

ORDINANCE 19-12

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, AMENDING SECTION 103-40.3 – VARIANCES TO BUILDING HEIGHTS TO PROVIDE FOR BUILDING HEIGHT MEASUREMENTS IN CERTAIN ZONING DISTRICTS WITHIN SPECIAL FLOOD HAZARD ZONES; AMENDING SECTION 103-40.4 - DOWNTOWN CRA STREET TYPES TO DELETE THE 16' FIRST FLOOR MINIMUM HEIGHT REQUIREMENT; AMENDING SECTION 103-40.11 – MODIFICATION OF MAXIMUM HEIGHT TO ADD ARCHITECTURAL FEATURES AS AN EXCEPTION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, City staff reviewed Sections 103-40.3, 103-40.4 and 103-40.11 of the Land and has recommended that certain revisions are necessary; and

WHEREAS, the recommendations of staff have been found meritorious by the City Commission, and

WHEREAS, the City Commission has received input from the public at two public hearings

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 103-40.3 of Chapter 103 of the Land Development Code is hereby amended to read as follows:

103-40.3 - Variances to Building Heights in Special Flood Hazard Zones

Within special flood hazard areas, building height for the zoning districts listed below shall be measured from the required design flood elevation line to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height between eaves and ridge for gable, hip and gambrel roofs

AR	R-100
R-300	R-90
R-200	R-75
R-150	R-60

In the special flood hazard areas of any other zoning district not listed above, maximum height shall be measured from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height between eaves and ridge for gable, hip and gambrel roofs.

Section 2. That Section 103-40.4 of Chapter 103 of the Land Development Code is hereby amended to read as follows.

103-40.4 - Downtown CRA Street Types

In keeping with the design based approach to limiting heights within the Downtown CRA district, three distinct street types, listed herein as "A" streets, "B" streets and "C" streets, are established to help perpetuate consistent height-to-width relationships for all new development or redevelopment. As such, new construction and/or redevelopment of all parcels located within the CRA district Boundary, as identified in Exhibit C-1 and designated DC, DR, MF-15 and MF 7.5 shall conform to the additional criteria as listed in § 103-40.4.1 through § 103-40.4.3

103-40.4.1 - "A" Streets

"A" 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 twelve 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 36 feet, whichever is less. 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 ten-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

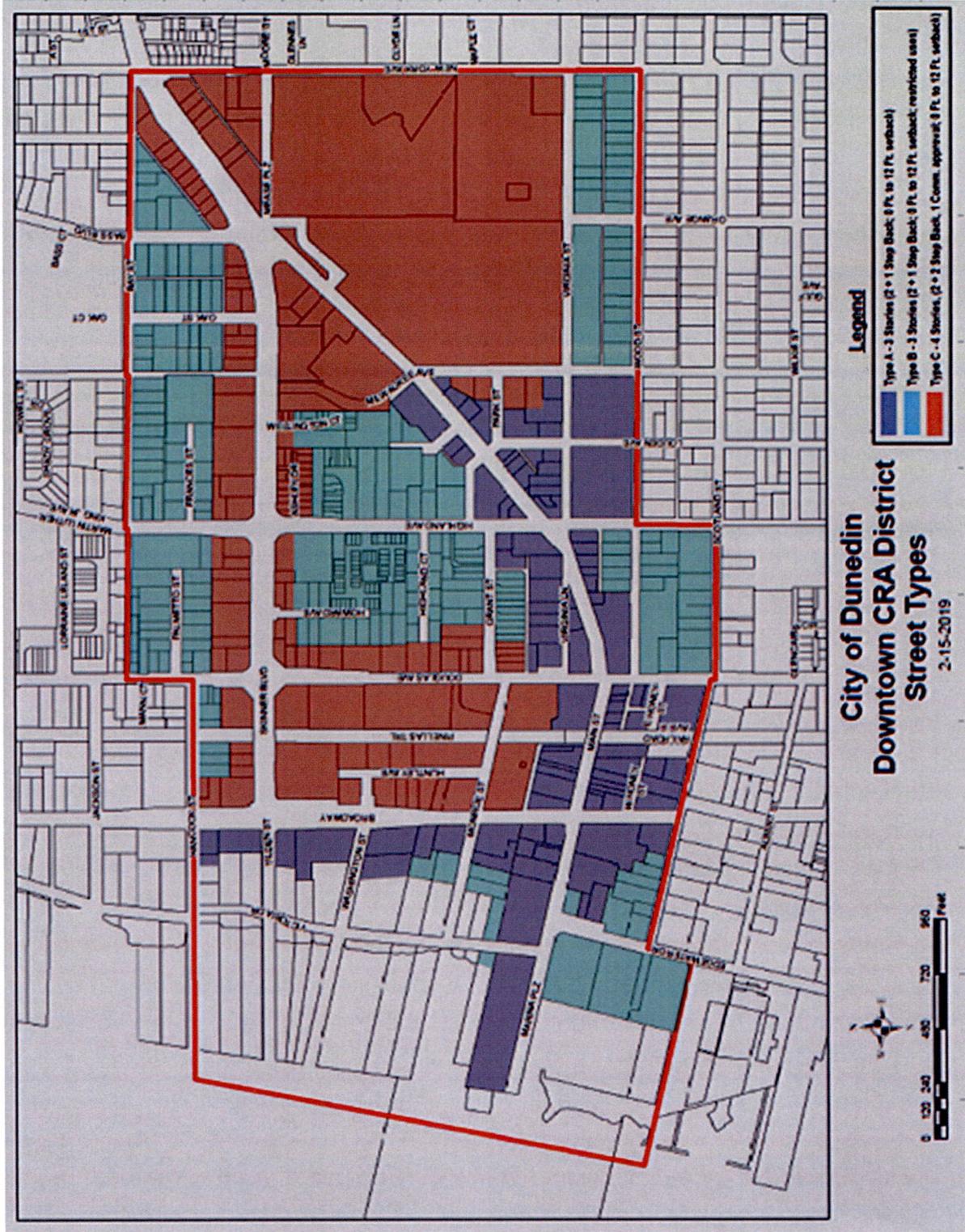
"B" streets - New construction shall be built along a mandatory build-to line that is set back a minimum of zero feet to a maximum of twelve feet from the

fronting street or edge of public right-of-way One passageway between buildings (seven-foot maximum width) shall be provided midpoint 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 36 feet, whichever is less. 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 ten-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 twelve 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 three stories, or 36 feet, whichever is less. A fourth story with a maximum height of 46 feet is possible with City Commission Design Review approval. 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 ten-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.

Exhibit C-1



Section 3. That Section 103-40.11 of Chapter 103 of the Land Development Code is hereby amended to read as follows:

103-40.11 - Modification of Maximum Height

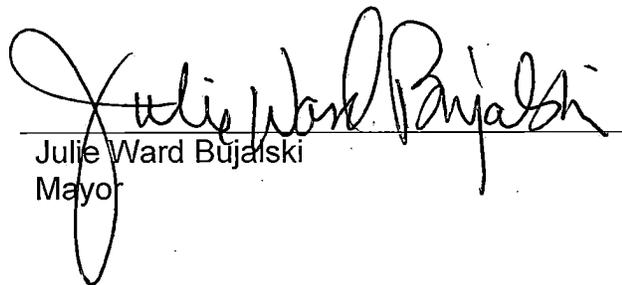
The following portions of structures may exceed the height requirements by a maximum of 20 percent of the permitted height as set forth in § 103-40.2 *Maximum Height* without additional setback, but with the written permission of the zoning administrator, or designee:

- (A) Belfries and spires.
- (B) Chimneys and smoke stacks.
- (C) Cooling towers, water towers and tanks, and fire towers.
- (D) Elevator and/or stairwell bulkheads.
- (E) Flagpoles, ornamental towers, statuary, and monuments.
- (F) Radio, television, and telephone transmission towers.
- (G) Solar panels.
- (H) Wind turbines.
- (I) Architectural features designed to add quality to the design.

Section 4. That 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 November, 2019.




Julie Ward Bujalski
Mayor


Rebecca Schlichter
City Clerk

READ FIRST TIME AND PASSED: November 07, 2019

READ SECOND TIME AND ADOPTED: November 21, 2019