

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING APPENDIX A, LAND DEVELOPMENT REGULATIONS, ARTICLE II, ZONING, SECTION 2.05.06, "HEIGHT REGULATIONS," OF THE CODE OF ORDINANCES; AMENDING THE METHOD OF DETERMINING ROOF HEIGHT FOR CERTAIN RESIDENTIAL ROOF-TYPES, INCLUDING GABLE, HIP, AND GAMBREL ROOFS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in 2024, the City amended the height regulations related to commercial buildings to provide greater clarity and improve enforcement; and

WHEREAS, the City now finds it necessary to amend the method of calculation of roof height for certain residential roof types; and

WHEREAS, specifically, the Land Development Regulations provide for the height of gable, hip, and gambrel roofs to be calculated based on the mean between the eaves and ridge; and

WHEREAS, in order to avoid manipulation of the mean in such calculations, the City Commission finds it appropriate to include a maximum total height regardless to apply in addition to the mean height.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA THAT:

SECTION ONE. Amendment of Code. Section 2.05.06, "Height Regulations," of the Code of Ordinances is Amended as follows (Note: underline text indicates additions, ~~strikethrough~~ text indicates deletions).

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.

For purposes of this section, building height is defined as the vertical distance of a building measured 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.

- 43 3. To the mean height level between eaves and ridge for gable, hip and gambrel
44 roofs; provided, however, that the highest point of the roof shall not exceed 42
45 feet.

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

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

52 * * *

53 **SECTION TWO. Ordinances in Conflict.** All ordinances or parts thereof, which may be
54 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to
55 the extent of such conflict.

56 **SECTION THREE. Severability.** If any section, sentence, phrase, word or portion of this
57 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not
58 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
59 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
60 unconstitutional.

61 **SECTION FOUR. Codification.** It is the intent of the City Commission of the City of Flagler
62 Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and
63 liberal authority in codifying the provisions of this Ordinance.

64 **SECTION FIVE. Effective Date.** This Ordinance shall become effective immediately upon its
65 passage and adoption.

66 PASSED ON FIRST READING THIS ____ DAY OF _____ 2025.

68 PASSED AND ADOPTED THIS ____ DAY OF _____, 2025.

70 CITY OF FLAGLER BEACH, FLORIDA
71 CITY COMMISSION

73 _____
74 Pattie King, Mayor

75 ATTEST:

77 _____
78 Penny Overstreet, City Clerk