

Opposition to Granting the City Manager Authority to Initiate Historic Districts

As a resident of Dunedin, I am submitting these comments for the official record regarding Ordinance 25-02. My concern is focused on the provision granting the City Manager the authority to initiate historic district applications. I respectfully urge the Commission to remove City Manager initiation authority and instead preserve a process rooted in citizen consent and transparency.

This ordinance was sold as a “fail safe” against corporate takeover. In reality, it freezes families, accelerates gentrification, and creates new costs and risks for the City — all while leaving developers largely untouched.

The Commission should follow the Local Planning Agency’s 5–1 recommendation and remove City Manager initiation authority from Ordinance 25-02.

1. Corporate Buy-Ups

- The stated purpose of this ordinance is to protect against corporate buy-ups. But this “fail safe” does not accomplish that.
- Developers with deep pockets can outwait a freeze, hire lawyers, and proceed with higher-value projects once the temporary halt ends.
- Ordinary residents — not corporations — are the ones paralyzed, losing the right to repair, remodel, or rebuild.
- The “fail safe” shifts leverage to developers while handcuffing homeowners.

2. Trust in One Manager Is Not Trust in the System

- Commissioners admitted they don’t believe the current City Manager would ever use this authority. If that’s true, why keep it?
- The real risk is future misuse. A different City Manager or Commission could weaponize this vague clause against residents.
- Trust in a single individual today is not a safeguard — only clear limits in law are.

3. Homeowner Rights

- Even Commissioners admitted they *wouldn’t want someone telling me what I can do with my home*.
Yet this ordinance does exactly that, by allowing initiation without resident consent.
- Other cities (e.g., Jacksonville, Ordinance §307.105 Subsection M) preserve a citizen vote even after an application is filed. Dunedin’s ordinance strips that safeguard away.

- Read it for yourself here go to section M:
https://library.municode.com/fl/jacksonville/codes/code_of_ordinances?nodeId=TI_TVICOHIPR_CH307HIPRPR_PT1GEPR_S307.105DEPRAPREHIDI
- Jacksonville's ordinance keeps citizens in the process by guaranteeing a vote even after initiation. Dunedin's ordinance removes that safeguard, shutting residents out after the City Manager acts.

4. Process & Impact on Residents

- Once an application is filed, all permits stop — not just for “contributing” homes, but for every home inside the boundary.
- Timeline:
 - Day 5 – Notices mailed to property owners
 - Day 60+ – Historic Preservation Committee hearing (cannot occur earlier)
 - Day 90–120 – Commission hearings
 - Day 150–180 – Final designation by ordinance
- That means 5–6 months where families cannot fix roofs, storm damage, or move forward with projects.
- The optics of freezing ordinary homeowners are indefensible.

5. Undefined & Vague Standards

- The ordinance has no minimum threshold for district size. Just 1–2 homes could trigger an entire district.
- The legal phrase “irreparable harm” has no precedent. Even the consultant could not define it.
- Adopting undefined triggers invites arbitrary enforcement and legal challenge.

6. Not a Tool to Stop Gentrification

- Some argued this ordinance could slow gentrification. In fact, it accelerates it.
- Developers with capital can weather delays; residents cannot.
- Families forced to sell under pressure are the first to be replaced by corporate buyers.
- Zoning overlays, affordable housing policies, and voluntary designation are the real tools to fight gentrification — not this ordinance.

7. Fiscal Burden

- Creating and enforcing new historic districts carries long-term costs:
 - Drafting design guidelines
 - Expanded staff to administer reviews
 - Legal defense against property rights lawsuits

- Have these costs been calculated and shared? Residents deserve fiscal transparency before new liabilities are created.