatives are successful and will induce and enhance demand for economic investment in the area. The economic and market study has been provided as a supplementary, supporting document for this application. (See Appendix Item B).

The applicant believes that redevelopment of this vacant land will continue the momentum and can bring meaningful change to this important redevelopment corridor within the City. New office/targeted employment center (TEC), retail and residential buildings within this project will present opportunities to create new employment opportunities that may include primary and secondary jobs and may motivate existing businesses within the corridor also to update their structures and increase property values. The proposed land use and zoning of the subject property should ensure sufficient flexibility to respond to fluctuation market conditions in the future and to accommodate a variety of housing product at different densities in addition to office/TEC and retail uses, as emphasized by the City's economic and marketing consultant in his analysis and report.

#### **CHAPTER 5: REAL ESTATE FACTORS**

The property has approved industrial and retail land uses, and the applicant understands the County's need to maintain land for primary employers. After a decade of sitting vacant, it appears that the location of this site is not strategically attractive to such target employers, and no longer has the proper locational characteristics for a single, large corporate user. The previous primary employer left the site for a more suitable one in another municipality. The Target Employment and Industrial Land Study for the Pinellas Community Appendices includes a map which has been included in this special area plan as Exhibit 1. It clearly illustrates the isolated location of the property in relation to other target industry land use locations within Pinellas County. Redevelopment of the property with a mix of office/TEC, retail and residential will provide an innovative mixed use redevelopment program that will help to revitalize the surrounding area, while still accommodating future population and employment growth in the county. In addition, this Special Area Plan does not eliminate but instead preserves target employment uses at a level that is practical and consistent with the market realities for the Patricia Avenue Corridor. Finally, the City of Dunedin already has plans underway to add TEC use alternatives to the other, more

favorable corridors (i.e., S.R. 580) that are likely to attract such large corporate users, at more desirable geographic locations with the required supporting transportation infrastructure to support such uses. Thus the “net change” in land allocated to industrial/TEC uses in the City of Dunedin is expected to increase, not decrease. This proposed land use change on the Nielsen Media site will not impede that City-wide or County-wide progress to support target employment uses.

**CHAPTER 6: REGULATORY RULES AND URBAN DESIGN**

The 375 Patricia property owner has been working closely with the City of Dunedin during the writing of their new From Based Code Mixed Use Zoning category for designated corridors throughout the city. Currently, the city does not have a strong mixed use zoning district; however, this new district (FX-M) will allow the project to develop with reasonable flexibility while still providing a strong mix of non-residential and residential uses in a manner that will enhance the surrounding existing communities.

The applicant is very open to many urban design concepts and the site will include mixed use development as a mandatory requirement. Because the end user(s) are unknown at this time, the applicant cannot commit to a specific, final allocation of the 3 primary uses to the available land; however, the guaranteed minimum land allocations set forth in this Special Area Plan insure a reasonable, minimum mix of such uses. Also, the applicant wishes to have the option of vertically mixed use buildings along Patricia Avenue, the extent of which is not determinable without an end-user. However, by way of example only, the applicant has provided a supplementary document demonstrating the potential application of various mixes of uses to the site, as a supporting document and for illustrative purposes only. These examples demonstrate that many possible combinations of uses are possible while preserving the guaranteed minimum level of each of the 3 primary uses, and that the uses can be physically located on the site in an attractive, desirable form consistent with the goals, policies and objectives of this Special Area Plan. Regardless of the final, exact mix of uses on the site, the development will be pedestrian friendly with connected and inviting walkways built with the human scale in mind. Shared parking is also likely depending on the peak hour parking demands of the end users.

Moving forward, the 375 Patricia project will use the *Pinellas By Design's Chapter 6: Regulatory Rules and Urban Design Section 3, Subsection 3.1., Neighborhood Center* as a general development guide while pursuing a zoning modification to the City of Dunedin's FX-M new mixed use zoning category.

The site is ideally located in an area that is currently a mix of residential and non-residential development. The proposed office/TEC, retail and residential uses will attract and fulfill the needs of the surrounding communities.

Non-residential uses will be sited closer to Patricia Avenue and the existing retail developments while residential will be positioned closer to the surrounding residential neighborhoods, both to act as a buffer and provide continuity of development within the community. (See Appendix Item D).

Abutting residential and non-residential development will be able to access the development from the connected sidewalks. The City of Dunedin is a golf cart friendly city, so the property will incorporate golf cart access and parking as well.

Along with amending the future land use, the owner is also working with the City of Dunedin to amend the property's Light Industrial (LI) and General Business (GB) zoning designations to the new Form Based Code Mixed Use (FX-M) zoning category. (See Appendix Item E). This new zoning category will incorporate smaller, more pedestrian friendly block lengths with building "build to" lines rather than setbacks. Internal to the property, a promenade type street would include wider sidewalks that invite outdoor gathering. Parking, pedestrian/bicycle access, signage and landscaping will all conform to the adopted standards of the City of Dunedin.

#### **Target Employment and Industrial Land Study for the Pinellas Community Resolution No. 13-3**

On January 28, 2014, the Board of County Commissioners approved an amendment of the Countywide Rules regarding Preservation of Industrial Lands. The Pinellas Planning Council and the Countywide Planning Authority shall utilize the following criteria to evaluate plan amendments that would convert land now designated Industrial Limited and/or Industrial General to some other plan map category.

#### **Target Employment Opportunities**

- The extent to which the uses within the proposed category can potentially provide target employment opportunities, as compared to those that can potentially be available within the current industrial plan category.

Multiple studies and visioning exercises have been produced by the City in hopes of revitalizing the Patricia Avenue corridor. The City has approved and implemented a Landscape Plan for the corridor that the applicant has agreed to maintain. The applicant believes that redevelopment of this vacant land will continue the momentum and begin to bring meaningful change to this corridor of the City. The

applicant is very open to an end user who would bring an appropriate targeted employment opportunity to the site. The proposed mix of uses with minimum and maximum allowable percentages will ensure a meaningful portion of the site will be allocated to targeted employment. In addition, the City is pursuing the addition of target employment use alternatives to other, more likely candidates for such users, such as the S.R. 580 Corridor. Thus the City of Dunedin intends to have a net increase in land allocated to potential target employment uses, not a reduction.

The City's independent economic consultant also has estimated the potential job creation at various levels of development within the office/TEC portion of the project, based upon the minimum/maximum land allocations to those uses, and at various potential intensities (FAR) of building development within that allocated land area. (See Appendix Item B). Significant opportunities for job creation will remain under this proposed Special Area Plan.

#### **Amendment Site Characteristics**

- Under the current or proposed category, the extent to which the site can continue to support target employment uses due to the site's size, configuration, and physical characteristics, and is able to accommodate the provision of site access, loading, and other necessary site improvements.

The extent to which the proposed site will be, or is now, used for unique and high-priority functions such as water-dependent or working waterfront uses.

375 Patricia is a 23.22 acre site that has been vacant for nearly a decade. The three buildings that were on the site were outdated and believed to be contaminated with asbestos. Due to their deteriorated state, the current owner decided to demolish them in 2012. In the years since Nielsen Media vacated the property, only two attempts to redevelop the property have been made. One by a retail grocery chain and a second as a retail/residential development. Neither party opted to pursue development. The property is bordered on three sides with residential development and retail on the west side of Patricia Avenue. The site would not be compatible for a user who would require ease of site access and loading as Scotsdale Street is a residential street. The mixed use category would allow for new residential development adjacent to existing residential neighborhoods with a transition to office/ targeted employment center (TEC) and retail along the Patricia Avenue corridor where similar uses currently exist under the Retail General (CG) land use category.

The parcel is located inland and does not have any public access to any of the listed waters.

### Amendment Area Characteristics

- The extent to which the uses within the current or proposed category relate to surrounding and nearby uses and plan classifications, including their compatibility with such uses and plan classifications.

The extent to which industrial uses can expand, consolidate, or benefit from or provide benefit to, adjoining or nearby properties.

The extent to which the proposed site will be used for unique and high-priority functions such as transit-oriented uses.

The Pinellas County Property Appraiser website identifies the subject properties' existing land use as Vacant Retail and Industrial Land. The Approved Future Land Use categories within the properties are Industrial Light (IL) and Retail General (CG). Though Nielsen Media functioned on this site with an industrial land use, to the surrounding businesses and residents it felt and acted more like an office complex. The previous primary employer left the site for a more suitable one in another municipality. After a decade of sitting vacant, it appears that the location of this site as it is situated in Pinellas County may no longer have the proper locational characteristics for that particular use. By creating a new destination center on this 23.22 acre vacant piece of property, the applicant believes it will improve the overall viability of the existing surrounding neighborhoods.

### Supporting Transportation and Infrastructure Characteristics

- The location of the property in relationship to, and the current or proposed uses' need for, access to the arterial and thoroughfare network, mass transit, airport, and rail, as well as other infrastructure and service facilities, including water, sewer, stormwater, and parking, and their respective capacities.

The parcel is located at the intersection of Patricia Avenue, a two lane, City urban collector road with a 35 mile per hour speed limit and generally slow to moderate vehicular flow, and Scotsdale Street, a two lane, residential road. In addition, the City of Dunedin is a Golf Cart Friendly City and Patricia Avenue currently has three golf cart crossing locations. The St. Petersburg Clearwater International Airport is 12 miles away and major air, rail and seaport facilities are located in Tampa, 25 miles away. There is currently one bus stop on the property side of Patricia Avenue, just north of the intersection with Scotsdale.

The Pinellas by Design exhibit entitled "Countywide Target Industry Land Use Locations" (Exhibit 1) clearly illustrates the abundance of sites designated Industrial Limited clustered in the Gateway area of the County. County designated arterial

roadways, easy access to an interstate highway, port and international airport has contributed to this clustering. It is likely that an industrial use would gravitate to this hub to take advantage of the infrastructure and transportation facilities that are currently available.

Potable water and wastewater are both located in the right-of-way of Patricia Avenue. The City of Dunedin has indicated that there is adequate capacity for the proposed densities and intensities of development. All stormwater will be subject to the mandatory application of the City of Dunedin Land Development code as well as the Southwest Florida Water Management District Basis of Review for Environmental Resource Permitting to ensure conformance with the adopted level of service for the stormwater system to be implemented in any redevelopment plans for the property.

### **Supporting Redevelopment Plans and/or Special Area Plans**

- The extent to which any amendment is included as part of a community redevelopment plan and/or special area plan that has evaluated and addressed the potential to support target employment uses in the redevelopment area proposed to be reclassified from an industrial designation.

The requested amendment is not included in a Community Redevelopment Plan. Due to the size of the site, this application is being processed as a special area plan. The site has been the focus of a City of Dunedin Community Visioning and the Patricia Avenue Corridor Study. Both exercises concluded that the site was not viable for an industrial user and that it was well suited for mixed use development which would be compatible with surrounding established development. The applicant also commissioned a Market and Economic Impact Analysis by WTL+ a Urban Real Estate Advisors. The analysis covers a full spectrum of demographics focusing on the City of Dunedin and Pinellas County that includes population, housing, employment, and tax revenues. This analysis concludes that the Patricia Avenue site is ill suited for industrial development and a mixed use development that includes office/target employment opportunities was a more suitable use for the location. (See Appendix Item B).

## **B. Special Area Plan Composition**

### **1. Permitted Uses and any Differentiation by Location**

According to the City of Dunedin 2025 Future Land Use Element of The Comprehensive Plan, "the specific use and locational characteristics of the Planned Redevelopment-Mixed Use (PRMU) land use, as well as the density and intensity standards, are set by individual special area plans. The intent of the PR-MU is to show those areas of the City

that are developed with a collection of residential, office/targeted employment center (TEC), and retail uses, along corridors, adjacent to neighborhoods or within distinct areas that are interrelated and complimentary. The category should facilitate infill and redevelopment of these areas to create a desirable mix of non-residential and residential uses by promoting aesthetically pleasing, safe environments, and buildings that are compatible with the area's character, uses, and transportation facilities."

375 Patricia will require a mix of retail, office (including targeted employment center) and residential uses. Each use has a required range land allocation within the project, with the ability to vertically integrate any of the uses. As stated above, there are minimum and maximum allocations of the 3 primary uses to the net developable land.

## 2. Density/Intensity Standards for Permitted Uses

According to the City of Dunedin 2025 Future Land Use Element of The Comprehensive Plan, density/intensity shall be designated by the Special Area Plan.

The proposed Special Area Plan application is proposing a maximum overall residential density of 18 units/gross acre within the total property. It is envisioned that a higher density residential development would allow for a vertically integrated development pattern along the western portion of the property (along Patricia Avenue), transitioning eastward to a lower density residential development pattern along the eastern City-owned right of way to better match the existing medium density residential neighborhoods to the east.

The proposed Special Area Plan application is proposing a maximum non-residential intensity of 0.45 FAR (floor area ratio) for the non-residential uses within the property. This 0.45 FAR also would apply to the secondary, non-residential supporting uses that would be permitted in addition to the 3 primary uses, unless approved otherwise by the City of Dunedin for such supporting or ancillary use.

## 3. Design Guidelines

Pinellas by Design Chapter 6, Section 3, Subsection 3.1 Neighborhood Center, provides the general guidelines by which 375 Patricia will be designed, subject to the specific requirements of the City's FX-M form-based zoning category and this Special Area Plan.

The site is ideally located in an area that is currently a mix of residential and non-residential development. The proposed office/targeted employment center, retail and residential uses will attract and fulfill the needs of the surrounding developments.

Non-residential uses will be sited closer to Patricia Avenue and the existing retail developments while residential will be positioned closer to the surrounding residential both to act as a buffer and provide continuity of development within the community. Abutting residential and non-residential development will easily be able to access the development from the connected sidewalks. The City of Dunedin is a golf cart friendly city, so the property can incorporate golf cart access and parking as well.

Along with amending the future land use, the owner is also working with the City of Dunedin to amend the property's Light Industrial (LI) and General Business (GB) zoning designations to the new Form Based Code Mixed Use (FX-M) zoning category. This new zoning category will incorporate smaller, more pedestrian friendly block lengths with building "build to" lines rather than setbacks. Internal to the property, a promenade type street would include wider sidewalks that invite outdoor gathering places.

#### 4. Affordable Housing Provisions

375 Patricia is not anticipated to be constructed as an affordable housing development. The residential units may be leased or owned depending on the type of unit constructed. There will also be an opportunity for live/work units within the development.

#### 5. Mixed-Use Provisions

As discussed in previous sections, the 375 Patricia project will be mixed use with a required mixture of retail, office/targeted employment center (TEC) and residential uses. These uses may be allowed to be vertically integrated if the Form Based Code Zoning Category requirements are met. The site also is proposed to allow public/governmental uses, other institutional uses (such as charities or schools), day care and other compatible supporting or ancillary uses to the 3 primary permitted uses.

#### 6. Special Provisions for Mobility and Circulation

##### Mass Transit

There is currently one bus stop on the property side of Patricia Avenue, just north of the intersection with Scotsdale. This bus stop includes a shelter with a bench and is connected to the existing sidewalk. There are also two other bus stops on the west side of Patricia Avenue to accommodate those traveling southbound. These stops do not have shelters.

##### Access Management

The current conceptual development plans reflect three proposed access points into the property. The primary access point is proposed at the signalized intersection of Patricia Avenue and Beltrees Street. Two additional access points are proposed at the intersection of Dunvegan Drive and Patricia Avenue and on the south along Scotsdale Street.

The internal street network is proposed to include a grid network of streets that seamlessly connects each of the uses.

#### Parking

Parking within the 375 Patricia project will adhere to the Pinellas by Design guidelines, City of Dunedin FX-M zoning category and needs of the end user. Angled parking is reflected in the conceptual development plans along the Promenade. Parking fields will be hidden from Patricia Avenue and placed in locations that can accommodate multiple users. At this time, parking garages are not anticipated.

#### Pedestrian

Through the use of the street grid network, and incorporated sidewalks, pedestrians will easily be able to walk from one use to the next. These internal sidewalks will be connected to the sidewalks that already exist along Patricia Avenue and Scotsdale Street and will lead pedestrians to gathering places within the development. Pedestrian access is proposed between the project and the Scotsdale Villas Private Park to the east.

#### Bicycles

Sidewalks throughout the development will be wide enough to incorporate bicycles. Bicycle racks may be provided within the development if there appears to be a demand for them.

#### Golf Carts

The City of Dunedin is a Golf Cart Friendly City. Golf carts would be permitted within the project and potentially have designated parking areas. Currently golf carts are only allowed to cross Patricia Avenue at three locations. The applicant would propose a fourth location at the intersection of Patricia Avenue and Beltrees Street for better access to the site.

### 7. Identification of and Reference to Land Development Regulations that Implement the Plan

The 375 Patricia site will be subject to the City of Dunedin's Planning and Development, Comprehensive Plan and soon to be amended Land Development Code, and Pinellas Planning Council's Countywide Rules and *Pinellas by Design* general guidelines. Permits from other regulatory agencies will also be required.

#### 8. Public and/or Private Improvements, Contributions and/or Incentives

The applicant has entered into an agreement with the City to facilitate the maintenance of the landscape and irrigation improvements immediately adjacent to their property for the length of the roadway frontage along Patricia Avenue, as per the City's adopted Patricia Avenue Streetscape improvements.

#### 9. The Local Government Plan Approval Process

The application for the 375 Patricia Special Area Plan will be reviewed by the City of Dunedin's Development Review Committee, Local Planning Agency and the Dunedin City Commission. After the first reading by the City Commission, the plan will be simultaneously transmitted to Pinellas County and the Florida Department of Economic Opportunity for review and approval. Once the Special Area Plan has approval from the County and the State, the City of Dunedin City Commission will approve the change at a second reading of the plan. It is anticipated that the rezoning to FX-M will be approved at the same City Commission hearing.

### C. Plan Impacts

1. Identification of water, sewer, and stormwater drainage impacts that may be anticipated based on the plan, identification of overall system impacts on the systems as compared to the impacts based on the current Countywide Plan Map designations;

- Potable Water

375 Patricia will utilize potable water from the potable water main located in the right-of-way of Patricia Avenue. The City Engineer for the City of Dunedin has confirmed that the City has the capacity to serve the site.

- Wastewater

375 Patricia will utilize the wastewater main located in the right-of-way of Patricia Avenue. The City Engineer for the City of Dunedin has confirmed that the City has the capacity to serve the site.

- Reclaimed Water

Reclaim lines are located on the west side of Patricia Avenue and the north side of Scotsdale Street adjacent to the property.

- Storm Drainage

The property currently contains two drainage ditches conveying offsite flow from the south side of Scotsdale Street and from the east of the property. The flows are conveyed ultimately to an existing drainage culvert under Patricia Avenue. The mandatory application of the City of Dunedin Land Development Code as well as the Southwest Florida Water Management District Basis of Review for Environmental Resource Permitting will ensure the conformance with the adopted level of service for the stormwater system to be implemented in any redevelopment plans for the property.

- Designated Project Impacts Compared to County Land Use Criteria

The existing land use categories for these parcels are Retail General (CG) and Industrial Limited (IL). These categories imply the expectation that development of these parcels would result in impacts on the potable water, sewer, reclaimed water as well as the roadway system. The illustrative conceptual site plan scenarios provided as a supplementary document to this application, by way of example only, demonstrate that typical, potential development scenarios (within the min/max limits of land allocation) will create traffic impacts below or minimally greater than those created by the previous use. Likewise, impacts on potable water, sewer, reclaimed water and stormwater capacities would not be significantly different as a mixed-use project if approval were sought using the existing approved land uses.

- Concurrency Determination

The Special Area Plan shall constitute an alternate phasing plan upon approval by the City of Dunedin. A concurrency determination will be based upon completion of all required infrastructure for the approved entitlements.

2. Relevant Countywide Consideration, as enumerated in Sections 5.5.3.1.1 through 5.5.3.1.6. At the November 13, 2013 Pinellas Planning Council, amended Section 5.5.3 Review Criteria, to include Section 5.5.3.1.7 which is included below.

**5.5.3.1.1 Consistency with the Countywide Rules**

*The manner in, and extent to, which the amendment is consistent with Article 4, Plan Criteria and Standards of these Countywide Rules and with the Countywide Plan as implemented through the Countywide Rules.*

As illustrated throughout this Special Area Plan, the requested amendment is consistent with Article 4, Plan Criteria and Standards of the Countywide Rules and the Countywide Plan.

**5.5.3.1.2 Adopted Roadway Level of Service (LOS) Standard**

*The manner in, and extent to, which the amendment significantly impacts a roadway segment where the existing Level of Service (LOS) is below LOS "D" or where projected traffic resulting from the amendment would cause the existing LOS to fall below LOS "D".*

The existing level of service standard for Patricia Avenue is LOS "C". The City of Dunedin's traffic engineer has determined that the amendment will not negatively impact the road segment and it will remain LOS "C".

**5.5.3.1.3 Scenic/Noncommercial Corridors**

*If located within a Scenic/Noncommercial Corridor, the manner in, and extent to, which the amendment conforms to the criteria and standards contained in Section 4.2.7.1, and Section 4.3.7.2.4 of these Countywide Rules.*

The property is not located within a Scenic/Noncommercial Corridor.

**5.5.3.1.4 Coastal High Hazard Areas (CHHA)**

*If located within a Coastal High hazard Area, the manner in, and extent to, which the amendment conforms to the terms set forth in Section 4.2.7.4.*

The property is not located within a Coastal High Hazard Area.

**5.5.3.1.5 Designated Development/Redevelopment Areas**

*If the amendment involves the creation, expansion, or contraction of a residential Very High (RVH), Activity Center (AC), Community Redevelopment District (CRD), Central Business District (CBD) category, or the Planned Redevelopment categories, the manner in, and extent to, which the amendment conforms to the purpose and requirements of the applicable category and Section 4.2.7.5.*

The proposed Future Land Use for the property is Planned Redevelopment Mixed Use (PR-MU). This future land use has been discussed multiple times since the departure of Nielsen Media, including in the City of Dunedin's 2009 Patricia Avenue Corridor Plan. Though Nielsen Media functioned on this site with a retail and industrial land use, to the surrounding businesses and residents it felt and acted more like an office complex. This proposed mixed use category is intended to give the property greater flexibility to promote infill and redevelopment.

#### 5.5.3.1.6 Impact on a Public Educational Facility or an Adjoining Jurisdiction

*The manner in, and extent to, which the amendment significantly impacts a public educational facility or an adjoining jurisdiction.*

Dunedin Elementary and Middle Schools are located within one half mile of the property. The property does not presently have an end user; however, using a probable maximum residential density scenario (due to the minimum land allocation required for the non-residential uses) and the District School Board's student capacity and generation rates as illustrated in Section 13 , page 12 of this plan, the schools would have adequate current capacity to serve the proposed development.

#### 5.5.3.1.7 Preservation of Industrial Land

*If the amendment involves the conversion from the Industrial Limited (IL) or Industrial General (IG) category, the extent to which the amendment area can continue to provide for target employment opportunities as evaluated and set forth in Section 4.2.7.9.*

Amending the land use for 375 Patricia will not preclude target employment opportunities; instead, continuing this option as part of a more attractive mixed-use, form-based zoning plan will increase the likelihood of attracting such use, rather than precluding it. 375 Patricia will be a combination of retail, office/targeted employment center and residential uses. The proposed mix of uses with minimum and maximum allowable percentages will ensure a meaningful portion of the site will remain allocated to target employment. In addition, the City of Dunedin already has initiated the study process to add TEC uses to other more viable corridors within the City which

have the transportation infrastructure and locational characteristics to better promote such uses. Thus a net increase in TEC land use areas is expected in the City of Dunedin, not less.

## **"375 Patricia Avenue" Special Area Plan**

Appendix Item A: 2009 Patricia Avenue Corridor Study

Appendix Item B: 375 Patricia Avenue Market & Economic Impact Analysis

Appendix Item C: Patricia Avenue Streetscape Plan Maintenance Commitment

Appendix Item D: Potential Sample Concept Plans

Appendix Item E: City of Dunedin Ordinance 14-03 Form-Based Zoning Code

**ORDINANCE 13-27**

**AN ORDINANCE REZONING CERTAIN REAL PROPERTY LOCATED AT 375, 403 AND 407 PATRICIA AVENUE, 1060 SCOTSDALE STREET, AND UNASSIGNED ADDRESS AT SCOTSDALE STREET (PARCEL NOS. 35-28-15-00000-310-0400, 35-28-15-00000-240-0120, 35-28-15-00000-240-0110, 35-28-15-00000-310-0100 AND 35-28-15-00000-310-0700), WITH DESIGNATED METES AND BOUNDS AND TOTALING APPROXIMATELY 23.22 ACRES MOL, FROM LIGHT INDUSTRIAL (LI) AND GENERAL BUSINESS (GB) TO FORM-BASED MEDIUM (FX-M) AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the owners of the property described herein have requested that the said property be zoned to Form-Based Medium (FX-M); and

**WHEREAS**, the Local Planning Agency of the City of Dunedin, Florida, has duly considered the type of zoning which would be proper on said real property, and has recommended that the zoning request of said owner be granted; and

**WHEREAS**, due and proper public hearing on the said recommended zoning has been conducted by the City Commission and the recommendations of the Local Planning Agency having been found by the Commission to be meritorious; now, therefore,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1:** That from and after the effective date of the within Ordinance, the following described real property shall hereby be zoned Form-Based Medium (FX-M) as said zoning classification is more particularly described in Dunedin's Land Development Code:

See Exhibit "A" attached hereto and made a part hereof.

**Section 2:** This Ordinance shall become effective upon final passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 17th day of April, 2014.**

  
\_\_\_\_\_  
Dave Eggers  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

**READ FIRST TIME AND PASSED:** April 3, 2013

**READ SECOND TIME AND ADOPTED:** April 17, 2014

## Exhibit "A"

THE FOLLOWING DESCRIPTION IS A COMPOSITE OF ALL PARCELS AS A CONTIGUOUS DESCRIPTION:

A TRACT OF LAND LYING AND BEING A PART OF THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, ALSO BEING A POINT IN THE CENTERLINE OF PATRICIA AVENUE; THENCE S88°52'03"E ALONG THE EAST/WEST CENTER LINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, 50.01 FEET TO THE POINT OF BEGINNING; AND THENCE ALONG A LINE 50.01 FEET FROM AND BEING PARALLEL WITH THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, N00°09'32"E, 30 FEET; THENCE 30 FEET FROM AND BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, S88°52'03"E, 300 FEET; THENCE ALONG A LINE BEING THE EAST LINE OF THE WEST 350 FEET OF THE SE 1/4, OF THE NW 1/4, OF SAID SECTION 35, N00°09'03"E, 100.02 FEET TO A POINT ON THE SOUTH BOUNDARY OF PATRICIA ESTATES, ACCORDING TO THE PLAT THEREFORE, AS RECORDED IN PLAT BOOK 54, PAGE 38, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE ALONG SAID SOUTH BOUNDARY LINE OF PATRICIA ESTATES, S88°52'03"E, 318.99 FEET; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 35, S00°09'32"W, 130.02 FEET TO A POINT ON THE EAST/WEST CENTERLINE OF SAID SECTION 35; THENCE CONTINUE ALONG SAID EAST/WEST CENTERLINE, S88°52'03"E, 411.05 FEET; THENCE S47°18'47"W, 105.23 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 400 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 145.17 FEET; SAID CURVE HAVING A CENTRAL ANGLE OF 20°47'15", A CHORD DISTANCE OF 144.33 FEET AND BEARING OF S57°42'25"W; THENCE ALONG A LINE BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SAID SECTION 35, S88°52'03"E, 398.74 FEET, SAID POINT BEING 50 FEET FROM THE NORTH/SOUTH CENTERLINE OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG A LINE BEING 50 FEET FROM AND PARALLEL WITH THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, S00°08'48"W, 488.77 FEET MORE OR LESS, TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY OF SCOTSDALE STREET; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF SCOTSDALE STREET, S51°59'27" W, 312.93 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTH; HAVING A RADIUS OF 200 FEET; THENCE ALONG THE ARC OF SAID CURVE 136.10 FEET SAID CURVE HAVING A CENTRAL ANGLE OF 38°59'24", A CHORD DISTANCE OF 133.49 FEET AND BEARING OF

S71°23'33"W; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF SCOTSDALE STREET BEING 60 FEET FROM AND PARALLEL WITH THE NORTH BOUNDARY OF WILLOW WOOD VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGES 9 THROUGH 11, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, N89°01'18"W, 859.32 FEET TO THE EAST RIGHT-OF-WAY OF PATRICIA AVENUE, SAID LINE ALSO BEING 50.01 FEET FROM THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF PATRICIA AVENUE, ALSO BEING 50.01 FEET FROM AND PARALLEL WITH THE WEST LINE OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 35, N00°17'00"E, 715.08 FEET MORE OR LESS; THENCE ALONG A LINE BEING PARALLEL WITH THE EAST/WEST CENTERLINE OF SAID SECTION 35, S88°52'03"E, 277.61 FEET; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST LINE OF NE 1/4 OF THE SW 1/4 OF SAID SECTION 35, N00°17'00"E, 131.01 FEET; THENCE S88°52'03"E, 25 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 815 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 13°02'43", THENCE ALONG THE ARC OF SAID CURVE 185.56 FEET, A CHORD DISTANCE OF 185.16 FEET AND BEARING OF N84°36'09"E TO A POINT OF REVERSE CURVATURE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 735 FEET, THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 166.94 FEET; SAID CURVE HAVING A CENTRAL ANGLE OF 13°00'48", A CHORD DISTANCE OF 166.58 FEET AND BEARING OF N84°36'09"E TO A POINT ON THE EAST/WEST CENTER LINE OF SAID SECTION 35; THENCE CONTINUE ALONG SAID EAST/WEST CENTER LINE OF SECTION 35, N88°52'03"W, 652.67 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,002,707.01 SQUARE FEET OR 23.02 ACRES MORE OR LESS.

A TRIANGLE PORTION OF LAND LYING AND BEING IN THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCE AT SOUTHWEST CORNER OF NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST, S89°01'18"E, 1,332.95 FEET TO THE SOUTHEAST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 28 SOUTH, RANGE 15 EAST; THENCE ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, N00°08'48"E, 490.98 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY BOUNDARY OF WILLOW WOOD VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGES 9 THROUGH 11, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

THENCE N41°03'43"W, 137.37 FEET ALONG SAID EASTERLY BOUNDARY OF WILLOW WOOD VILLAGE TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF SCOTSDALE STREET; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY OF SCOTSDALE STREET, N51°59'27"E, 115.09 FEET TO A POINT ON THE NORTH/SOUTH CENTERLINE OF SAID SECTION 35, SAID POINT ALSO BEING THE WESTERLY MOST CORNER OF SCOTSDALE BLUFFS PHASE 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 115, PAGES 83 THROUGH 85, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE ALONG SAID NORTH/SOUTH CENTERLINE OF SAID SECTION 35, ALSO BEING THE WESTERLY BOUNDARY OF SAID SCOTSDALE BLUFF PHASE 1, S00°08'48"W, 174.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 7893.79 SQUARE FEET OR 0.18 ACRES MORE OR LESS.

5

## ORDINANCE 13-28

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING CHAPTER 103 OF THE LAND DEVELOPMENT CODE OF THE CITY OF DUNEDIN BY AMENDING SECTION 103-31-2.1 REGARDING REPLACEMENT CRITERIA OF A HISTORIC STRUCTURE DUE TO ITS CONDITION, NON-COMPLIANCE WITH CURRENT BUILDING, LIFE SAFETY AND FIRE CODES AND/OR ITS LOCATION IN THE FLOODPLAIN AND DETERMINING WHETHER THE SINGLE SITE HISTORIC OVERLAY DISTRICT IS APPLICABLE BASED ON THE DESIGN AND ARCHITECTURE OF THE PROPOSED STRUCTURE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, City staff has reviewed Chapter 103 of the Land Development Code and has determined that certain revisions and additions to Chapter 103 are found to be necessary and appropriate; and

**WHEREAS**, the Single Site Historic Overlay Zoning District limits the capability of developers to re-develop properties where historic structures should be demolished due to its condition, noncompliance with current codes, or its location in the floodplain; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Subsection 103-31.2.1 of the Land Development Code of the City of Dunedin shall be amended to read as follows:

**103-31.2.1 - Purpose**

The purpose of the "SSH" (Single Site Historic) overlay zoning district is to identify and preserve historic sites within the city that are worthy of redevelopment and protection. Historic sites will be identified using the criteria needed to be placed on the National Historic Register. When it is in the public interest to replace a historic structure due to its condition, noncompliance with current building, life safety and fire codes and/or its location in the floodplain, the City Commission shall determine if the "SSH" overlay zoning district is still applicable based on how a new structure maintains the design or architectural style of the old structure. The redevelopment will be conducted in a manner that respects and protects the interest of abutting properties to insure compatibility with existing uses. A development agreement, including a perpetual or time limited restrictive covenant, will be recorded in the public records of the county to insure compliance with the purposes of the "SSH" (Single Site Historic) overlay zoning district.

**Section 2.** That this Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 9th day of January, 2013.**



\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:



Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: December 19, 2013

READ SECOND TIME AND ADOPTED: January 9, 2014

## **ORDINANCE 13-29**

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA AMENDING CHAPTER 107 OF THE LAND DEVELOPMENT CODE OF THE CITY OF DUNEDIN TO CREATE SECTION 107-33.2.2.1 TO PROVIDE AN EXEMPTION FROM THE REQUIREMENTS OF SECTION 107-33.2.2 FOR CERTAIN CONDOMINIUM UNITS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, City staff has determined that there is a need to revise Section 107-33.2.2.1 to provide an exemption from the requirements of Section 107-33.2.2 for certain condominium units; and

**WHEREAS**, the City Commission has considered the suggested revision and after holding two public hearings, has determined that the revision is appropriate; now, therefore

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

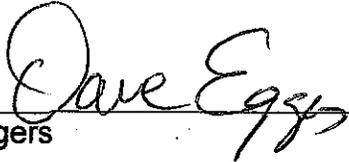
**Section 1.** That Subsection 107-33.2.2.1 of the Land Development Code of the City of Dunedin is hereby created to read as follows:

**107-33.2.2.1 - Exemption**

- A) Condominium units that are full and complete residential dwelling units and are part of a larger hotel development with at least two bedrooms and two bathrooms that contain a one bedroom one bathroom "lock-out" unit are exempt from the requirements of sections 107-33.2.2 (A) and (B) above. Owners may put their "lock-out" unit in the hotel rental pool at their own discretion.

**Section 2.** That this Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY  
OF DUNEDIN, FLORIDA, THIS 9th day of January, 2013.

  
\_\_\_\_\_  
Dave Eggers  
Mayor

ATTEST:

  
\_\_\_\_\_  
Denise M. Schlegel  
City Clerk

READ FIRST TIME AND PASSED: December 19, 2013

READ SECOND TIME AND ADOPTED: January 9, 2014