

MEMORANDUM

TO: City Commission

FROM: Robert DiSpirito, City Manager *RGD*

DATE: February 7, 2014

SUBJECT: Second Reading of **Ordinance 14-03**, Form-based Code.

PRESENTER: Gregory A. Rice, Director of Planning & Development

RECOMMENDATION: Staff recommends approval of Ordinance 14-03, to adopt the Form-Based Code (FX-M and FX-H).

BUDGET IMPACT: None.

PAST ACTION: LPA recommended approval of Ordinance 14-03 at its December 11, 2013 meeting.
City Commission recommended approval on first reading of Ordinance 14-03 at its January 9, 2014 meeting.
At its January 23, 2014 meeting, the City Commission postponed second reading of Ordinance 14-03 to the February 20, 2014 meeting.

NEXT ACTION: None.

ATTACHMENTS: Staff comments, Ordinance 14-03.

BACKGROUND:

This form-based zoning code is being proposed based on current planning trends, and as a result of our corridor studies, City Commission workshops, and several community charettes. Two new zoning districts will be added to the Land Development Code, in Chapter 103, Division 2: FX-M (Form-Based Medium) and FX-H (Form-Based High). The first application of the new code will be the rezoning of 375 Patricia Avenue (former Nielsen Media property) to FX-M. Later in 2014, Planning & Development staff will propose rezoning all of the City's commercial corridors to FX-M or FX-H.

Memorandum

TO: Lael Giebel, Development Services Project Coordinator
FROM: Greg Rice, Planning & Development Director
DATE: February 7, 2014
RE: Form-based Code FX-M and FX-H

FORM-BASED CODE BACKGROUND

The conventional zoning model in use throughout the United States is based on the separation of residential, commercial, and industrial uses, density controls, and proscriptive standards for key development attributes (e.g., building setbacks and heights). The historical antecedents of this model include the 1926 Supreme Court decision in the case of *Village of Euclid vs. Ambler Realty Co.*, which legitimized the separation of uses to protect the public health, safety, and welfare, and the 1916 New York City zoning code, which established dimensional requirements to permit light and air and prevent overcrowding. Published in the 1920s, the Standard State Zoning Enabling Act was ultimately adopted by all 50 states. It is still the basic model used by jurisdictions to regulate development, although many features have been added to local codes over the years to address emerging issues (e.g., overlay districts and environmental performance standards).

In recent decades, dissatisfaction with the perceived effects of conventional zoning on urban and suburban landscapes has grown among citizens and practitioners. While a variety of factors have worked together to promote development trends, such as the loss of traditional urban form and proliferation of commercial strip development and "cookie cutter" subdivisions, zoning has been identified as a primary culprit. On the one hand, the separation of uses and limits on density has contributed to excessive consumption of land (suburban sprawl). On the other, zoning's lack of a positive prescription for physical form has facilitated the intrusion of incompatible development types into traditional urban neighborhoods and districts.

In reaction to these trends, new, form-based approaches to development regulation are being proposed as alternatives to conventional zoning. The form-based approach seeks to codify the physical parameters of development based upon an ideal urban form (typically derived from the pre-World War II model of traditional development). It also looks to the characteristics of the surrounding environment for guidance in regulating

the physical form of new development. A basic premise of form-based development codes is that the regulation of physical form (not use) is the key to producing a better built environment.

FORM-BASED ZONING CODE (FX-M) / (FX-H)

A new form-based zoning code is being proposed for the City of Dunedin. The FX-M (form-based medium intensity) or FX-H (form-based higher intensity) presented here will be added to the Land Development Code as two new zoning districts. The first application of the new code will be the rezoning of 375 Patricia Avenue (former Nielsen Media property) to FX-M. Later in 2014, Planning & Development staff will propose rezoning all of the City's commercial corridors to FX-M or FX-H.

CHANGES SINCE THE FIRST READING OF THE ORDINANCE

The FX-M and FX-H code was sent to Pinellas Planning Council staff for a consistency review. The comment received was to clearly state that densities / intensities are determined by the underlying land use. This statement was added to each table (3.1 FX-M & 3.2 FX-H).

Another significant change since the first reading was to provide two different building configurations for the FX-M code based on road type. On arterial and collector roadways a two story minimum is required and detached garages are not allowed. On local roadways one story buildings with detached garages are allowed.

The final change to the was to improve the graphics in Tables 3.1 and 3.2 to make the code to clarify the following:

1. How building height is measured.
2. Frontage and lot lines.
3. Building disposition.
4. Lot layer placement.

MEMORANDUM

TO: City Manager
City Attorney
Director of Planning & Development
Project Coordinator

City Clerk
Assistant City Clerk (email)
Zoning Division

FROM: Jenna Duncan, Sr. Planning & Development Analyst

DATE: January 31, 2014

SUBJECT: Ordinance 14-03—amending Chapter 103 Zoning of the Land Development Code of the City of Dunedin, adopting a Form-Based Code.

***Revised* Staffing Schedule:**

- | | |
|--|--|
| 1. Planning & Development Analyst submits "Notice of Public Hearing" for LPA meeting. Advertisement runs Wednesday, November 27, 2013 | Thursday, November 21, 2013
COMPLETED |
| 2. City Attorney provide <i>Ordinance 14-03</i> | Tuesday, November 26, 2013
COMPLETED |
| 3. City Clerk include announcement of Public Hearing for <i>Ordinance 14-30</i> on December 19, 2013 City Commission agenda (hearing on January 9, 2014) | Wednesday, November 27, 2013
COMPLETED |
| 4. Project Coordinator forward staffing comments to City Manager for LPA meeting | Wednesday, November 27, 2013
COMPLETED |
| 5. City Manager's memo and staffing for LPA meeting due to Planning & Development Analyst | Wednesday, December 4, 2013
COMPLETED |
| 6. Planning & Development Analyst distribute item to LPA | Thursday, December 5, 2013
COMPLETED |
| 7. Local Planning Agency makes recommendation | Wednesday, December 11, 2013
COMPLETED |
| 8. Planning & Development prepare (ROP) advertisement for Wednesday, January 1, 2014 and Wednesday, January 15, 2014 | Thursday, December 26, 2013
COMPLETED |
| 9. Project Coordinator forward staffing and LPA recommendation for City Commission meeting to City Manager | Friday, December 27, 2013
COMPLETED |
| 10. City Manager's memo and staffing for Commission meeting due to Planning & Development Analyst | Thursday, January 2, 2014
COMPLETED |
| 11. City Clerk's office distribute <i>Ordinance 14-03</i> to City Commission for 1 st reading | Friday, January 3, 2014
COMPLETED |
| 12. City Commission
A. First reading of <i>Ordinance 14-03</i> under "Public Hearing"
B. Announce second reading of <i>Ordinance 14-03</i> for 1/23/14 hearing | Thursday, January 9, 2014
COMPLETED |
| <i>Second reading postponed at the January 23, 2014 City Commission meeting to February 20, 2014</i> | |
| 13. City Attorney/Planning & Development Director provide revised <i>Ordinance 14-03</i> | Thursday, February 6, 2014 |
| 14. Project Coordinator forward staffing to City Manager | Friday, February 7, 2014 |
| 15. City Manager's memo and staffing for Commission meeting due to Planning & Development Analyst | Thursday, February 13, 2014 |
| 16. City Clerk's office distribute <i>Ordinance 14-03</i> to City Commission for 2 nd reading | Friday, February 14, 2014 |
| 17. City Commission
A. Second reading of <i>Ordinance 14-03</i> under "Public Hearing" | Thursday, February 20, 2014 |

NOTICE OF AMENDMENT TO THE LAND DEVELOPMENT CODE OF THE CITY OF DUNEDIN

THE CITY OF DUNEDIN proposes to adopt the following ordinance:

ORDINANCE 14-03

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA CREATING SECTION 103-23.31 OF THE LAND DEVELOPMENT CODE TO ESTABLISH A FORM-BASED ZONING CODE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The DUNEDIN CITY COMMISSION will conduct a public hearing on Thursday, January 9, 2014 at 6:30 p.m. (or as soon thereafter as may be heard) at Dunedin City Hall, 542 Main Street, Dunedin, Florida. If passed on first reading, a second public hearing will be held on Thursday, January 23, 2014 at 6:30 p.m. (or as soon thereafter as may be heard) at Dunedin City Hall, 542 Main Street, Dunedin, Florida.

The proposed ordinance will be available to the public for inspection in the Office of the City Clerk in the Municipal Services Building, 750 Milwaukee Avenue, during regular business hours.

Interested parties may appear at the hearing on the date noted above and be heard with respect to the proposed actions. All persons are hereby advised that any presentation they make to the Dunedin City Commission will be encouraged to be as concise as possible and that the Commission may limit the time of each individual to permit maximum participation by the public at large. Any person who decides to appeal any decision of the Commission with respect to any matter considered at this hearing will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based - per Florida Statute 286.0105.

The City of Dunedin does not discriminate on the basis of race, color, national origin, sex, religion, age, political affiliation, marital status, sexual orientation, and disabled status in employment or the provision of services.

City of Dunedin, Florida
Denise Schlegel, CMC, City Clerk

ORDINANCE 14-03

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA CREATING SECTION 103-23.31 OF THE LAND DEVELOPMENT CODE TO ESTABLISH A FORM-BASED ZONING CODE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the conventional zoning model and use throughout the United States is based on the separation of residential, commercial, and industrial uses, density controls, and proscriptive standards for key development attributes such as building setbacks and heights; and

WHEREAS, the Standard State Zoning Enabling Act was first published in the 1920's and ultimately adopted by all 50 states; and

WHEREAS, in recent decades, dissatisfaction with the perceived effects of conventional zoning on urban and suburban landscapes has grown among citizens and practitioners; and

WHEREAS, while a variety of factors has worked together to promote development trends, such as the loss of traditional urban form and proliferation of commercial strip development and "cookie cutter" subdivisions, zoning has been identified as primary culprit; and

WHEREAS, in reaction to these trends, new form-based approaches to development regulation are being proposed as alternatives to conventional zoning; and

WHEREAS, the form-based approach seeks to codify the physical parameters of development based upon an ideal urban form (typically derived from the pre-World War II model of traditional development); and

WHEREAS, the form-based approach also looks to the characteristics of the surrounding environment for guidance in regulating the physical form of new development; and

WHEREAS, a basic premise of form-based development codes is that the regulation of physical form (not use) is the key to producing a better built environment; and

WHEREAS, City staff recommends the adoption of a form-based code within the City; now, therefore,

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

Section 1: That Chapter 103 of the Land Development Code of the City of Dunedin is hereby amended to create Section 103-23.31, which would read as follows:

ARTICLE 1: ADMINISTRATION

1.1 Components of a Form-Based Code

Communities should analyze how effective the entire FBC system, not its individual components, is for responding to planning trends and goals. FBCs are more than just mixed use zoning districts. Here is an overview of standard and optional components:

1.1.1 Regulating Plan

A regulating plan is the map assigning the code's various standards to physical locations, including the form-based zone standards. It replaces the zoning map in a form-based code. In a citywide form-based code, it is the same as the zoning map and will have form-based and non-form-based zones on it. It is usually applied in a more fine-grained manner than a zoning map, taking existing and intended form into account.

1.1.2 Frontage Type Standards

Frontage type standards regulate the appropriate transition from the private realm to the public realm. The ultimate intent of frontage standards is to ensure, after a building is located correctly, that its interface with the public realm and the transition between the two are detailed appropriately.

Frontage: the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage**.

Frontage Line: a Lot line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines.

1.1.3 Building Form Standards

Building form standards are form-based zone standards that replace the existing zone standards. They are the core component of an FBC and typically regulate the configuration, features, and functions (uses) for buildings that define and shape the public realm. To be the most effective, their content should be generated primarily by community character documentation, as opposed to the preexisting zone standards for each area.

1.1.4 Building Type Standards

Many FBCs include building type standards that are supplemental to the building form standards. They introduce an appropriate range of building types that are allowed within each form-based zone and regulate form characteristics specific to each type. To be effectively regulated, especially when applied at a larger scale, building type standards should be tied back directly to zone standards.

1.1.5 Public Space Standards

Public space standards are specifications for the elements within the public realm, including thoroughfares and civic spaces. Thoroughfare standards incorporate detailed requirements for sidewalks, parking lanes, travel lane widths, and street tree locations. Civic space standards regulate parameters, such as maximum and minimum size, and introduce a range of non-suburban civic space types into a city or town.

1.2 Applicability and Pre-existing Conditions

- (A) Existing buildings that do not conform to the provisions of this code may continue in use as they are, until a substantial improvement threshold (50 % of fair market value) is proposed. The FEMA substantial improvement worksheet or an appraisal will be used to determine fair market value.

- (B) For structural modifications below, the substantial improvement threshold, existing building changes are permitted by right if such changes result in greater conformance with the specifications of this code.
- (C) Where buildings exist on adjacent lots, the zoning administrator may require that a proposed building match one or the other of the adjacent setbacks and heights, rather than the provisions of this code.
- (D) Compliance with this ordinance is required if an existing site plan is expanded or substantially modified in accordance with the following applicability matrix:

ARTICLE 2: REGULATING PLAN

2.1 District Designations

The districts in this form-based code have been established using a continuum of six intensities of development, ranging from rural to urban. The diagram below illustrates these conditions as they would apply to the entire city, with environmentally-sensitive areas that are permanently preserved for natural areas, and the downtown that is supported first and foremost for the human habitat.

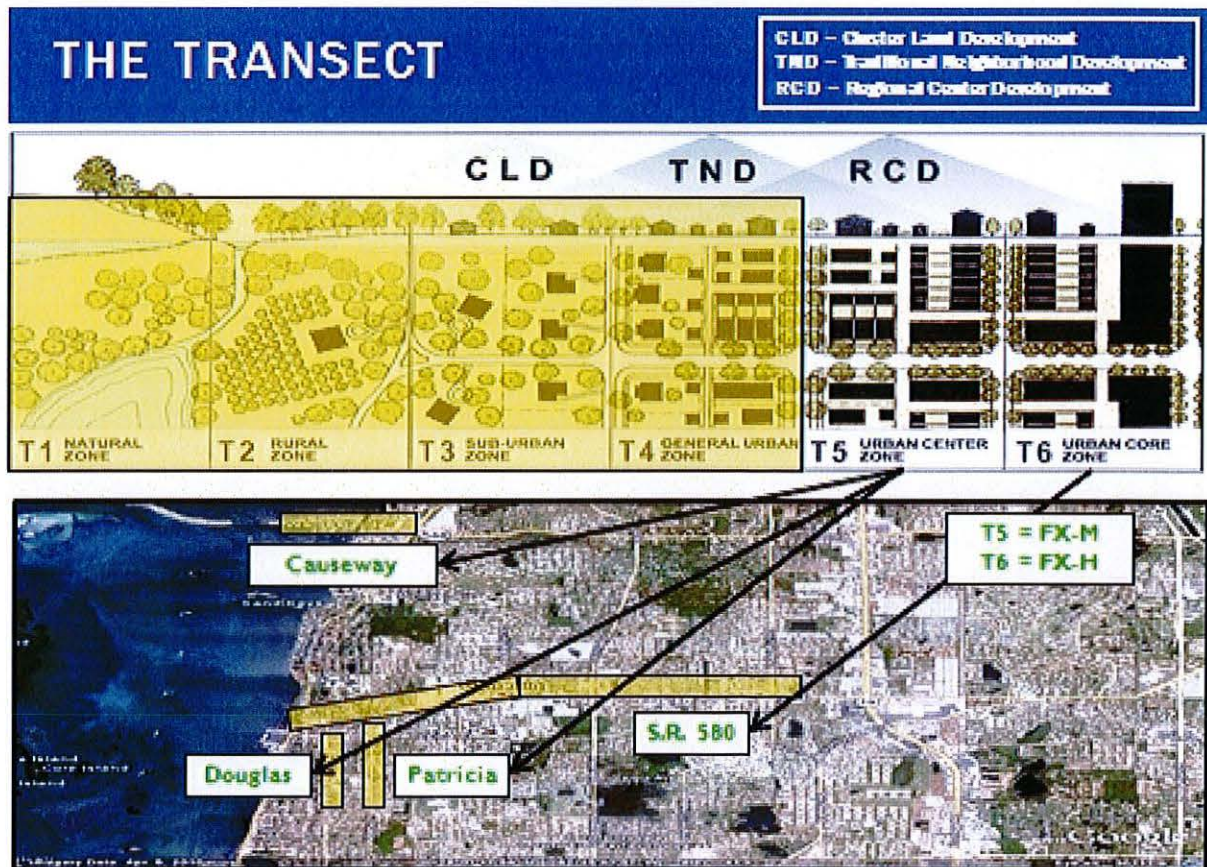
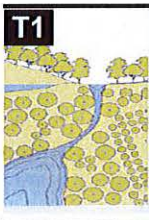


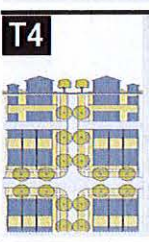
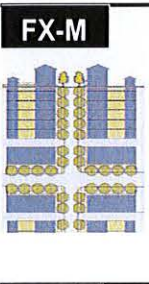
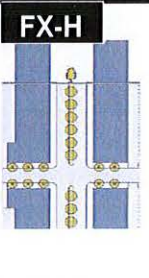


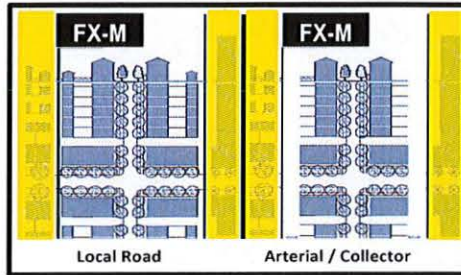
Table 1: Transect Zone Descriptions. This tables provides descriptions of the character of each Transect Zone.

	<p>T-1 NATURAL T-1 Natural Zone consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.</p>	<p>General Character: Natural landscape with some agricultural use Building Placement: Not applicable Frontage Types: Not applicable Typical Building Height: Not applicable Type of Civic Space: Parks, greenways</p>
	<p>T-2 RURAL T-2 Rural Zone consists of sparsely settled lands in open or cultivated states. These include woodland, agricultural land, grassland, and irrigable desert. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.</p>	<p>General Character: Primarily agricultural with woodland & wetland and scattered buildings Building Placement: Variable Setbacks Frontage Types: Not applicable Typical Building Height: 1- to 2-Story Type of Civic Space: Parks, greenways</p>
	<p>T-3 SUB-URBAN T-3 Sub-Urban Zone consists of low density residential areas, adjacent to higher zones that have some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.</p>	<p>General Character: Lawns and landscaped yards surrounding detached single-family houses; pedestrians occasionally Building Placement: Large and variable front and side yard Setbacks Frontage Types: Porches, fences, naturalistic tree planting Typical Building Height: 1- to 2-story with some 3-story Type of Civic Space: Parks, greenways</p>
	<p>T-4 GENERAL URBAN FBCM General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with curbs and side-walks define medium-sized Blocks.</p>	<p>General Character: Mix of houses, townhouses and small apartment buildings with scattered commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: Shallow to medium front and side yard setbacks Frontage Types: Porches, fences, dooryards Typical Building Height: 2- to 3-story with a few taller mixed use buildings Type of Civic Space: Squares, Greens</p>
	<p>FX-M (MEDIUM INTENSITY) URBAN CENTER FX-M Urban Center Zone consists of higher density mixed use building that accommodate Retail, Offices, Row- houses and Apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.</p>	<p>General Character: Shops mixed with townhouses, larger apartment houses, offices, work place and civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity Building Placement: Shallow setbacks or none; buildings oriented to street defining a street wall Frontage Types: Terrace, forecourt, stoop, shopfront, gallery or arcade Typical Building Height: 2- to 3-story with some variation Type of Civic Space: Parks, plazas, and squares, median landscaping</p>
	<p>FX-H (HIGHER INTENSITY) URBAN CORE FX-H Urban Core Zone consists of the highest density and height, with the greatest variety of uses, and civic buildings of municipal importance. It may have larger blocks; streets have steady street tree planting and buildings are set close to wide sidewalks. Typically only large towns and cities have an Urban Core Zone.</p>	<p>General Character: Medium to high-density mixed Use buildings, entertainment, civic and cultural uses. Attached buildings forming a continuous street wall; trees within the public right-of-way; highest pedestrian and transit activity Building Placement: Shallow setbacks or none; buildings oriented toward the street, defining a street wall Frontage Types: Terrace, forecourt, stoop, shopfront, gallery or arcade Typical Building Height: 3- to 5- plus story with a few shorter buildings Type of Civic Space: Parks, plazas, and squares, median landscaping</p>

2.2 Regulatory Maps – See Dunedin Official Zoning Map

ARTICLE 3: DISTRICT PROVISIONS

3.1 FORM-BASED MEDIUM (FX-M)



BUILDING CONFIGURATION

Principal Building	3 stories max., 2 min. (arterial / collector) (A/C)
Principal Building	3 stories max., 1 min. (local road) (L)
Outbuilding / Backbuilding	not permitted - arterial / collector
Outbuilding / Backbuilding	1 story max - local road
Building Height (Max)	40 ft
Building Height (Min)	22 ft (arterial / collector), 16 ft (local road)

DENSITY / INTENSITY STANDARDS

Determined by the Underlying Land Use

LOT OCCUPATION

Lot Width	site plan
Lot Coverage	see land use category

BUILDING DISPOSITION

Edgeyard	permitted only on local roads
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

SETBACKS - PRINCIPAL BUILDING

Front Setback Principal	2 ft. min., 12 ft. max.
Front Setback Secondary	2 ft. min., 12 ft. max.
Side Setback	0 ft. min., site plan approval max.
Rear Setback	3 ft. min.
Frontage Buildout	80% min. at setback

SETBACKS - BACKBUILDING / OUTBUILDING

Front Setback Principal	N/A
Front Setback Secondary	N/A
Side Setback (A/C)	site plan approval
Side Setback (L)	site plan approval
Rear Setback	3 ft. min.

PERMITTED PRIVATE FRONTAGES

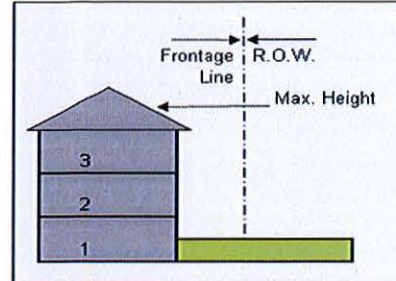
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	permitted

PARKING PROVISIONS

(See LDC Chapter 105)

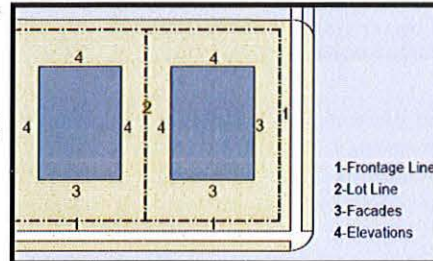
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 12 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 16 feet.
3. Height shall be measured to the midpoint of the eave as specified on the diagram.

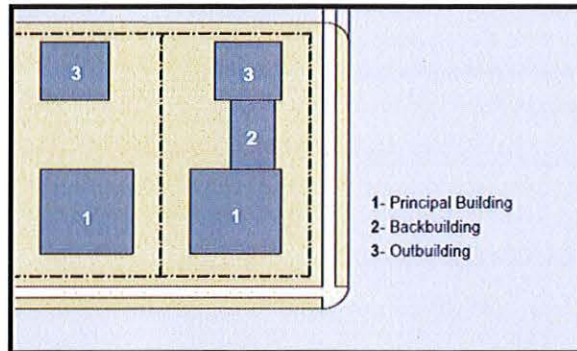


FRONTAGE & LOT LINES

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.

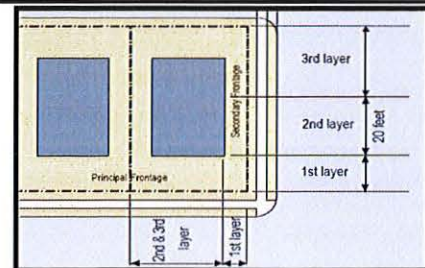


BUILDING DISPOSITION

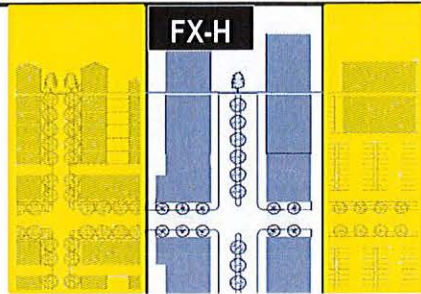


LOT LAYER PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram above.
2. Covered parking shall be provided within the third Layer as shown in the diagram above.
3. Trash containers shall be stored within the third Layer and screened.



3.2 FORM BASED HIGH



BUILDING CONFIGURATION

Principal Building	5 stories max., 2 min.
Outbuilding	N/A
Building Height (Max)	70 ft
Building Height (Min)	30 ft

DENSITY / INTENSITY STANDARDS

Determined by the Underlying Land Use

LOT OCCUPATION

Lot Width	site plan
Lot Coverage	see land use plan category

BUILDING DISPOSITION

Edgeyard	not permitted
Sidyard	not permitted
Rearyard	permitted
Courtyard	permitted

SETBACKS - PRINCIPAL BUILDING

Front Setback Principal	2 ft. min., 12 ft. max.
Front Setback Secondary	2 ft. min., 12 ft. max.
Side Setback	0 ft. min., site plan approval max.
Rear Setback	0 ft. min.*
Frontage Buildout	80% min. at setback

SETBACKS - BACKBUILDING / OUTBUILDING

Front Setback Principal	N/A
Front Setback Secondary	N/A
Side Setback (A/C)	site plan approval
Side Setback (L)	site plan approval
Rear Setback	3 ft. min.

PERMITTED PRIVATE FRONTAGES

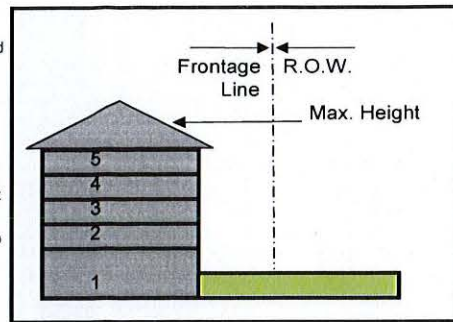
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	permitted

PARKING PROVISIONS

(See LDC Chapter 105)

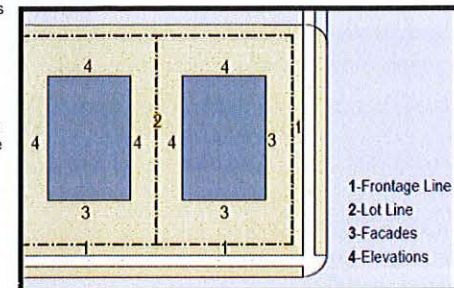
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 12 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 16 feet.
3. Height shall be measured to the midpoint of the eave as specified on the diagram.

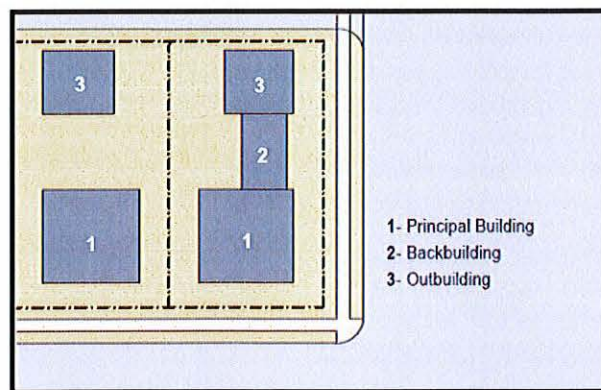


FRONTAGE & LOT LINES

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2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.

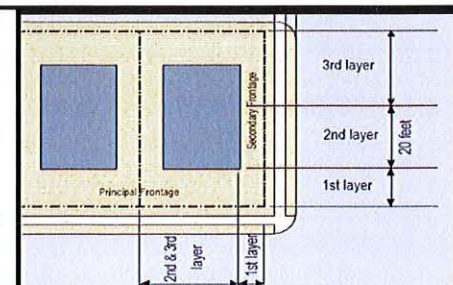


BUILDING DISPOSITION

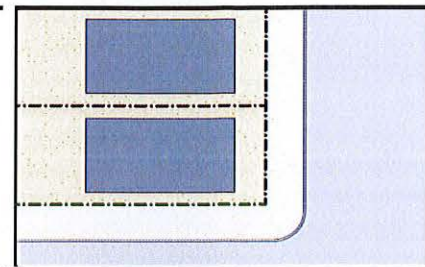
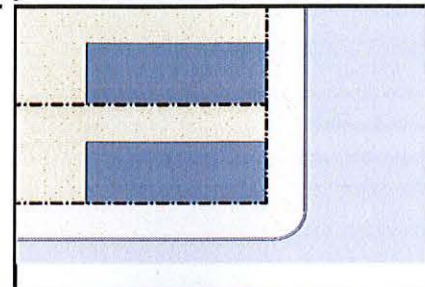
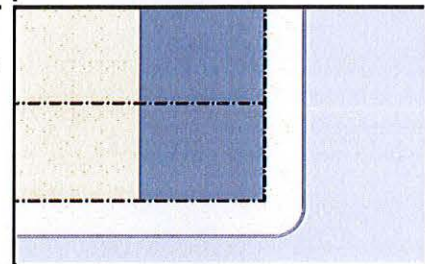
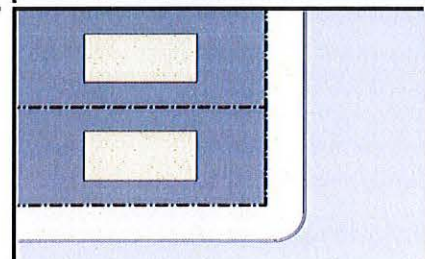


LOT LAYER PLACEMENT

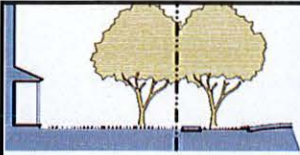
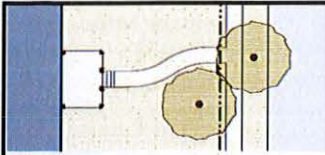
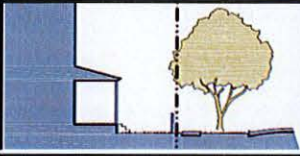
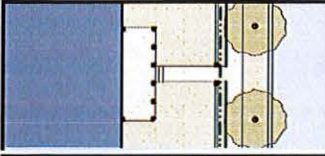
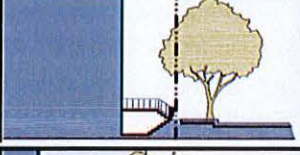
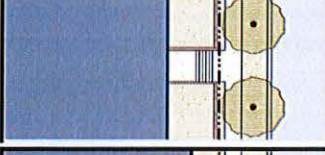
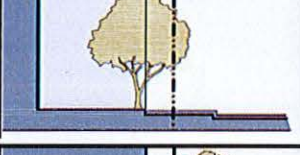
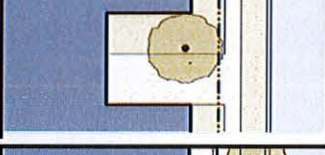
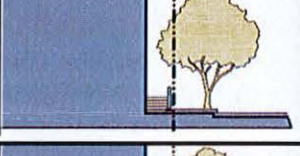

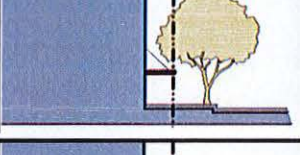
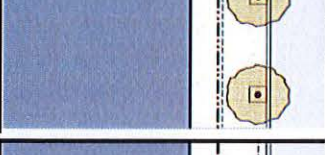
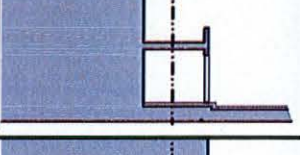
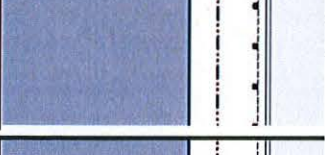
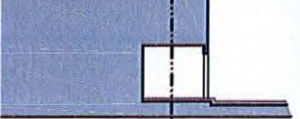

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram.
2. Covered parking shall be provided within the third Layer as shown in the diagram.
3. Trash containers shall be stored within the third Layer and screened.



3.3 TABLE Building Disposition. This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Transect Zone.

<p>a. Edgeyard: Specific Types - single-family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well placed Backbuilding and/or Outbuilding.</p>		<p>FX-M LOCAL ROAD ONLY</p>
<p>Sideyard: Specific Types - Charleston single-House, double house, zero-lot-line house, twin. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a Twin or double house. Energy costs, and sometimes noise, are reduced by sharing a party wall in this disposition.</p>		<p>FX-M</p>
<p>Rearyard: Specific Types - Townhouse, Rowhouse, Live-work unit, loft building, Apartment House, Mixed use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p>		<p>FX-M FX-H</p>
<p>Courtyard: Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p>		<p>FX-M FX-H</p>

3.4 Table of Private Frontages. The Private Frontage is the areas between the building Facades and the Lot lines.

	SECTION		PLAN		
	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE	R.O.W. PUBLIC FRONTAGE	
a. Common Yard: a planted Frontage wherein the Façade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.			T2 T3		
b. Porch & Fence: a planted Frontage where the Façade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.			T3 T4		
c. Terrace or Lightwell: a frontage wherein the Façade is setback back from the Frontage Line by an elevated terrace or sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public encroachment. Terraces are suitable for conversion to outdoor cafes, Syn: Dooryard .			FX-M		
d. Forecourt: a Frontage wherein the Façade is close to the Frontage Line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.			FX-M FX-H		
e. Stoop: a Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to ensure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.			FX-M FX-H		
f. Shopfront: a Frontage wherein the Façade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has substantial glazing on the Sidewalk level and an awning that should overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage .			FX-M FX-H		
g. Gallery: a Frontage wherein the Façade is aligned with the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery should be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the Curb.			FX-M FX-H		
h. Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the Façade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide and should overlap the Sidewalk to within 2 feet of the Curb. See Table 8.			FX-M FX-H		

ARTICLE 4: GENERAL PROVISIONS

4.1 General Lot Standards

4.1.1 Lot Frontage

All lots must front a street, square or common open space. (exception: buildings which are interior to a site that has buildings that otherwise meet the frontage requirement). Facades shall be built parallel to the principal frontage line or to the tangent of a curved principal frontage line, and along a minimum percentage of the frontage width at the setback, as specified as frontage build-out in Table 3.1 and 3.2 (see SETBACKS – PRINCIPAL BUILDING) of the district provisions.

4.1.2 Frontage Build-Out

In the absence of a building facade along any part of a frontage line (see Section 3.4), a street screen

shall be built co-planar with the facade in accordance with Section 6.3.2.

4.1.3 Infill Setbacks

Front and side setbacks must be consistent with those of surrounding buildings. In the case of an Infill Lot where there is not a consistent frontage within the block, setbacks may match one of the existing adjacent setbacks as determined by the zoning administrator.

4.1.4 Setbacks on Substandard Right-of-Way

Where insufficient right-of-way exists (e.g., right-of-way only includes the pavement area) from which to measure appropriate setbacks, projects shall measure front setbacks from the back edge of the sidewalk.

4.1.5 Corner Lots

Buildings located at street intersections must place the main building, or part of the building, at the corner.

4.1.6 Pedestrian Entries from Frontage Line (see Section 3.4)

Buildings must have their principal pedestrian entrances on a frontage line.

4.1.7 Encroachments

The features listed below may encroach into a required yard with a Right-of-Way Use Agreement.

- (A) Ground Level Air-Rights Encroachments: Awnings, arcades, canopies and galleries may encroach the sidewalk to within 2 feet of the curb, but must clear the sidewalk vertically by at least 8 feet.
- (B) Upper Story Encroachments: Bay windows, balconies and similar features projecting from the principal building may encroach up to 40% of the depth of the first layer, with approval of the City or FDOT (whichever has authority over a street).
- (C) Cornices and Gutters: Cornices, eave overhangs, and similar projections (including gutters) may encroach up to three (3) feet into any required yard.
- (D) Fences & Garden Walls: See Chapter 105 - Fences.
- (E) Handicapped Ramps: Ramps for handicap accessibility and fire escapes that are required by the Accessibility Code may encroach into any required yard, but may not be closer than five (5) feet to any property line.

(F) Porches, Decks, And Patios: See Chapter 103 - Division 5: Permitted Setback Encroachments.

(G) Steps And Stairs: See Chapter 103 - Division 5: Permitted Setback Encroachments.

4.2 Height

See Chapter 103 - Division 4: Supplemental Height Regulations.

4.2.1 Parking Garage Height

In a parking Structure or garage, each above-ground level counts as 8/10 (80%) of a Story regardless of its relationship to habitable Stories.

ARTICLE 5: BUILDING DESIGN STANDARDS

5.1 General Design Principles

The following list establishes general project design principles, based on what the Community of Dunedin values for its commercial corridors. The design principles list shall be used as a reference during the design review process and shall serve as the framework for project evaluation between project applicants, City staff, the Local Planning Agency and the City Commission. Project applicants will be required to address these principles by appropriate design solutions in the required submittals (site plan, renderings, green space plan) and in the narrative portion of the justification letter.

5.1.1 Design Principle 1: Human Scale

Buildings and public spaces should have strong pedestrian orientation and human scale. Building entrances should be visible from the street. The physical environment should be comfortable, friendly, accessible and approachable. Parking areas should be designed to minimize the impact of automobiles on pedestrian circulation and to be less visually intrusive by placing it in the rear of the site or on the side of the building with a streetscreen. Opportunities to convey a sense of human scale should be maximized through the following:

- (A) Provision of outdoor amenities such as street furniture and landscaping.
- (B) Design features that create visual interest through the visibility of merchandise and store-related activities by pedestrians.
- (C) The location of outdoor activity areas such as plazas and dining areas visible to passing pedestrians.

5.1.2 Design Principle 2: Eclectic Building Styles

Dunedin embraces a diversity of building styles. Regardless of style, buildings must relate to surrounding development patterns in scale, orientation, height and bulk. Eclectic styles can co-exist if building context is properly considered. The building design standards of this code intentionally do not mandate a particular style and permit a wide variety of architectural expressions. However, designers should commit to and exhibit an architectural style. The selected architectural style should exhibit the details and elements consistent with that style unless the local architectural vernacular provides an alternate precedent for a detail or element.

5.1.3 Design Principle 3: Rhythm - Facade Framework & Components

Building element repetition establishes a rhythm, creates patterns and alignments that visually link buildings, provides for individual building storefront identity and contributes in the establishment of a pedestrian scale environment. Unarticulated and solid wall surfaces degrade the quality of the pedestrian experience. Care should be given in designing a project to establish or maintain "rhythm", while avoiding monotony. This can be accomplished by arranging repeated major building elements into manageable groups. Repetition of existing facade modules and components (e.g. bulkheads, arches, arcades, and balconies) is strongly encouraged in infill project design.

5.1.4 Design Principle 4: First Floor Block Frontage

The design of first floor commercial buildings should be artistically composed with a high ratio of void (windows) to solid (wall) areas. The lower building level (storefront) should be predominantly comprised of transparent surfaces to foster pedestrian activity and accommodate retail-merchandising needs. Incorporating landscaping and architectural detailing at the lower level of buildings is encouraged. The height of new infill development should complement that of existing surrounding buildings.

5.1.5 Design Principle 5: Authenticity

Buildings should convey a sense of timelessness, elegance and quality regardless of style or genre. Buildings should look durable and permanent, not temporary or makeshift. The particular style chosen should be well-executed and consistently carried out from overall building form to fine detail.

5.1.6 Design Principle 6: Dialog with Surroundings

Buildings should be oriented, designed and sited to interact with their surroundings. Siting and design of buildings should take account of the overall physical setting in order to help frame and accent building form. Buildings should convey a distinct relationship to their larger, more distant context while simultaneously relating to their immediate surroundings in scale, mass and bulk. Site planning should maximize linkages and connections to surrounding public uses, activities and pedestrian networks.

5.1.7 Design Principle 7: Richness of Details and Materials

Building materials, surfaces, finishes, lighting and landscaping should be durable and able to withstand the Florida climate. They should be designed and executed with a high degree of craftsmanship. High quality building materials should apply to all private as well as public projects, including elements of street design, landscaping, street lighting, etc.

5.1.8 Design Principle 8: Incremental Growth

The Community of Dunedin favors slower, "organic" growth and development patterns over "large sum", big scale projects. Larger projects, especially those on the few remaining parcels of land in the city, should be master-planned and built-out in a way that conveys a sense of project growth over time. Ideally, each separate phase or stage of projects should be designed to "stand on its own", so that projects look complete and finished even if additional growth will occur sometime in the future.

5.2 Architectural Guidelines

5.2.1 High Quality Building Materials and Colors

- (A) Exterior building materials should complement those used in the surrounding area. Use of stucco (smooth or textured), brick, stone, cement board or shingle is encouraged within Dunedin's commercial corridors:
- (B) Metal buildings are prohibited unless clad with high quality materials listed above.
- (C) Accent materials should be used to highlight building features and provide visual interest.
- (D) The architectural style, building materials, building features and details, building size, orientation and context should be the primary contributing factors in the selection of building colors. The following are recommended for buildings in the FX-M and FX-H zoning districts:
 - (1) Subtle/muted colors on larger and simpler buildings
 - (2) Use of more intense colors on small buildings
 - (3) Contrasting or more intense colors to accent architectural details and entrances
 - (4) Color palettes harmonious with those found in the surrounding area

- (E) Use of building materials such as brick, stone, and copper in their natural finish color is encouraged. \

5.2.2 Roofs and Upper Story Details

- (A) High quality roof materials, complementary and appropriate to the proposed building style, shall be utilized as part of the building design.
- (B) Roof-mounted mechanical or utility equipment should be architecturally integrated (screened) within the overall building design, when seen from the street.
- (C) The design and finish of roof flashing, rain gutters, downspouts, vents and other roof protrusions should complement the overall architectural theme.

5.2.3 Entrances/ Storefronts

- (A) Provision of a prominent corner entry to buildings located at street intersections is recommended.
- (B) The design of corner buildings should provide storefront features or other transparent surfaces on both street faces of the lower level building elevations.
- (C) Use of high quality door design, storefronts and hardware details is encouraged.
- (D) Doors for retail shops should include a high percentage of glass area.

5.2.4 Windows

- (A) The storefront window design should maximize visibility of displays and interior retail spaces.
- (B) Window designs which permit additional light penetration within building spaces (e.g. transom and clerestory windows) are encouraged.
- (C) The location of new and replacement windows should take into consideration existing "blockface" window patterns.
- (D) Adding or replacing windows without any regard for the existing architectural rhythm or character of the original building is prohibited.
- (E) Window details should add to the architectural variety along street frontages.

5.2.5 Awnings and Canopies

- (A) Awnings should be designed to complement the building architecture.
- (B) Fabric or metal awnings should be used to enhance the visual appearance of buildings.
- (C) The awning design should respond to the scale, proportion and rhythm created by the structural bays.
- (D) Awnings constructed of durable, commercial grade fabrics are encouraged. Awning frames and supports should be treated to prevent corrosion. Glossy plastic awnings are prohibited.

5.2.6 Balconies and Rooftop outdoor areas

- (A) Inclusion of balconies and rooftop outdoor areas in the overall building design is encouraged. The design of such spaces should complement the overall architectural theme in terms of location, size, and detail.

5.2.7 Arcades

- (A) Arcades can positively contribute towards fulfilling visual and functional building needs.
- (B) The massing of all arcade components should be proportional to its overall size.

5.2.8 Plazas & Courtyards

- (A) Plazas and courtyards are encouraged. Ample seating should be provided within plaza areas.
- (B) Inclusion of a visual focal point such as a fountain or public art within plaza/courtyard areas is recommended.

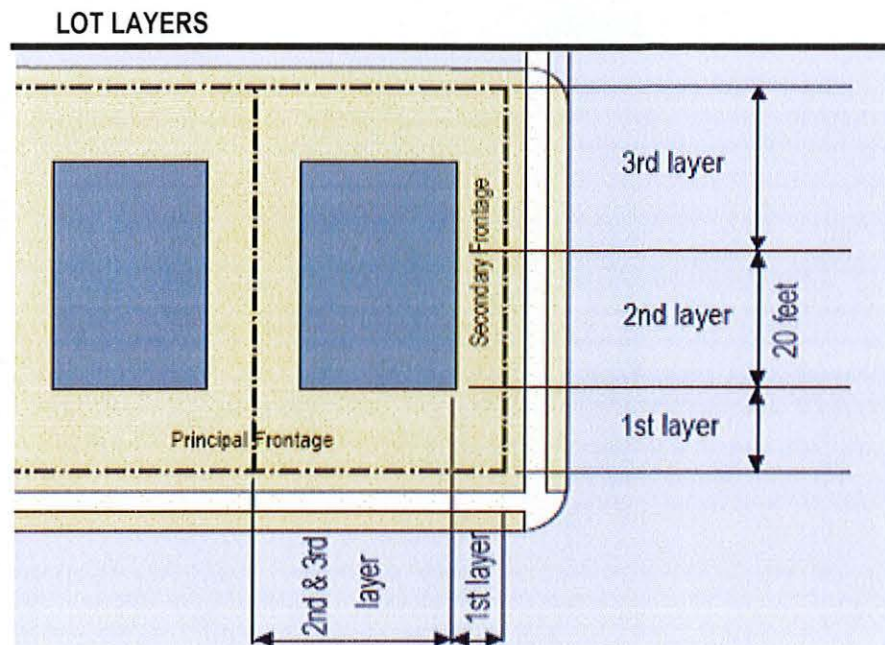
5.2.9 Walls and Fences

- (A) Wall and fence enclosure design should be addressed as part of the overall development concept.
- (B) Where appropriate to the selected architectural style and project location, stucco or brick wall enclosures, enhanced with decorative inset tiles, ornamental metal fencing, entry gates, or planters are encouraged.

ARTICLE 6: SITE STANDARDS

6.1 Parking Requirements - see also LDC Chapter 105 for additional regulations.

6.1.2 Parking Location: Off-street parking shall be located and accessed as follows:



	Parking Location	Site Access / Driveway
FX-M	Unrestricted for existing structures and limited to 2nd & 3rd layer only for new structures.	<p>In order of priority.</p> <ol style="list-style-type: none"> 1. Secondary front access road for corner lot properties. 2. Rear alley.
FX-H	Unrestricted for existing structures and limited to 2nd & 3rd layer only for new structures.	<p>In order of priority.</p> <ol style="list-style-type: none"> 1. Secondary front access road for corner lot properties. 2. Rear alley. 3. Single driveway per frontage.

6.2 Driveways and Cross-Access Connections

6.2.1 Mid-block Lot Driveways

A mid-block lot without access to a side street or alley is permitted one driveway with a maximum width of 25 feet.

6.2.2 Corner Lot Driveways

Corner lots may take access from side street only. Preference for access shall be given to the minor street. Driveways shall be located as far from the adjacent public street intersection as practical to achieve maximum available corner clearance, with consideration of property limits, adjacent curb cuts, topography, and existing drainage facilities.

6.2.3 Vehicular Aisle Widths

Vehicular entrances to parking lots, garages, and parking structures shall be no wider than 25 feet at the frontage line.

6.2.4 Cross Access Connections

Cross-access easements and connections to adjoining properties shall be required to connect vehicular aisles. The following guidelines shall apply:

- (A) At least 1 connection is provided at all lot lines that are coincident for at least 50 feet with another lot that has primary frontage on the same street.
- (B) The connection is at least 20 feet in width.
- (C) If applicable, the connection aligns with a connection that has been previously constructed on an adjacent property.
- (D) Where a parking lot connection is required, an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Pinellas County Clerk of the Court.

6.2.4.1 Exemption

In the event these conditions cannot be met without undue hardship, or if such connections would create undesirable traffic flow, the City Commission may waive the connection requirement.

6.3 Site Landscaping – see also LDC See Chapter 105 for additional regulations.

6.3.1 Parking Area Screening

All parking areas visible from the right-of-way should be screened from view. Parking areas in the side yard shall maintain a 3 foot high screen (75% opacity) along the street side. Shrubs, brick walls (using brick that matches or complements the adjacent building), wrought iron fencing with landscaping, or any combination thereof may be used.

6.3.2 Streetscreens

Interruptions in the street wall discourage pedestrian activity. Streetscreens serve to minimize these interruptions by extending the street wall formed by storefronts and building facades with semi-opaque screens.

- (A) Minimum height six (6) / maximum height eight (8) feet above grade.
- (B) Materials: Streetscreens shall be constructed of a material matching the adjacent building facade. The streetscreen may be replaced by a hedge or fence subject to approval of the City Commission.

- (C) Openings: Streetscreens shall have openings no larger than necessary to allow automobile and/or pedestrian access. Above 42 inches from the ground, the Streetscreen shall be at least 50% opacity. All streetscreens must meet FDOT sight visibility standards.

6.3.3 Fences - See Chapter 105 Section 23.

6.4 Utilities, Trash Containment & Loading Areas

6.4.1 Underground Utilities

When required by the City, all projects entailing new construction of a principal structure or substantial modification of an existing principal structure (in accordance with Article 1), shall install underground utilities. Underground utilities (and associated pedestals, cabinets, junction boxes and transformers) must be located in alleys, where possible. To reduce the visual impact of overhead wiring, utility services must be located underground.

6.4.2 Mechanical And Utility Equipment

- (A) All equipment shall be located to the side or rear of the principal structure or on rooftops, and shall not be visible from any public open space or sidewalk area.
- (B) When located on the ground, equipment must be located in the rear or side yard and screened. Screens using vertically-enclosed opaque walls shall be made of materials which are compatible with the exterior of the building.
- (C) When located on rooftops, all rooftop equipment shall be incorporated into the design of the building and screened with materials similar to the building. Setbacks from the edge of the roof or a screen higher than the equipment may be used.
- (D) If the equipment is not visible off-site from a public right-of-way, then it need not be screened.

6.4.3 Loading Docks

Loading docks and service areas shall be permitted on frontages only by Conditional Use Permit. Loading docks shall be entirely screened from view of any public way, public open space or sidewalk area, using a screen meeting the requirements of **6.3.2 - Streetscreens**.

ARTICLE 7: USE STANDARDS

7.1 Table of Permitted Uses

The following table identifies the permitted and conditional uses within FX-M & FX-H Zone Districts. The classifications below are intentionally broad in their scope and should be construed as such in making a determination of similar use or function. Items not listed shall be deemed to be not permitted, unless the Director of Planning & Development determines that the proposed use or function is materially similar to one shown in the table.

FORM-BASED CODE (FX-M / FX-H) - TABLE OF PERMITTED USES

Use/Activity	FX-M	FX-H	Use/Activity	FX-M	FX-H
Residential			Public assembly		
Dwelling, single-family detached	-	-	Performance arts facility	P	P
Dwelling, two family (duplex)	-	-	Movie theater	P	P
Multifamily dwelling (condo, townhome, apartment)	P	P	Cultural facility (library, museum, zoo, others)	P	P
Group living home (6 or fewer residents / live-in care)	-	-	Amusement, sports, or recreation establishment	P	P
Community residential home (7 to 14 residents)	P	P	Fitness, recreational sports, gym, or athletic club	P	P
Assisted living facility	P	P	Exhibition, convention, or conference structure	P	P
Congregate care facility	P	P	Churches, temples, synagogues, mosques, and other religious facilities	P	P
Transient Use			Active open space/athletic fields/golf courses	-	-
Bed-and-breakfast inn	P	-	Institutional or community facilities		
Hotel, motel, condo-hotel	P	P	Hospital	P	P
Commercial			Clinic	P	P
Shop, store or bank building	P	P	Municipal service building (fire, law enforcement, city hall, other)	P	P
Shop, store or bank building with drive-through facility	P	P	School, public or private > 300 students	P	P
Convenience store w/o gas	P	P	School, public or private < 300 students	P	P
Beer, wine, and liquor store (off-premises consumption of alcohol)	P	P	Day care center	P	P
Bars, taverns, and nightclubs	P	P	Social services	P	P
Craft /micro brewery, winery or distillery	P	P	Emergency and relief services	P	P
Restaurant	P	P	Animal hospitals	P	P
Department store building	C	P	Cemetery, monument, tombstone, or mausoleum	-	-
Grocery store	P	P	Funeral homes	P	P
Warehouse discount store / superstore / home improvement store	C	P	Cremation facilities	-	-
Gasoline station with or without convenience store	P	P	Post offices	P	P
Automobile repair and service structures (enclosed)	P	P	Fraternal organizations	P	P
Motor vehicle dealer	C	P	Transportation-related facilities		
Motor vehicle rental and leasing	C	P	Surface parking	P	P
Parts, accessories or tires	P	P	Parking structure	P	P
Car wash	P	P	Transit station	P	P
Boat or marine craft dealer	P	P	Bus or truck maintenance facility	-	-
Office Building	P	P	Truck and freight transportation services	P	-
Service industry / maintenance contractor	P	P	Taxi and limousine service	-	P
Dry cleaning facilities (hazardous chemicals on site)	-	-	Towing and other road services	-	-
Industrial			Courier and messenger services	P	P
Cottage industry	P	P	Communication towers	C	C
Light / clean manufacturing	P	P	Food trucks, roadside stands, pushcarts, kiosk, etc.	C	C
Target employment industry (see definition)	P	P			
Heavy manufacturing facilities	-	-	Agriculture, forestry, fishing, and hunting		
Industrial parks	-	-	Urban greenhouses/nurseries	P	P
Laboratory facility	P	P	Commercial nursery	-	-
Recycling business	-	-	Kennels and other canine-related facilities	P	P
Warehouse or storage facility	-	-	Marina Facilities		
Wholesale trade	-	-	Transient Use	-	-
			Commercial Use	-	-

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

"C" means Conditional Use

7.2 Additional Use Standards

7.2.1 Automotive Uses & Functions

- (A) Drive-through / drive-in facility
 - (1) Drive-thru facilities shall be located in the 3rd layer only.
 - (2) Access to the drive-thru service should be from mid-block or the alley to avoid disrupting pedestrian traffic.
- (B) Gas/fueling station
 - (1) All canopies/pumps must be located in the 3rd layer only, be located at least fifty (50) feet from any interior side or rear property line that adjoins residentially-developed property, and shall be buffered from adjoining residential uses with a street screen.
 - (2) A principal building is required and shall be a minimum of one thousand five hundred (1,500) square feet.
- (C) Parking Lot / Structure - Principal Use
 - (1) Parking Garage Design Standards
 - (a) Parking garages located on arterial or collector roads shall be wrapped by ground floor retail, office or some other active use along all street-facing façades. All levels of a structured parking facility must be designed and screened in such a way as to minimize visibility of parked cars.
 - (b) Parking garage facades that support principal buildings shall be given vertical articulation and emphasis. The façade should be designed to visually screen cars. In no instance will rails or cabling alone be sufficient to meet this screening requirement.
- (D) Vehicle rental/leasing/sales
 - (1) Areas for vehicle displays shall be limited to the 2nd and 3rd layers only. For principal buildings located at the corner of arterial or collector roads may select one first layer adjacent to the building to display vehicles for sale or lease .
- (E) Vehicle services - minor maintenance/repair
 - (1) Repair and maintenance – general
 - (a) No vehicle may be parked or stored for the purpose of sale or rent, or as a source of parts.
 - (b) All repairs and storage must be contained within an enclosed building. Temporary vehicle storage may be allowed in an outdoor storage area in the 2nd and 3rd layer only, shall be no larger than twenty-five (25) percent of the total lot area and must be screened from offsite views by a solid, decorative fence or masonry wall of six (6) to eight (8) feet in height. The height of materials and equipment stored must not exceed the height of the screening fence or wall.
 - (2) Car wash or auto detailing
 - (a) An automatic car wash shall be considered an accessory use to an automotive service station use and shall be located in the 2nd or 3rd layer only.

ARTICLE 8: SIGNAGE - SEE CHAPTER 105 - SECTION 24.

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS ____ day of _____, 2014.

Dave Eggers
Mayor

ATTEST:

Denise M. Schlegel
City Clerk

READ FIRST TIME AND PASSED: _____

READ SECOND TIME AND ADOPTED: _____