



STAFF REPORT

Regular City Commission Meeting

April 25, 2024

To: Elected Officials

From: Dale L. Martin, City Manager

Date: April 25, 2024

Item Name: 7b Select a Date for a Joint Workshop with the Planning and Architectural Review Board to Discuss Building Height Restrictions and Exceptions

Background: On November 9, 2023, the City Commission implemented a six-month moratorium on three story structures in order to review the language within the City Charter and the Land Development Regulations, which currently reads:

City Charter, Sec. 6.01

(portion) Buildings within the City of Flagler Beach shall be limited to a maximum height of thirty-five (35) feet as described within the Land Development Regulations.

Land Development Regulations, Sec. 2.05.06. - Height regulations

Section 2.05.06.1 Building height.

Roof height shall not exceed thirty-five (35) feet above the finished grade as described herein.

Section 2.05.06.2 Building height measurement.

Measured as the vertical distance from the finished grade at the center of the front of the building to:

1. The highest point of the roof surface for a flat roof.
2. To the deck line of a mansard roof.
3. To the mean height level between eaves and ridge for gable, hip and gambrel roofs.

Finished grade, for the purpose of measuring building height, is hereby defined as the greater of:

- (a) The average natural grade along the front of the building.
- (b) The minimum required finished floor elevation, if in a flood zone; or
- (c) The highest allowable grade, defined as the average grade of adjacent developed lots or the minimum grade necessary to provide positive drainage.

Section 2.05.06.3 Maximum number of stories.

No building shall be permitted to have more than three (3) stories. See Section 6.02.04 for height restrictions in Palma Vista and Venice Park Subdivisions.

Section 2.05.06.4 General application.

No building or structure shall have an aggregate height of a greater number of feet, than is permitted in the district in which such building or structure is located except as noted in Section 2.05.06.5.

Section 2.05.06.5 Permitted exception to height regulations.

With the exception of residential uses, chimneys, cooling towers, elevators, bulkheads, fire towers, gas tanks, steeples, water towers, ornamental towers or spires, communications, radio or television towers or necessary mechanical appurtenances, may be erected as to their height in accordance with existing or hereafter adopted ordinances of the city, provided no tower other than a church spire, tower of public building or commercial communications tower shall exceed the height regulations by more than forty (40) percent.

No tower shall be used as a place of habitation or for tenant purposes.

No sign, nameplate, display or advertising device of any kind whatsoever shall be inscribed upon or attached to any chimney, tower, tank or other structure which extends above the height limitations, except for city-owned structures.

Section 2.05.06.6 Verification of building height.

Building height verification, if required, shall be provided prior to roof framing inspection.

The Planning and Architectural Review Board, on April 2, 2024, recommended that the current moratorium be extended (for consideration as proposed Ordinance 2024-07) and that a joint workshop of the City Commission and the Planning and Architectural Review Board be conducted to discuss and hear public comment regarding the City's build height restrictions and exceptions.

Fiscal Impact: None

Staff Recommendation: None.

Attachments: None