

## ORDINANCE NO. 2018-07

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA; AMENDING CHAPTER 28 ZONING, SEC. 28-2 DEFINITIONS “HEIGHT, BUILDING”, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that the definition of “*Height, building*”, found in **Chapter 28 Zoning, Sec. 28-2 Definitions**, should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:**

Section 1. The following amendment to the City of St. Augustine Municipal Code of Ordinances, Chapter 28 Zoning, Sec. 28-2 Definitions “*Height, building*” is hereby amended as more fully described.

“*Height, building*, means the vertical distance measured from the mandatory freeboard requirement of one (1) foot above the base flood elevation as determined by the Federal Emergency Management Agency to the top of the highest point of the roof or parapet, exclusive of chimneys or other building accessories or ornamental features, for buildings constructed within known flood zones and delineated on the Federal Emergency Management Agency Flood Insurance Rate Map; provided however, that in instances of buildings outside of such known flood zones, vertical distance shall be measured from the average contact ground level at the front wall of the building.”

Section 2. The City Planning and Building Director is hereby authorized and directed to change the City of St. Augustine Municipal Code of Ordinances, Chapter 28 Zoning, Sec. 28-2 Definitions "*Height, building*" for the City of St. Augustine, Florida.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective ten (10) days after adoption.

**PASSED** by the City Commission of the City of St. Augustine, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Nancy Shaver, Mayor-Commissioner

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Darlene Galambos, City Clerk

(SEAL)