

## **ORDINANCE 24-09**

**AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, AMENDING SECTIONS 103-14.7.2, REGISTRATION REQUIRED, 103-14.7.4, APPLICATION FOR REGISTRATION, 103-14.7.5, VACATION RENTAL STANDARDS, 103-14.7.7, RESPONSIBLE PARTY REQUIRED, OF CHAPTER 103, ZONING, AND APPENDIX C, DEVELOPMENT CHARGES AND IMPACT FEES, OF THE CITY OF DUNEDIN LAND DEVELOPMENT CODE TO PROVIDE FOR SHORT-TERM RENTAL REGISTRATION AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Article VII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provides municipalities with the authority to exercise any power for municipal purposes except where prohibited by law, and to adopt ordinances in furtherance thereof; and

**WHEREAS**, Section 509:032(7), Florida Statutes provides that a local law, ordinance, or regulation may not prohibit Vacation Rentals, or regulate the duration or frequency of Vacation Rentals. However, this preemption does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011; and

**WHEREAS**, the City had adopted regulations applicable to Vacation Rentals prior to June 1, 2011, which are still in effect, and, in 2019, adopted Ordinance No. 19-13 implementing registration requirements to further regulate Vacation Rentals without prohibiting them, regulating their duration, or regulating their frequency; and

**WHEREAS**, City staff reviewed City of Dunedin Land Development Code Section 103-14, Transient Uses Within Certain Zoning Districts, and has recommended amendments to the registration provisions for Vacation Rentals; and

**WHEREAS**, City staff reviewed Appendix C, Development Charges and Impact Fees, and has recommended amendments for consistency with the recommended changes to section 103-14; and

**WHEREAS**, this ordinance revises the land development regulations and therefore, pursuant to s. 166.041(4)(c), Fla. Stat., this ordinance is exempt from the business impact estimate requirement of s. 166.041(4)(a), Fla. Stat.;

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

**WHEREAS**, the City Commission finds that enacting this Ordinance is consistent with its Comprehensive Plan; and

**WHEREAS**, the City Commission finds that enacting this Ordinance is consistent with its police powers and will protect the public health, safety, and welfare of the residents of the City.

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

**Section 1.** The above recitals are true, correct, and incorporated herein by reference as the findings of the City.

**Section 2.** Section 103-14.7.2, Registration Required, of Chapter 103, Zoning, of the City of Dunedin Land Development Code shall be amended to read as follows.

**103-14.7.2 - Registration Required**

It is unlawful for any person to allow another person to occupy any residential property as a Vacation Rental within the City of Dunedin, or offer such rental services within the City of Dunedin, unless the person has registered the Vacation Rental ~~property~~ dwelling unit(s) with the City of Dunedin and the Vacation Rental ~~property~~ dwelling unit(s) ~~have~~ has been issued a Certificate of Compliance in accordance with the provisions of this Section. Each approved Vacation Rental dwelling unit will be assigned a unique registration number that must be listed as part of any advertisement for the rental of the approved Vacation Rental dwelling unit.

**Section 3.** Section 103-14.7.4, Application for Registration, of Chapter 103, Zoning, of the City of Dunedin Land Development Code shall be amended to read as follows.

**103-14.7.4 - Application for Registration**

Application for registration of a Vacation Rental dwelling unit shall be made to the ~~Planning and Community Development Department~~ and shall set forth at a minimum:

- (A) The address of the property.
- (B) The zoning district of the property.
- (C) Name, address and phone number of the property owner.

- (D) Name, address and emergency contact phone number of Responsible Party for the property, which shall be a 24 hour, seven days a week contact number.
- (E) That the phone number for Responsible Party will be answered 24 hours a day, seven days a week by the responsible party.
- (F) Owner acknowledgement of Section 103-14.7.5, Vacation Rental Standards.
- (G) Proof of Registration with the Florida Department of Revenue for sales tax collection and Pinellas County Tourist Development Tax.
- (H) Proof of Licensure with the Florida Department of Business and Professional Regulation for a Vacation Rental.
- (I) Business Tax Receipt from City of Dunedin.
- (J) Proof of General Liability insurance.
- (K) Proof of Passing an initial Business Tax Receipt fire inspection.
- (L) The owner's sworn acknowledgement that he or she has received a copy of this section, has reviewed it and understands its requirements; and

Submission of an incomplete registration application form shall result in rejection of the application.

**Section 4.** Section 103-14.7.5, Vacation Rental Standards, of Chapter 103, Zoning, of the City of Dunedin Land Development Code shall be amended to read as follows.

**103-14.7.5 - Vacation Rental Standards**

- (A) ~~Vacation Rental dwelling units may NOT be rented or occupied by a convicted sexual offender or sexual predator.~~
- (AB) There shall be one off street parking space for each bedroom. Recreational vehicles and accessory trailers shall not be permitted in driveways or other designated parking areas. No recreational vehicles or any other motor vehicle may be used for sleeping. On street parking shall not be permitted.
- (BG) That all vehicles associated with the Vacation Rental must be parked in compliance with the Code of Ordinances of the City of Dunedin.
- (CD) That it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in Section 107-41, Noise.

(~~D~~E) That the owner shall comply with all applicable city, county, state and federal laws, rules, regulations, ordinances and statutes.

(~~E~~F) That no solid waste container shall be located at the curb for pickup before 6:00 p.m. the day prior to pick up, and solid waste container shall be removed before midnight of the day of pickup.

(~~F~~G) That, whoever, without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance or a property, or, having been authorized, licensed, or invited, is warned by the owner or lessee, to depart the property and refuses to do so, commits the offense of trespass in a structure or conveyance.

**Section 5.** Section 103-14.7.7, Responsible Party Required, of Chapter 103, Zoning, of the City of Dunedin Land Development Code shall be amended to read as follows.

**103-14.7.7 - Responsible Party Required**

Whenever any ~~property~~ Vacation Rental dwelling unit is required to be registered under this Section, the owner shall appoint a natural person who resides within 25 miles of the Vacation Rental property to serve as the Responsible Party for service of notices, are specified herein and notices given to the Responsible Party shall be sufficient to satisfy any requirement of notice to the owner. An initial Responsible Party shall be designated and name submitted with the application for registration and the City Clerk or his or her designee shall thereafter be notified of any change of Responsible party within 15 days of such change. Further, it is the affirmative duty of the Responsible party to:

- (A) Maintain all properties under their control in compliance with the occupancy limits, as specified in the Florida Building Code and the Code of Ordinances of the City of Dunedin, Florida as determined by the building official or his designee;
- (B) See that the provisions of this Section are complied with and promptly address any violations of this Section or any violations of law which may come to the attention of the Responsible Party;
- (C) Be situated close enough to the property as to be able to, and shall, respond to emergency calls within two hours of notification; and

- (D) Maintain the entire property free of garbage and litter, provided however, that this subsection shall not prohibit the storage of garbage and litter in authorized receptacles for collection.

**Section 6.** Appendix C, Development Charges and Impact Fees, of the City of Dunedin Land Development Code shall be amended to read as follows:

**Appendix C DEVELOPMENT CHARGES AND IMPACT FEES**

**DEVELOPMENT CHARGES AND IMPACT FEES**

<b>BUILDING PERMIT FEES</b>		
<b>Building permit fees shall be assessed as follows:</b>		
Where the construction valuation does not exceed \$500, no permit shall be required unless an inspection is required, in which case a fee of \$70 shall be charged. This exemption does not apply when construction, repair, remodeling, or improvement is a part of a larger or major operation whether undertaken by the same or different contractors or in which a division of the operation is made in contracts of amounts less than \$500 for the purpose evading this part or otherwise.		
Building Permit Fee: The building permit fee shall be 0.80 percent of the construction valuation, minimum of \$60.00.		
Building Plan Review Fee: The building plan review fee shall be 25 percent of the building permit fee.		
Construction valuation shall include total value of work, including materials and labor, for which the permit is being sought, such as building, electrical, gas, mechanical, plumbing equipment and permanent systems. Combination permits may include building, electrical, gas, mechanical and plumbing work.		
Construction valuation shall be estimated as set forth in the most current Building Valuation Data as published by the International Code Council, Inc. or an actual signed contract for the construction valuation may be used to determine the applicable fees. Construction valuation shall be calculated on the gross area of the building for new construction and the work areas for additions, alterations, rehabilitations, remodeling and renovations. For residential uses, unconditioned, open and covered areas will be calculated as Utility Occupancy. All permit fees for alterations, rehabilitations, remodeling and renovations shall be calculated the same as new construction, based on the work area. Construction valuation is subject to review and approval by the building official.		
<b>MISCELLANEOUS BUILDING PERMIT FEES</b>		
Fence	\$50.00	Each
Moving or Relocation of Building	\$75.00	Per building
Tent	\$30.00	Each
<b>ELECTRICAL PERMIT FEES</b>		
<b>Miscellaneous Work:</b>		
Base Fee	\$70.00	Each



Plus \$5.00 per each \$1,000.00 or fraction of the cost thereof for the electrical work		
<b>GAS PERMIT FEES</b>		
<b>Miscellaneous Work</b>		
Base Fee	\$70.00	Each
Plus \$5.00 per each \$1,000.00 or fraction of the cost thereof for the gas work		
<b>MECHANICAL PERMIT FEES</b>		
<b>Miscellaneous Work</b>		
Base Fee	\$70.00	Each
Plus \$5.00 per each \$1,000.00 or fraction of the cost thereof for the mechanical work		
<b>PLUMBING PERMIT FEES</b>		
<b>Miscellaneous Work</b>		
Base Fee	\$70.00	Each
Plus \$5.00 per each \$1,000.00 or fraction of the cost thereof for the plumbing work		
<b>MISCELLANEOUS FEES</b>		
Change of Contractor/Subcontractor	\$20.00	Per trade
Partial or Special Inspection	\$75.00	Each
Change Order, Commercial	\$75.00	Each
Change Order, Residential	\$40.00	Each
Reinstate Expired Permit, Commercial	\$100.00	Each
Reinstate Expired Permit, Residential	\$50.00	Each
Re-Inspection	\$75.00	Each
House/Building Moving	\$100.00	Each
Stop Work Order Release	\$150.00	Each
<b>DEVELOPMENT FEES</b>		
<b>Land Use/Zoning</b>		
Rezoning	\$1,500.00	
Land Use Plan Amendment	\$1,500.00	
Rezoning & Land Use Plan Amendment	\$2,000.00	
<b>Development Review</b>		
Design Review	\$2,000.00	
Development Agreement	\$5,000.00	
Subdivision Plat Review	\$600.00	Plus Conformity Review Fee
<b>Other Land Use Fees</b>		
Parkland Impact Fee	See Section 104-26.7 LDC	
Vacation of Land	\$1,500.00	
Conditional Use	\$1,500.00	
Conditional Use - Outdoor Dining/Food Truck	\$500.00	
Variance	\$1,500.00	

Appeal	\$1,500.00	
Appeal/Variance to BBAA	\$250.00	
Minor Change to Site Plan	\$1,200.00	
Zoning Verification	\$100.00	
Address Change	\$275.00	
Miscellaneous Actions	\$500.00	
<b>Miscellaneous Fees</b>		
Alcoholic Beverage License Review	\$100.00	
Temporary Alcoholic Beverage Permit Review	\$50.00	
Tree Permit*	\$25.00	
Parking Bank*	\$8,000.00	Per Space
Short Term Vacation Rental Annual Registration	\$200.00	<u>Per Dwelling Unit</u>
<b>IMPACT FEES</b>		
<b>Fire Department Development Fee</b>		
Residential	\$270.00	Per Dwelling Unit
Nonresidential	\$285.00	Per 3,000 SF
<b>Law Enforcement Development Fee</b>		
Residential	\$94.73	Per Dwelling Unit
Nonresidential	\$0.08	Per SF
<b>Water Development Fee</b>		
Residential	\$2,159.00	Per Dwelling Unit
Nonresidential	\$2,159.00	Residential Equivalent
<b>Sewer Development Fee</b>		
Residential	\$1,834.00	Per Dwelling Unit
Nonresidential	\$1,834.00	Residential Equivalent
The sewer and water development fee established shall increase or decrease annually on October 1 as determined by the percentage by which the Construction Cost Index published by Engineering News-Record (commonly referred to as the ENR-CCI) has increased or decreased. (Sec. 78-423)		
<b>FIRE DEPARTMENT FEES</b>		
<b>Fire Protection Fees</b>		
<i>Plan Review Fees</i>		
Structural Development	\$0.07	Per SF
Structural Remodel	\$0.07	Per SF
<i>Fire Prevention Fees</i>		
Preliminary Site Plans	\$53.00	
Minimum construction/renovation	\$53.00	
<i>Fire Protection Systems</i>		



NFPA 13, 13R, 13D Systems	\$53.00	+\$1.00 per Head
Fire Pumps	\$265.00	Revi Insp. Acceptance Test
Foam Systems	\$53.00	Per Nozzle +\$1.00 Per Sprinkler Head
Gas/Chemical Fixed Systems	\$53.00	
Fire Alarm System Heat/Smoke Detection System	\$53.00	Per Panel +\$1.00 Initiating Device
Voice Alarm	\$160.00	
Fire Command Station/Communication System	\$53.00	+Cost of Other Installed Systems
Pre-engineered Fire Suppression System or Hood System.	\$53.00	
Certificate of Occupancy Inspection	\$53.00	
Change of Occupancy Inspection	\$53.00	
Renovation Inspection	\$53.00	
Flammable/Combination Liquid Storage	\$53.00	
Tanks/Container Areas	\$53.00	
Tank Removal/Install	\$53.00	
LP Storage Cylinders	\$53.00	
Hotwork	\$53.00	
Fireworks Display	\$160.00	
Tent Permits and Inspection	\$53.00	
ALF's	\$53.00	Per Floor
Nursing Homes	\$53.00	Per Floor
<i>Other Services &amp; Miscellaneous Inspections</i>		
Hospitals	\$53.00	Per Floor
Group Homes	\$53.00	
Foster Homes	\$53.00	
Disaster Plan Reviews	\$53.00	
Daycare	\$53.00	
Business Tax License Inspection	\$53.00	
Red Tag Fee	\$53.00	
<b>ENGINEERING FEES</b>		
<b>Site/Infrastructure Review</b>		
<i>Small Commercial Development/Redevelopment</i>		
1 Business, Existing Utilities, 1 Utility Meter		
First Submittal	\$325.00	
Second Submittal	No Charge	
Each Subsequent Submittal	\$325.00	



<i>Total Project/Property Site less than 10 Acres</i>	
Commercial, Multi-Family, Mixed Use	
First Submittal	\$875.00
Second Submittal	No Charge
Each Subsequent Submittal	\$325.00
<i>Total Project/Property Site 10 Acres or greater</i>	
Commercial, Multi-Family, Mixed Use	
First Submittal	\$1,200.00
Second Submittal	No Charge
Each Subsequent Submittal	\$325.00
<i>Site/Infrastructure Project Closeout</i>	
Includes, but not limited to: As-Built/Record Drawing Review, Misc. Document Review and Processing, Cost Estimate, Bill of Sale, Covenants/Agreements, Performance/Maintenance Guarantees, Agency Final Clearance Permits, Easements, Punch List Preparation, Required Site/Infrastructure Inspections.	
<i>Small Commercial Development/Redevelopment</i>	
1 Business, Existing Utilities, 1 Utility Meter	
First Review	\$175.00
Second Review	No Charge
Each Subsequent Review	\$80.00
<i>Total Project/Property Site less than 10 Acres</i>	
Commercial, Multi-Family, Mixed Use	
First Review	\$325.00
Second Review	No Charge
Each Subsequent Submittal	\$150.00
<i>Total Project/Property Site 10 acres or greater</i>	
Commercial, Multi-Family, Mixed Use	
First Review	\$500.00
Second Review	No Charge
Each Subsequent Review	\$225.00
Right-of-Way Use Permit (Not to be confused with ROW Use Agreement)	
Single Family Residence - Single Unit (Includes ROW permit review and inspection fee)	\$50.00
Commercial/Multi-Family/Mixed Use -Independent of Site/Infrastructure Process (Includes ROW permit review and inspection fee)	
First Review	\$250.00
Second Review	No Charge
Each Subsequent Review	\$125.00
Site/Infrastructure Projects-Required with all submittals (Includes ROW permit review and inspection fee)	\$250.00
Miscellaneous Engineering Review and Inspection Fees (Independent of ROW Use Permits and/or the Site/Infrastructure Process	

May include, but not limited to: fences, slabs, retaining/seawalls, planters, fuel tanks, pools, decks, docks, wells, sheds, sinkholes, lot grading, communication antennas, screened porch enclosures, construction trailers, generators, etc.	
Small Commercial/Multi-Family/Mixed Use (not full site/infrastructure)	\$100.00
Single Family Residence	\$50.00
<b>MULTIMODAL IMPACT FEES (Per Section 150-40 of the Pinellas County Code)</b>	
Non-CRA	Schedule A General Fee Schedule is hereby adopted by reference as if set out at length in this Section.
CRA	Schedule B Downtown Redevelopment Fee Schedule is hereby adopted by reference as if set out at length in this Section.


**Section 4.** This Ordinance shall be codified and made part of the Land Development Code, City of Dunedin and all existing sections numbers of said Code, together with any cross-references thereto, may be renumbered to accomplish such codification.

**Section 5.** Each provision of this Ordinance shall be deemed separate and severable and if any section or part thereof is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

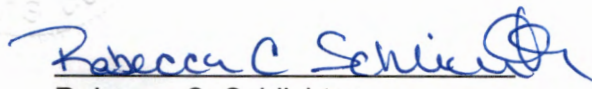
**Section 6.** That all ordinances or parts thereof inconsistent herewith are repealed and superseded.

**Section 7.** This Ordinance shall become effective upon final passage and adoption.

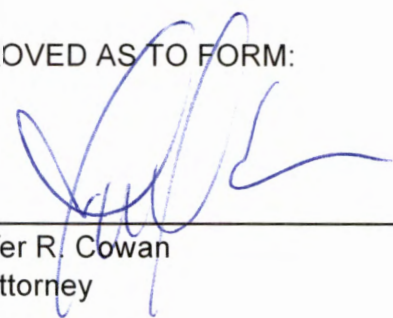
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN,  
FLORIDA, THIS 6th DAY OF June, 2024.

  
Julie Ward Bujalski  
Mayor

ATTEST:

  
Rebecca C. Schlichter  
City Clerk

APPROVED AS TO FORM:

  
Jennifer R. Cowan  
City Attorney

READ FIRST TIME AND PASSED: May 2, 2024

READ SECOND TIME AND PASSED: June 6, 2024