

ORDINANCE NO. 9635-22

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE BY PROVIDING **INSERT INFO**; CERTIFYING CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

INSERT WHEREAS CLAUSES & CONFIRM ANY CHANGES TO STANDARD LANGUAGE BELOW

WHEREAS, the City of Clearwater adopted the Community Development Code on January 21, 1999, which took effect on March 8, 1999; and

WHEREAS, at a duly noticed public meeting the Clearwater Community Development Board, pursuant to its responsibilities as the Local Planning Agency, has reviewed this amendment, conducted a public hearing, considered all public testimony and has determined that this amendment is consistent with the City of Clearwater's Comprehensive Plan and recommended that the City Council adopt this amendment; and

WHEREAS, the City Council has fully considered the recommendation of the Community Development Board and testimony and evidence submitted at its public hearing; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

- ❖ Need to review remainder of code sections to ensure that if an amendment results in a Table/Figure being renumbered, any other references are amended. (Downtown, US 19)
- ❖ Need to format to remove sections that are not being amended; currently full text included in some locations to provide context.
- ❖ Other Misc. formatting for final version.
- ❖ Note: There are sections that are proposed to be amended but are not yet incorporated for review. Most have placeholders where the amendments are anticipated; however, amendments to prohibit metal buildings being used as residential may be incorporated into this Ordinance.

Section X. That Article 2. Zoning Districts, Section 2-100. Permitted Uses, Community Development Code, be amended to read as follows:

CHART 2-100 PERMITTED USES																	
Use Categories	LDR	LMDR	MDR	MHDR	HDR	MHP	C	T	D	O	US 19	I	IRT	OSR	P	CRNCOD	IENCOD

Nonresidential																	

Community gardens	X	X	X	X	X		X		X		X	X		X			

Section X. That Article 2. Zoning Districts, Division 7. Commercial District ("C"), Section 2-702. Minimum Standard Development, Community Development Code, be amended to read as follows:

Section 2-702. - Minimum standard development.

The following uses are Level One permitted uses in the "C" District subject to the minimum standards set out in this section and other applicable provisions of Article 3.

Table 2-702. "C" District Minimum Development Standards							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Min. Off-Street Parking Spaces
				Front	Side	Rear	
Community Gardens ⁽⁴⁾	n/a	n/a	n/a	15	5	5	n/a
Funeral Homes	10,000	100	25	25	10	20	0.25 per seat
Governmental Uses ⁽¹⁾	10,000	100	25	25	10	20	4/1,000 SF GFA
Indoor Recreation/ Entertainment	10,000	100	25	25	10	20	5/1000 SF GFA or 5/lane, 2/court or 1/machine
Medical Clinic ⁽¹⁾	10,000	100	25	25	10	20	5/1,000 GFA
Mixed Use	10,000	100	25	25	10	20	Based upon specific use requirements
Offices	10,000	100	25	25	10	20	3/1,000 SF GFA
Overnight Accommodations	40,000	200	25	25	10	20	1/unit

Parks and Recreational Facilities	n/a	n/a	25	25	10	20	1 per 20,000 SF land area or as determined by the community development coordinator based on ITE Manual standards
Places of Worship	40,000	200	25	25	10	20	1 per 2 seats
Restaurants	10,000	100	25	25	10	20	12/1,000 SF GFA
Retail Plazas ^{(2), (3)}	15,000	100	25	25	10	20	4/1,000 SF GFA
Retail Sales and Services ⁽³⁾	10,000	100	25	25	10	20	5/1,000 SF GFA
Social and Community Centers	10,000	100	25	25	10	20	5/1,000 SF GFA
Telecommunications Towers	10,000	100	Refer to Section 3-2001	25	10	20	n/a
Vehicle Sales/Display	40,000	200	25	25	10	20	2.5/1,000 SF Lot Sales Area
Veterinary Offices	10,000	100	25	25	10	20	4 spaces per 1,000 GFA

- (1) Governmental uses and medical clinics shall not exceed five acres. Any such use, alone or when added to contiguous like uses which exceed five acres shall require a land use plan map amendment to Institutional which shall include such uses and all contiguous like uses.
- (2) Restaurants within the retail plaza may occupy up to 25 percent of the total gross floor area of the retail plaza. Any restaurant, or fraction thereof, that exceeds 25 percent must provide off-street parking at a rate consistent with the parking requirement for the restaurant use in the district.
- (3) Medical marijuana treatment center dispensing facilities shall comply with the requirements set forth in F.S. § 381.986, as amended.
- (4) Limited on-site retail sales may be permitted as an accessory use consistent with the criteria specified in Section 3-2602.B.

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Section X. That Article 2. Zoning Districts, Division 12. Institutional District ("I"), Section 2-1202. Minimum Standard Development, Community Development Code, be amended to read as follows:

Section 2-1202. - Minimum standard development.

The following uses are Level One permitted uses in the Institutional "I" District subject to the minimum standards set out in this Section and other applicable provisions of Article 3.

Table 2-1202. "I" District Minimum Standard Development							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear		
Assisted Living Facilities	20,000	100	25	10	20	50	1 per 2 residents

Cemeteries	20,000	100	25	10	20	50	n/a
Community Gardens ⁽¹⁾	n/a	n/a	15	5	5	n/a	n/a
Congregate Care	20,000	100	25	10	20	50	1 per 2 residents
Educational Facilities	40,000	200	25	10	20	50	1 per 2 students
Funeral Homes	20,000	100	25	10	20	50	0.25 per seat
Governmental Uses	20,000	100	25	10	20	50	4 per 1,000 SF GFA
Hospitals	5 acres	250	25	25	25	50	2/bed
Medical Clinic	10,000	100	25	10	20	50	5 per 1,000 SF GFA
Museums	20,000	100	25	10	20	50	3 per 1,000 SF GFA
Nursing Homes	20,000	100	25	10	20	50	1 per 2 residents
Places of Worship	20,000	100	25	10	20	50	1 per 2 seats
Parks and Recreation Facilities	n/a	n/a	25	10	20	50	1 per 20,000 SF land area or as determined by the community development coordinator based on ITE Manual standards
Schools	40,000	200	25	10	20	50	1 per 3 students
Telecommunication Towers	10,000	100	25	10	20	Refer to Section 3-2001	n/a

(1) Limited on-site retail sales may be permitted as an accessory use consistent with the criteria specified in Section 3-2602.B.

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Section X. That Article 3. Development Standards, Division 9. General Applicability Standards, Section 3-902. Comprehensive plan densities/intensities, be amended to read as follows:

- A. Notwithstanding any provision in Article 2 of this Community Development Code, no application for development approval shall be granted for any development which exceeds the densities and intensities for that development in the comprehensive plan, except applications for development approvals that include affordable housing bonus density dwelling units may be granted pursuant to standards set forth in Section 3-920.
- B. Density averaging is permitted provided the entire area under consideration is considered as one project in which the property is located and the total dwelling unit and transient accommodation count does not exceed what is otherwise allowed for the total area under consideration.
- C. Intensity averaging is permitted provided the entire area under consideration is considered as one project in which the property is located and the total amount of impervious surfaces and floor area located on the site does not exceed what is otherwise allowed for the total area under consideration.

- D. Any project utilizing density/intensity averaging shall require written evidence of the averaging in a document to be recorded in the public records with the Clerk of the Circuit Court for Pinellas County and a record copy of same shall be filed with the city and with Pinellas Planning Council (PPC).
- E. When calculating the lot area and/or density/intensity of a property, the total of either number shall not be rounded up to the next whole number.
- F. ~~Mixed-use~~ Mixed use projects.
 - 1. A mixed use determination will allow for nonresidential and residential land use to occur on the same lot. An application for a mixed use development shall state the nonresidential Gross Floor Area (GFA) and the number of proposed residential dwelling units.
 - 2. Vertical mixed use developments located in the Downtown ("D") District may utilize the full allocation of residential density and nonresidential intensity.
 - 3. The All other applications for mixed use projects shall also provide the land area needed to support each land use based on the Future Land Use Plan classification. The combined land area needed to support the residential and nonresidential land use components shall not exceed the total existing land area.
- G. Submerged lands. The area of submerged lands cannot be used in calculating allowable density, FAR, or ISR.

Section X. That Article 3. Development Standards, Division 11. Home-Based Businesses, Section 3-1102. Standards, be amended to read as follows:

- B. All home-based businesses shall conform to all of the following standards:
 - 1. The activities of the home-based business shall be clearly secondary to the property's principal use as a dwelling unit and must be conducted entirely within the dwelling or a legal accessory structure located on the premises.
 - 2. Home-based businesses ~~occupations~~ are permitted in an attached garage provided the required parking is retained and accessible. Home-based businesses ~~occupations~~ are prohibited in carports.

Section X. That Article 3. Development Standards, Division 12. Landscaping/Tree Protection, Section 3-1202. General landscaping standards, be amended to read as follows:

Section 3-1202. – General landscaping standards

- G. *Comprehensive landscaping program.* The landscaping requirements of this division may be waived or modified as a part of a Level One or Level Two approval, as the case may be,

if the application for development approval includes a comprehensive landscape program which satisfies each of the following criteria:

1. Architectural theme.
 - a. The landscaping in a comprehensive landscape program shall be designed as a part of the architectural theme of the principal buildings proposed or developed on the parcel proposed for development; or
 - b. The design, character, location and/or materials of the landscape treatment proposed in the comprehensive landscape program shall be demonstrably more attractive than landscaping otherwise permitted on the parcel proposed for development under the minimum landscape standards.
2. *Lighting*. Any lighting proposed as a part of a comprehensive landscape program is automatically controlled so that the lighting is turned off when the business is closed.
3. *Community character*. The landscape treatment proposed in the comprehensive landscape program will enhance the community character of the City of Clearwater.
4. *Property values*. The landscape treatment proposed in the comprehensive landscape program will have a beneficial impact on the value of property in the immediate vicinity of the parcel proposed for development.
5. *Special area or scenic corridor plan*. The landscape treatment proposed in the comprehensive landscape program is consistent with any special area or scenic corridor plan which the City of Clearwater has prepared and adopted for the area in which the parcel proposed for development is located.
6. *Properties within the US 19 District*. The landscape treatment proposed in the comprehensive landscape program for properties in the US 19 District shall not result in the reduction of the pedestrian and landscape improvements required in Appendix B, Division 4, Street Frontage Standards, except as provided for in Appendix B, Division 7, Flexibility.
7. *Properties within the Downtown District*. The landscape treatment proposed in the comprehensive landscape program for properties in the Downtown District shall not result in the reduction of the pedestrian and landscape improvements required in Appendix C, Division 4, Frontage Standards, except as provided for in Appendix C, Division 7, Flexibility.

Section X. That Article 3. Development Standards, Division 14. Parking and Loading, Section 3-1407. Parking restrictions in residential areas, be amended to read as follows:

Section 3-1407. Parking restrictions in residential areas.

- A. *Restrictions*. For the dual purpose of preserving attractive residential areas within the city and promoting safe unimpeded traffic circulation throughout such neighborhoods, the following parking restrictions shall apply except as provided in paragraph B of this section:
 1. *Within street right-of-way*. The following vehicles shall not be parked or stored on any public right-of-way in a residential zoning district or on any right-of-way contiguous to a residentially zoned property or residentially designated downtown property:
 - a. Any boat or boat trailer;

- b. Any hauling trailer;
 - c. Any of the following recreational vehicles: travel trailers, motor homes and camping trailers;
 - d. Any commercial vehicle.
 - e. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
2. *Between principal structure and right-of-way.* The following vehicles shall not be parked or stored, in whole or in part, in a front setback and/or forward of the building line of the principal structure and any right-of-way line in a residential zoning district up to a maximum of two frontages or in front of the principal structure on any residentially designated downtown property:
- a. Boat in excess of 20 feet;
 - b. Any boat trailer in excess of 25 feet total length or in excess of five feet longer than any boat occupying the trailer;
 - c. Hauling trailer;
 - d. Recreational vehicles, travel trailers, motor homes and camping trailers.
 - e. Any commercial vehicle which measures in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo.
 - f. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
3. *Parking in the side or rear setback.* The following vehicles may be parked or stored, in whole or in part, in a side or rear setback behind the front building line of the principal structure in a residential zoning district or on a residentially designated downtown property provided such vehicles are screened with a six-foot high solid fence, wall or hedge:
- a. Boat in excess of 20 feet;
 - b. Boat trailer in excess of 25 feet;
 - c. Hauling trailer;
 - d. Recreation vehicles, trailers, motor homes and camping trailers; and
 - e. Any race car, dune buggy, farm equipment, go kart, ATV, or other similar vehicle not designated for street operation.
4. *Large vehicles.* The following vehicles shall be not be parked or stored in any residential zoning districts or parked or stored on any public right-of-way contiguous to or on any residentially designated downtown property:
- a. Commercial vehicles measuring in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo are prohibited; and
 - b. Semi-tractor trailer, semi-tractor cab or any garbage truck, pump-out truck, chemical truck, gasoline truck, fuel oil truck or similar vehicle designed to transport wastes or hazardous or noxious materials.

5. *Exception to prohibition of parking on unpaved areas on single-family and duplex residential property.* One designated parking space may be located on the grass in a required front setback adjacent to and parallel to the driveway located on the property. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space ~~can not~~ cannot be maintained as a grass area and is either reported by neighboring residents as a detrimental property or is identified by any code inspector as in violation of this provision, such designated parking area shall be filled in, by the property owner, with pavers, concrete, turf block or asphalt. Materials not permitted include crushed shell, mulch, millings or similar material.

~~76.~~ *Parking on unpaved area prohibited.* No parking, displaying, or storing of vehicles, trailers and/or boats shall be permitted on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

B. Exception.

1. Commercial vehicles during the actual performance of a service at the premises where the vehicle is parked.
2. Loading, unloading, or cleaning of vehicles, but not including semitrailer trucks or cabs, provided such activity is fully completed within 24 hours and provided such activity does not occur at the same location more than two times per month.
3. Emergency vehicles.

Section X. That Article 3. Development Standards, Division 18. Signs, be amended to read as follows:

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Section 3-1806. – Temporary Signs

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TABLE 3-1806.1a. CRITERIA AND LIMITATIONS FOR SIDEWALK SIGNS

Location	In front of primary retail and restaurants within the linear footage of the storefront. Also in the immediate vicinity of parking garages/lots and valet stands. ¹
Maximum Number of Signs	1 per business
Maximum Width	2 feet
Maximum Height	3½ feet
Maximum Distance from Building Wall (as measured at the nearest point of sidewalk sign)	2 feet, except 5 feet in the Cleveland Street Café District in the Downtown zoning District and 2 feet from the entryway of a parking garage/lot and valet stands.
Maximum Width of Public Sidewalk that the Sign May Obstruct	4 foot clear path on the sidewalk shall be maintained
Duration Allowed	Only during hours while business or valet service is operating
Allowed on Public Property and Right-of-Way	Yes
Allowed in a Sight Visibility Triangle	No
Design Criteria	Restricted ²

Permit Required	Yes ³
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¹ Properties adjacent to a public construction project scheduled to last 180 days may also erect sidewalk signs in compliance with the following:

- a. No more than two sidewalk signs per parcels.
- b. Parcels with multiple businesses shall coordinate copy on the signs.
- c. Sign size is limited to 4 feet in height and 8 square feet in area.
- d. Signs must be constructed in a professional and workmanlike manner from treated wood or other durable material. Sign copy shall not be spray painted onto the signs.
- e. No sidewalk sign shall block any public right-of-way, shall maintain a 4 foot clear path and shall not be located within the visibility triangle of intersections or driveways.
- f. Sidewalk signs shall be removed within 7 days after City's final acceptance of the improvements or completion of the public project.

² Design criteria.

a. All sidewalk sign frames shall:

- i. Be made of durable wood, plastic, or metal only and shall present a finished appearance, and the color of such frames shall be limited to metallic silver/grey, black, white or stained wood.
- ii. Support only black or green colored chalk boards, black, wet marker boards or professional design advertisement/posters made of durable material with clear, non-glare protective covering.
- b. Sidewalk signs shall not be illuminated or incorporate fluorescent colors.
- c. Sidewalk signs shall not be attached to any structure, pole, object, building, or other sign or contain moving parts or have balloons, streamers, pennants or similar adornment attached.
- d. Only wind signs may be allowed to have wheels.
- e. Flexibility with regard to sign style and size may be considered, provided the sign is designed as part of the architectural theme of the property and/or use using similar and coordinated design features, materials, and colors.

³ Permit information.

- a. ~~A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.~~
- b. A sketch, photo or drawing of the proposed sidewalk sign, along with the required fee, shall be submitted and approved prior to the placement of the sidewalk sign.
- c. If proposed to be placed in a public right-of-way, evidence of general liability insurance in the amount of \$1,000,000.00 in a form acceptable to the city, with the city named as additional insured shall also be provided.

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Section 3-1808. – Comprehensive Sign Program

****GINA TO PROVIDE LANGUAGE REGARDING MARQUEE SIGNAGE***

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Section X. That Article 3. Development Standards, Division 25. Dog-friendly restaurants, Section 3-2505. Permit expiration and revocation, be amended to read as follows:

Section 3-2505. - Permit expiration and revocation.

- A. A permit issued pursuant to this division shall not be transferred to a subsequent owner upon the sale of a public food service establishment but shall expire automatically upon the sale of the establishment. The subsequent owner shall be required to reapply for a permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.
- B. Dog-Friendly Restaurant Permits shall expire on September 30 of each year and shall be renewed yearly to continue operation as a dog-friendly restaurant.

- C. A permit may be revoked by the city community development coordinator or his/her designee if, after notice and reasonable time in which the grounds for revocation may be corrected, the public food establishment fails to comply with any condition of approval, fails to comply with the approved diagram, or is found to be in violation of any provision of this division.
- D. If a public food service establishment's permit is revoked, no new permit may be approved for the establishment until the expiration of 180 days following the date of revocation.

Section X. That Article 3. Development Standards, Division 26. Community Gardens and Urban Farms, Section 3-2602. Operational requirements, be amended to read as follows:

Section 3-2602. - Operational requirements.

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- B. ~~Limited on-site sales.~~ ~~Sale of produce and plants.~~ A community garden is not intended to be a commercial enterprise. The produce and horticultural plants grown in a community garden are not intended to be sold wholesale nor offered for sale on the premises.
 - 1. On-site retail sales of the produce and horticultural plants grown in a community garden, including value-added products such as pickles and jams, and compost generated on-site are permitted as an accessory use only in the Commercial (C), Institutional (I), and Downtown (D) Districts.
 - 2. No retail sale activities shall take place before 7:00 a.m. or after 9:00 p.m. All activities shall comply with the city's noise ordinance.

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Section X. That Article 4. Development Review and Other Procedures, Division 6. Level Three Approvals, Section 4-606. Development Agreements, be amended to read as follows:

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- B. Application requirements. In addition to the basic information required by Section 4-202.A. and the fee required by Section 4-202.F., an application for approval of any type of development agreement shall be accompanied by:
 - 1. A statement of the requested duration of the agreement, which shall not exceed ten years for a hotel density reserve development agreement and ~~20~~ thirty (30) years for a general development agreement.

* * * * *

- G. Contents of development agreement/recording.
 - 1. Contents. The approved development agreement shall contain, at a minimum, the following information:
 - a. A legal description of the land subject to the development agreement.

- b. The names of all persons having legal or equitable ownership of the land.
- c. The duration of the development agreement, which shall not exceed ten years for a hotel density reserve development agreement or ~~20~~ thirty (30) years for a general development agreement.

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J. *Expiration or revocation of approval.* The city manager shall review all lands within the city subject to a development agreement at least once every 12 months to determine if there has been demonstrated good-faith compliance with the terms of the development agreement. The city manager shall make an annual report to the city council as to the results of this review. In the event the city council finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the development agreement, the development agreement may be revoked or modified by the city council upon giving at least 15 days written notice to the parties named in the development agreement. Such termination of a development agreement shall occur only after compliance with the public hearing and notice requirements of Section 4-206.

Section X. That Article 8. Definitions and Rules of Construction, Section 8-102. Definitions, be amended to read as follows:

Section 8-102. - Definitions

For the purposes of this Development Code, the following words and terms have the meanings specified herein:

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Breweries means ~~establishments with an annual beer production of between 15,000 and 6,000,000 barrels~~ state-licensed alcoholic beverage manufacturing establishments that produce more than 15,000 barrels (465,000 gallons) of beer or malt annually. A brewery may include a taproom as an accessory use. For the purposes of this Code, a brewery shall constitute a manufacturing use.

Brewpubs means state-licensed establishments primarily within restaurants or bars where alcoholic beverages are produced on the premises primarily for on-site consumption, but which may provide for a percentage of the product to be sold and distributed off-site ~~that are primarily a restaurant or bar, but which include the brewing of beer as an accessory use. A brew pub produces only enough beer for consumption on the premises or for retail carryout sale in containers commonly referred to as growlers, which is an individual container that holds 32, 64, or 128 ounces. Brewpubs may sell beer in an unlimited number of keg containers larger than a U.S. gallon for special events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three such brewers; and for city co-sponsored events where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event co-sponsors but is instead, dispensed by employees of the brewpub.~~

* * * * *

Community gardens means a use of property where more than one person grows produce and/or horticultural plants for their personal consumption and enjoyment, for the consumption and enjoyment of friends and relatives and/or donation to a not for profit organization, or the consumption and enjoyment of others through limited incidental retail sale on-site of goods grown on-site as permitted by the zoning district. Community gardens may also be designed for beautification of the community, and/or may be used for educational purposes.

* * * * *

Height, building or structure, means for buildings, the vertical distance from the mean elevation of the existing grade to the highest finished roof surface in the case of a building with a flat roof, or the vertical distance from the existing grade to a point representing the midpoint of the peak and eave heights of the main roof structure of the roof of a building having a pitched roof. For other structures, the vertical distance from existing grade to the highest point of the structure above such existing grade. Where minimum floor elevations in flood prone areas have been established by law, the building height may be measured as though the required minimum floor elevations constitute existing grade. In addition, (1) linear radio and television antennas shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district within which the antenna is located. Parabolic and other geometrically shaped antenna shall not be permitted this height increase. (2) Flagpoles located on top of buildings shall be permitted to project ten feet higher than the maximum height otherwise specified for the zoning district assigned to the property. (3) Elevator equipment rooms and like mechanical equipment enclosures shall be permitted to project up to 16 feet higher than the maximum height otherwise specified for the zoning district assigned to the property. (4) Parapet walls constructed on buildings with flat roofs shall be permitted to extend not higher than 42 inches over the maximum height specified for the zoning district in which the building is located. (5) Structures permanently affixed to the roof that accommodate rooftop occupancy shall only be permitted if within the maximum allowable height. (6) In the Downtown Character Districts, decorative architectural features under four hundred square feet in floor area, such as belfries, spires, clock towers, and similar uninhabitable space, shall not be subject to the maximum building height limit.

Microbreweries/wineries/distilleries means small-scale state-licensed establishments that are primarily a brewery, which produce no more than 15,000 barrels (465,000 U.S. gallons/17,602.16 hectoliters) of beer per year, and includes either a restaurant, bar or taproom as an accessory use, that produce alcoholic beverages primarily for off-site sale and distribution, but which may provide for a percentage of the product to be sold and consumed on-site in a taproom or tasting room. A microbrewery may also include a beer garden as an accessory use. Microbreweries sell to the general public by one or more of the following methods: the traditional three tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer for consumption on the premises or for retail carryout sale. For the purposes of this Code micro-distilleries and micro-wineries shall constitute a microbrewery.

Micro-distilleries means establishments that are primarily a distillery, which produce no more than 75,000 U.S. gallons of distilled spirits per year, and includes either a restaurant, bar or tasting room as an accessory use. For the purposes of this Code, micro-distilleries shall constitute a microbrewery.

~~Micro-wineries~~ means a facility that uses grapes from outside sources instead of its own vineyard to produce wine in quantities not to exceed 2,000 barrels per year, and includes either a restaurant, bar or tasting room as an accessory use. For the purposes of this Code, micro-wineries shall constitute a microbrewery.

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Porch means a roofed, unenclosed structure attached to a residence consisting of a floor that is typically raised above finished grade of a lot.

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Residentially designated downtown property means any parcel of property in the Downtown ("D") District designated with Street Types E or F on Figure 2. Regulating Plan – Street Types and Key Corners, as contained in Appendix C of this Development Code.

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Stoop means the elevated landing and stairs leading to the main entrance of a residence.

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Transparency means capable of transmitting light in a manner which permits a person standing outside of a building to view shapes, tones, and objects inside a building. A tinted window is considered "transparent" if it meets the requirements recited herein.

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Visible Light Transmittance, also VLT, means the measurement of visible light passing through a piece of glass, where a value of 0 means no light is filtered through and a value of 1 (the highest rating) means maximum light is filtered through. #

US 19 District (Appendix B)

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 2. Regulating Plan, Figure 1. Regulating Plan, be amended to read as follows:

(Remove existing Figure 1. Comprised of 6 maps and replace with the following 6 maps updated to reflect the annexation of properties located at ADDRESSES)

MAPS TO BE ADDED HERE

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 3. Subdistrict Standards, Section B-303.A. Use & Parking Table and Table 2. Use and Parking, be amended to read as follows:

Section B-303. – Permitted Uses & Parking

A. Use & Parking Table

Permitted uses and approval levels by Subdistricts, along with parking requirements, are listed in Table 2. Use and Parking. Active uses are required at identified key corners, as defined in Section B-303.B. Pursuant to Section B-801, projects on sites of 10 acres or more shall require at a minimum a Level One (flexible standard development) approval.

Table 2. Use and Parking

Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
RESIDENTIAL USES					
Attached dwellings	BCP	BCP	BCP	None	1.5/unit
NONRESIDENTIAL USES					
Adult uses	FLS	FLS	FLS	1. The use complies with the requirements in Article 3, Division 3.	4/1,000 SF GFA
Alcoholic beverage sales	BCP	BCP	BCP	1. See footnote 2.	4/1,000 SF GFA
Animal boarding	X	FLS	FLS	1. See footnote 1. 2. The use of the parcel does not involve animal confinement facilities that are open to the outside. 3. Animals may have supervised outdoor exercise but only between 7:00 a.m.—9:00 p.m. In no case shall animals be left unsupervised while outdoors.	4/1,000 SF GFA
Assisted living facilities	BCP	BCP	BCP	None	1 per 4 beds
Automobile service stations	FLD	FLS	FLS	1. See footnote 1.	4/1,000 SF GFA
Bars	BCP	BCP	BCP	1. See footnote 1. 2. See footnote 2.	4/1,000 SF GFA
Brewpubs	BCP	BCP	BCP	1. No more than 50 percent of the total gross floor area of the establishment shall be used for the brewery function including, but not	4/1,000 SF GFA

Table 2. Use and Parking

Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
				limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks.	
Community gardens	BCP	BCP	BCP	None	Not applicable
Congregate care	BCP	BCP	BCP	None	1 per 4 beds
Educational facilities	BCP	BCP	BCP	None	4/1,000 SF GFA
Governmental uses	FLS	FLS	FLS	None	4/1,000 SF GFA
Indoor recreation/entertainment	BCP	BCP	BCP	None	4/1,000 SF GFA
Light assembly	BCP	BCP	BCP	None	4/1,000 SF GFA
Marinas and marina facilities	FLD	FLD	FLD	1. No commercial activities other than the mooring of boats on a rental basis shall be permitted on any parcel of land which is contiguous to a parcel of land which is designated as residential in the Zoning Atlas, unless the marina facility is totally screened from view from the contiguous land which is designated as residential and the hours of operation of the commercial activities are limited to the time period between sunrise and sunset. 2. All marina facilities shall comply with the commercial dock requirements set forth in Section 3-601.C.3 and the marina and marina facilities requirements set forth in Section 3-603.	1 space/2 slips
Medical clinic	FLS	BCP	BCP	None	4/1,000 SF GFA
Microbreweries	FLS	FLS	FLS	1. See footnote 1. 2. See footnote 2. 3. No more than 75 percent of the total gross floor area shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks.	4/1,000 SF GFA
Nightclubs	FLS	FLS	FLS	1. See footnote 1. 2. See footnote 2.	4/1,000 SF GFA
Nursing homes	X	X	FLS	None	1 per 4 beds
Offices	BCP	BCP	BCP	None	4/1,000 SF GFA
Outdoor recreation/entertainment	X	X	FLD	1. See footnote 1.	1-10/1,000 SF of land area or as determined by the community development coordinator based on the ITE Manual standards.
Overnight accommodations	BCP	BCP	BCP	1. The parcel proposed for development shall, if located within the coastal storm area, have a hurricane evacuation plan requiring the use	1/unit

Table 2. Use and Parking

Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
				close when a hurricane watch is posted. 2. Signage for any accessory use shall be subordinate to and incorporated into the primary freestanding signage for the overnight accommodation use. In no case shall more than 25 percent of the sign area be dedicated to the accessory uses.	
Parking garages and lots	FLS	FLS	FLS	None	Not applicable
Parks and recreation facilities	BCP	BCP	BCP	None	1/20,000 SF land area or as determined by the community development coordinator based on ITE Manual standards
Places of worship	FLD	FLD	FLS	None	1 per 2 seats
Problematic uses	X	X	FLD	1. See footnote 1. 2. The use is not located within 500 feet of another problematic use. 3. The building in which the use is located is a building which is conforming to all current land development and building regulations.	4/1,000 SF GFA
Public transportation facilities	FLS	FLS	FLS	None	Not applicable
Research and technology	BCP	BCP	BCP	None	2/1,000 SF GFA
Restaurants	BCP	BCP	BCP	None	4/1,000 SF GFA
Retail plazas	BCP	BCP	BCP	1. Restaurants within the retail plaza may occupy up to 25 percent of the total gross floor area of the retail plaza. Any restaurant, or fraction thereof, that exceeds 25 percent must provide off-street parking at a rate consistent with the parking requirement for the restaurant use in the district. 2. Medical marijuana treatment center dispensing facilities shall comply with the requirements set forth in F.S. § 381.986, as amended. 3. Medical marijuana treatment center dispensing facilities may be permitted to be located within 500 feet of a public or private school, if the location of such dispensing facility is determined to promote the public health, safety, and general welfare of Clearwater. Level II Flexible Development application shall be required.	4/1,000 SF GFA
Retail sales and services	BCP	BCP	BCP	1. Medical marijuana treatment center dispensing facilities shall comply with the requirements set forth in F.S. § 381.986, as amended. 2. Medical marijuana treatment center dispensing facilities may be permitted to be located within 500 feet of a public or private school, if the location of such dispensing facility is determined to promote the public health, safety, and general welfare of Clearwater. Level II Flexible Development application shall be required.	4/1,000 SF GFA

Table 2. Use and Parking

Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
Schools	FLD	FLD	FLD	1. All off-street parking is located at least 200 feet from any property designated as residential in the Zoning Atlas.	1 per 3 students
Self-storage warehouse	FLS	X	FLS	1. In the Corridor Subdistrict, access doors to individual storage units are located within a building or are screened from view from adjacent property or public rights-of-way by landscaped walls or fences located no closer to the property lines of the parcel proposed for development than five feet. 2. Self-Storage is permitted in the Regional Center Subdistrict on parcels of 1.1 acres to 1.2 acres in size fronting Seville Boulevard that existed on or before June 3, 2019 and on parcels of 0.75 acres to 0.9 acres in size that existed on or before October 17, 2018 with Street Frontage Type C that do not have any other Street Frontage Type provided the following is met: 100 percent of the ground floor frontage and a minimum of 20 percent of the total ground floor area shall include fully-enclosed building space, occupied by retail, restaurant, or office uses, or a combination thereof, not associated with the self-storage use; access to all storage units shall be from the building interior; and outdoor storage shall be prohibited.	1/150 self-storage units. 4/1,000 SF of non-storage use as required for Self-storage warehouse in the Regional Center.
Social and community centers	X	X	FLS	1. See footnote 1.	4/1,000 SF GFA
Social/public service agencies	X	X	FLS	1. See footnote 1. 2. The social/public service agency shall not be located within 1,500 feet of another social/public service agency.	4/1,000 SF GFA
Telecommunications towers	BCP	BCP	BCP	None	Not applicable
TV/radio stations	FLD	BCP	BCP	1. All buildings are designed and located so that no building is closer than 100 feet from a parcel of land which is designated as residential in the Zoning Atlas.	4/1,000 SF GFA
Utility/ infrastructure facilities	FLS	FLS	FLS	1. Any above ground structure other than permitted telecommunication towers and utility distribution lines located on or along a rear lot line shall be screened from view by a landscaped opaque wall or fence which is at least two-thirds the height of the above ground structure and shall be landscaped with trees and hedges which five years after installation will substantially obscure the fence or wall and the above ground structure.	Not applicable
Vehicle sales/displays	FLS	FLS	FLS	1. See footnote 1. 2. Minimum lot area: 2.5 acres (108,900 square feet). Contiguous parcels of land under common ownership or consolidated for the purposes of development may be exempt from this requirement so long as the combined lot area meets or exceeds the minimum. 3. The gross floor area of enclosed buildings is at least 7,000 square feet. 4. Provision is made to dim outdoor lighting at all times when the automobile sales and service uses is not open to the public to that	2.5/1,000 lot sales area

Table 2. Use and Parking

Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
				level necessary to maintain the security of the premises. 5. The use of the parcel proposed for development fronts on but will not involve direct access to a major arterial street.	
Vehicle sales/displays, limited	FLS	FLS	FLS	1. See footnote 1. 2. The gross floor area of enclosed buildings is at least 7,000 square feet. 3. Provision is made to dim outdoor lighting at all times when the automobile sales and service uses is not open to the public to that level necessary to maintain the security of the premises. 4. Within Regional Center or Neighborhood Center Subdistricts, the use shall be located in an enclosed structure and shall have no outdoor displays.	4/1,000 SF GFA
Vehicle service, limited	X	FLD	FLS	1. See footnote 1. 2. The use does not involve the overnight, outdoor storage of automobiles.	4/1,000 SF GFA
Veterinary offices	BCP	BCP	BCP	1. See footnote 1.	4/1,000 SF GFA
<p><u>New construction projects on sites of 10 acres or more shall require, at a minimum, a Level One (flexible standard development) approval unless the proposed use or proposal otherwise requires a Level Two (flexible development) approval.</u></p> <p>Footnotes: 1. The parcel proposed for development is not contiguous to a parcel of land which is designated as residential in the Zoning Atlas. 2. The parcel proposed for development is not located within 500 feet of a parcel of land used for purposes of a place of worship or a public or private school unless the intervening land uses, structures or context are such that the location of the use is unlikely to have an adverse impact on such school or use as a place of worship.</p> <p>Key: BCP = Level 1 Minimum Standard (Building Construction Permit). FLS = Level 1 Flexible Standard Development (Community Development Coordinator approval required). FLD = Level 2 Flexible Development (Community Development Board approval required). X = Not Allowed</p>					

* * * * *

C) Parking Reduction

For all uses listed in Table 2. Use and Parking, a reduction in the minimum number of parking spaces may be approved. The combined effect of all applicable reductions in this section **shall not reduce the off-street parking required by more than 25 percent**. Parking reduction factors are provided in Table 3. Parking Reduction Factors.

Table 3. Parking Reduction Factors

Factor	Criteria	Parking Reduction
Affordable Housing as certified by the city's Economic Development and Housing Department	All properties within the US 19 District	Minimum off-street parking may be reduced to 1 space per dwelling unit when affordable housing project is located within 1,500 feet of a transit stop.

On-Street Parking	Properties within the Regional Center and Neighborhood Center Subdistricts with Type A Street Frontage	One legal on-street parking space can be substituted for every required off-street parking space provided the on-street space is located along that portion of the right-of-way immediately abutting the property seeking the adjustment.
Electric Vehicle Charging Stations	All properties within the US 19 District	One off-street parking space equipped with an electric vehicle charging station may be substituted for two required off-street parking spaces. The maximum substitution shall be no more than eight required spaces.
Photovoltaic-Topped Shade Structure	All properties within the US 19 District	One off-street parking space equipped with a Photovoltaic /PV-topped shade structure (also called solar canopy or solar carport) may be substituted for three required off-street parking spaces.
Bus Shelter	All properties within the US 19 District	Bus shelters may be provided in lieu of up to 15 percent of the required number of parking spaces. This reduction shall only be applied at PSTA approved locations.
Bicycle Parking	All properties within the US 19 District	One bicycle rack that provides a minimum of six units of parking may be substituted for no more than one parking space. This is in addition to required bicycle parking pursuant to Division 5. Site Design Standards.
Shared Parking	All properties within the US 19 District	Pursuant to Section 3-1405.

***** PLACEHOLDER – BIKE PARKING (FOR DISCUSSION) *****

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 4. Street Frontage Standards, be amended to read as follows:

Section B-401. - General.

Street frontage standards in this section regulate conditions along the five street frontage types established in Section B-203. Street Frontage Types and, include building, setbacks and spacing, pedestrian and landscape improvements, parking and vehicular circulation, and front building facades and entries. The location and extent of each street frontage type is illustrated in Figure 1. Regulating Plan. Table 4. Summary of Street Frontage Standards provides an overview of requirements by street frontage type.

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Section B-402. - Type A street frontage.

* * * * *

E. Front Building Facades and Entries

In addition to the building design standards in Division 6, the following standards for front building facades and entries shall apply.

1. Ground floor front building facades shall generally be aligned along front setbacks parallel to streets and be designed to meet the following standards.
 - a. ~~For To maximize transparency,~~ the ground floor front facades of buildings with non-residential uses, a minimum of 40 percent of the total area of the ground floor facade shall consist of storefront windows and doors with transparent glazing with ~~no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment~~ clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited).
 - b. For the ground floor front facades of buildings with residential uses, the finished floor elevation of ground floor residential space along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent pedestrian walkways.
2. Primary building entries shall be located along the front facades of buildings and be visible from streets, new primary drives, and sidewalks.
3. For front entries to buildings with non-residential uses on the ground floor, thresholds at building entries shall generally match the grade of adjacent walkways and plaza areas.
4. Overhead doors along front building facades are permitted for bars, nightclubs, brewpubs, microbreweries, restaurants and similar uses. Where provided, overhead doors must be fully integrated into the design of the building facade, be designed as an integral part of the food service component of the business, and provide direct access to or between dining and seating areas. Overhead doors for service purposes of any kind (e.g., loading, unloading, and deliveries) are prohibited.

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Section B-403. - Type B street frontage.

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E. Front Building Facades and Entries

In addition to the building design standards in Division 6, the following standards for front building facades and entries shall apply.

1. Ground floor front building facades shall generally be aligned along front setbacks parallel to streets and be designed to meet the following standards.
 - a. ~~For To maximize transparency,~~ the ground floor front facades of buildings with non-residential uses, a minimum of 40 percent of the total area of the ground floor facade shall consist of storefront windows and doors with transparent glazing with ~~no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment~~ clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited).
 - b. For the ground floor front facades of buildings with residential uses, the finished floor elevation of ground floor residential space along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent pedestrian walkways.

2. Primary building entries shall be located along the front facades of buildings and oriented to and streets, new primary drives, and sidewalks.
3. For front entries to buildings with non-residential uses on the ground floor, thresholds at building entries shall generally match the grade of adjacent walkways and plaza areas.
4. Overhead doors along front building facades are permitted for bars, nightclubs, brewpubs, microbreweries, restaurants and similar uses. Where provided, overhead doors must be fully integrated into the design of the building facade, be designed as an integral part of the food service component of the business, and provide direct access to or between dining and seating areas. Overhead doors for service purposes of any kind (e.g., loading, unloading, and deliveries) are prohibited.

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Section B-404. - Type C street frontage.

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E Front Building Facades and Entries

In addition to the building design standards in Division 6, the following standards for front building facades and entries shall apply.

1. Ground floor front building facades shall generally be aligned along front setbacks parallel to streets and be designed to meet the following standards.
 - a. ~~For To maximize transparency,~~ the ground floor front facades of buildings with non-residential uses, a minimum of 40 percent of the total area of the ground floor facade shall consist of storefront windows and doors with transparent glazing with ~~no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment~~ clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited).
 - b. For the ground floor front facades of buildings with residential uses, the finished floor elevation of ground floor residential space along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent pedestrian walkways.
2. Primary building entries shall be located along the front facades of buildings and oriented to and visible from streets, new primary drives, and sidewalks.
3. Overhead doors along front building facades are permitted for bars, nightclubs, brewpubs, microbreweries, restaurants and similar uses. Where provided, overhead doors must be fully integrated into the design of the building facade, be designed as an integral part of the food service component of the business, and provide direct access to or between dining and seating areas. Overhead doors for service purposes of any kind (e.g., loading, unloading, and deliveries) are prohibited.

* * * * *

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 5. Site Design Standards, be amended to read as follows:

Section B-503. - Access and circulation.

* * * * *

D Cross Parcel Connections

To facilitate circulation and improve accessibility, vehicle and pedestrian ~~facilities networks~~ on adjacent sites shall be interconnected. ~~Parking~~ Existing and planned parking lot drive aisles and pedestrian walkways shall be aligned and connected with abutting sites. In cases where no connection exists on an abutting developed site, and drive aisle and pedestrian walkway stub outs shall be constructed ~~on properties abutting undeveloped sites~~ to allow for future connections.

* * * * *

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 6. Building Design Standards, be amended to read as follows:

Section B-602. – Façade Design

A. Complementary Design.

All buildings and structures in projects with multiple buildings and structures, including parking structures, shall have complementary architectural details, materials, colors, and design treatments. For the purpose of this section, buildings and structures shall include primary buildings, buildings on outparcels, parking structures, open air enclosures, fences and walls, and other vertical improvements. The intent of this provision is not to require a single design theme or motif for projects with multiple buildings and/or multiple tenants but to ensure a consistent level of quality in the design and detailing of buildings, parking structures, and other vertical improvements.

B. Limited Blank Facades

Blank sections of ground floor building façades fronting or within view of public streets and public spaces shall not exceed 20 feet in length. Elements such as windows, doors, balconies, columns, pilasters, changes in material, or other architectural details that provide visual interest shall be distributed across the façade in a manner consistent with the overall design of the building.

* * * * *

E. Upper Floor Facade Articulation

1. To avoid flat, continuous facades, the upper floor facade bay shall generally be between 80 and 120 feet.
2. Articulation between upper floor facade bay sections shall be accomplished by recessing the facade 2 feet minimum for a distance of at least 10 feet as illustrated in Figure 14. Facade Bays & Articulation.

3. Upper Level Façade Length Fenestration. A minimum of 20 percent of all upper floor façade lengths along Street Types A, B, C, or D shall consist of fenestration in the form of doors, window, or other openings to minimize blank facades as measured from the base of the 2nd floor to the ceiling of the top floor.

* * * * *

I. Façade Lighting. Light emitting diode (LED) rope/ribbon lighting, neon lighting, or other types of lighting used to outline windows, or other architectural features shall be prohibited in the Regional Center and Neighborhood Center Subdistricts.

* * * * *

Section B-604. - Building entries.

A. Locations

Building entries, including entries to individual tenant spaces in larger buildings, shall be located along the front facades of buildings and be oriented to and visible from streets, new primary drives, and sidewalks.

B. Design Treatment

Building entries shall be distinguished by facade design; accomplished through the use of a combination of materials, articulation, or other architectural treatments such as variation in building height, arches, columns, towers, or similar treatments that provide interest to the building facade and draw attention to the entrance.

C. Residential Entries

For front entries to buildings with residential uses, entry features such as stoops, porticos, and other similar features may project into front setbacks 4 feet minimum, 8 feet maximum; shall be covered; and shall have exterior floor areas raised 18 inches minimum, 36 inches maximum above the grade of adjacent walkways to generally match interior floor elevations.

* * * * *

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 7. Flexibility, be amended to read as follows:

Section B-703. - Flexibility provisions.

Flexibility may be approved subject to the standards below.

A. Subdistrict Standards – Off-Street Parking

* * * * *

(Remove existing Figure 16. Comprised of 1 image and replace with the following 2 images)

Figure 16. Frontage Design Flexibility - Interior Lot

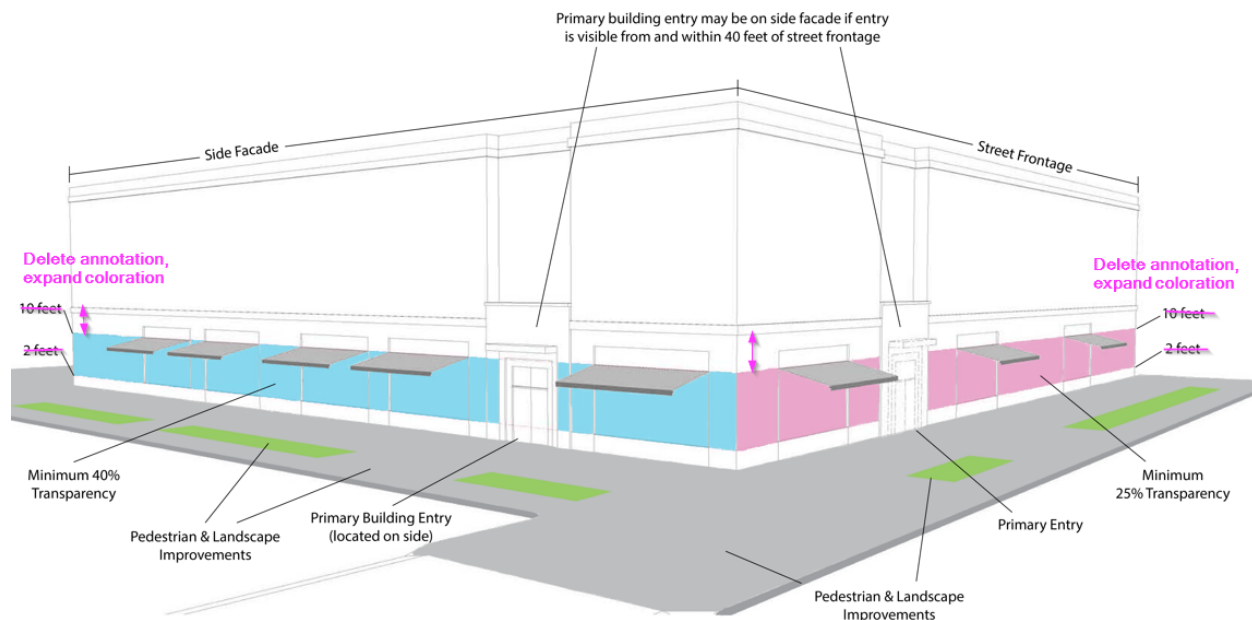
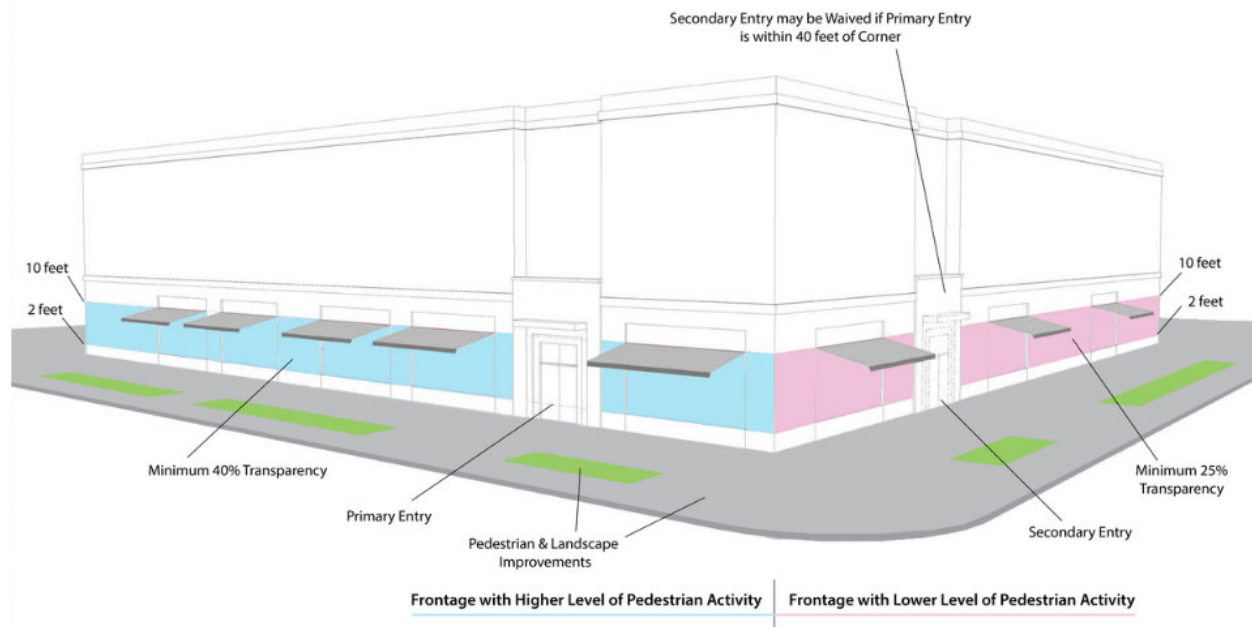


Figure 17. Frontage Design Flexibility - Corner Lot



E. Street Frontage Standards - Front Building Facades and Entries

1. Front building façade and entry flexibility provisions for interior lots may be approved consistent with the following and are illustrated in Figure 16. Interior Lot Frontage Design Flexibility.
 - a. For buildings along Street Frontage Types A, B, and C, the extent of transparent glazing along a building's ground floor front facade may be reduced to 25 percent if the building's ground floor side facade is designed to meet standards applicable to the front facade, including requirements for pedestrian and landscape improvements.
 - b. Flexibility in the application of entry location standards in Appendix B, Division 4 and in Section B-604.A may be approved for interior lots. Building entries along a side facade may be approved in lieu of entries on the front facade if the entries are clearly visible from and within 40 feet of the street frontage and both facades are designed to meet standards applicable to front facades, including requirements for pedestrian and landscape improvements.
2. Front building façade and entry flexibility provisions for corner lots may be approved consistent with the following and are illustrated in Figure 17. Corner Lot Frontage Design Flexibility.
 - a. For buildings at corner locations, the extent of transparent glazing along the building's ground floor front facade with the lowest level of existing or planned pedestrian activity may be reduced to 25 percent. These flexibility provisions are illustrated in Figure 16, Frontage Design Flexibility.
- ~~3. Flexibility in the application of entry location standards in Appendix B, Division 4 and in Section B-604.A may be approved consistent with one of the following.~~
 - ~~a. Building entries along a side facade may be approved in lieu of entries on the front facade if the entries are clearly visible from and within 40 feet of the street frontage and both facades are designed to meet standards applicable to front facades, including requirements for pedestrian and landscape improvements.~~
 - ~~b. For buildings at corner locations, building Flexibility in the application of entry location standards in Appendix B, Division 4 and in Section B-604.A may be approved for corner lots. Building entries along one front facade may be approved in lieu of entries on both front facades if the entries are entry is clearly visible from and within 40 feet of the street frontage and both facades are designed to meet standards applicable to front facades, including requirements for pedestrian and landscape improvements.~~
3. For projects on sloping sites where site grades make meeting the requirements for finished floor elevation standards for residential buildings in Appendix B, Division 4 impractical or infeasible, a finished floor elevation of up to 48" may be approved.

F. Site Design Standards - Development Pattern

Flexibility in the application of requirements for development blocks and drive networks found in Section B-502.A and Section B-502.B ~~for new streets and drives and development blocks~~ may be approved for projects on sites where the applicant demonstrates that site size, dimension, shape, or presence of constraints such as natural areas, utilities or utility easements, or other existing features make meeting these requirements infeasible.

G. Site Design Standards - Cross Parcel Connections

1. Flexibility in the provision of cross parcel connections may be approved under one or more of the following circumstances.
 - a. Where a new or improved connection could result in cut-through traffic on streets serving residential uses.
 - b. Where site grades, natural areas, or other site constraints make meeting the requirements impractical or infeasible.
 - c. Where an agreement between abutting property owners for a cross parcel connection cannot be established, and such constraints has been satisfactorily demonstrated to the Community Development Coordinator.
2. Where flexibility in the standard is allowed, pedestrian ~~Pedestrian~~ connections shall be provided ~~where vehicular connections are found to be inappropriate, impractical, or infeasible.~~

H. Site Design Standards - Pedestrian Walkways through Parking Lots

Flexibility in the provision of pedestrian walkways through parking areas required in Section B-503.C for vehicle sales/displays uses may be approved provided the project's pedestrian- and transit- orientation and connectivity to adjacent parcels is not negatively affected.

I. Site Design Standards - Fences & Walls Along Street Frontages

Flexibility in the prohibition of fences and walls in front of buildings along Street Frontage Types A, B, and C in Section B-505.B may be approved where the placement of a fence or wall in front of the building does not negatively affect the project's pedestrian- and transit orientation, or connectivity to adjacent parcels. This provision shall not apply to low (24 to 36 inches) opaque walls required for screening of parking or automobile service stations.

J. Site Design Standards - Stormwater Management ~~Facility Location~~

Flexibility in the location of stormwater facilities may be approved in one or more of the following circumstances.

1. Where natural drainage features are maintained and conserved as an integral part of the project's site design.
2. Where placement of stormwater facilities in front setbacks or between front building facades and public sidewalks does not negatively affect the project's pedestrian- and transit-orientation, limit connections between building entries and public sidewalks, or require building placement and front building facade designs that do not comply with requirements.

K. Building Design Standards - Facade Design & Articulation

Flexibility in meeting the facade design and articulation standards for limited blank facades in Section B-602.B, façade bays in Section B-602.C, and upper floor façade articulation in B-602.E may be approved where the alternative design treatment provides a varied and interesting design and the alternative treatment is integral to the building's design and results in facades of equal or better quality than the standards would produce.

Section B-704. Flexibility Provisions for Special Project Types

A. Special Project Types

1. Flexibility in meeting the frontage, site, and building standards in Divisions 4, 5, and 6 for large-scale mixed use projects and projects with employment-intensive land uses may be approved by the Community Development Board. Projects meeting the following criteria are defined as special project types for the purpose of this section.
 - a. Projects on sites greater than 20 acres with a mix of land uses including at least two of the following uses: retail, including restaurants, retail plazas, and retail sales and services; multi-family residential; overnight accommodations; or office.
 - b. Projects on sites greater than 10 acres with a proposed FAR greater than 1.25 and a mix of land uses including at least two of the following uses: retail, including restaurants, retail plazas, and retail sales and services; multi-family residential; overnight accommodations; or office.
 - c. Projects on sites greater than **52.5** acres with employment-intensive land uses meeting the criteria for such uses as defined in the Economic Development Strategic Plan and providing opportunity for significant economic contribution to the City by diversifying the local economy; by creating jobs with average wages exceeding the annual average wage of Pinellas County; and which attract, retain, and expand primary industries.

* * * * *

Section X. That Appendix B. US 19 Zoning District and Development Standards, Division 8. Administration, be amended to read as follows:

Section B-801. - Site plan approvals.

The final decision-making authority for site plans is either the Community Development Coordinator for Level One approvals or the Community Development Board for Level Two approvals, as specified in Article 4. The level of approval required varies by use and subdistrict as specified in ~~Article 4~~ and Table 2. Use &and Parking, which identifies whether a use can be approved as a Building Construction Permit (Level 1 Minimum Standard), or if Community Development Coordinator (Level One Flexible Standard Development) or Community Development Board (Level Two Flexible Development) approval is required. Projects on sites of 10 acres or more shall require at a minimum a Level One (flexible standard development) approval. Projects requesting flexibility in the application of Design Standards shall follow the process established in Section B-702.

* * * * *

Downtown District (Appendix C)

Section X. That Appendix C. Downtown District and Development Standards, Division 1. General Provisions, be amended to read as follows:

Section C-104. - Applicability of development standards.

A. General

The Development Standards in Appendix C, Divisions 3, 4, 5, and 6 are intended to ensure that new development and significant renovations and additions to existing developments are designed in accordance with the vision described in the Clearwater Downtown Redevelopment Plan, while allowing for incremental improvements to existing buildings and sites. Provisions addressing flexibility in the application of these Development Standards are included in Appendix C, Division 8.

B. Exemptions

The following types of development are exempt from all or a portion of the Development Standards as follows:

1. Change of Use. Projects involving only a change in use are exempt from the Development Standards in Appendix C, Divisions 4, 5 and 6 and bicycle parking requirements in Section C-303.C of these standards.
2. Detached Dwellings. Detached dwellings lawfully existing on the date of the original adoption (August 2, 2018) of these Development Standards may be expanded. The location of any new floor area shall be compliant with all setback requirements in Division 4 of these standards to the greatest extent practicable. Existing driveways or parking that does not comply with the parking location standards for the applicable frontage type may remain. Existing carports may be enclosed, but new garages shall comply with Section C-505.
3. Improvement or Remodel. Building improvement and remodel projects, including projects with up to 7.5 percent or 5,000 square feet of additional gross floor area, whichever is less, excluding detached dwellings, shall be exempt from the Development Standards as follows.
 - a. Building improvement or remodel projects valued at less than 25 percent of the total assessed building value as reflected in the Property Appraiser's current records at the time of application or as established by a qualified independent appraiser using a recognized appraisal method are exempt from the Development Standards in Appendix C, Divisions 4, 5 and 6, except that the location of any new floor area, including accessory structures, shall be compliant with all setback requirements in Division 4 of these standards to the greatest extent practicable as determined by the Community Development Coordinator.
 - b. Building improvement or remodel projects valued at 25 percent or more of the total assessed building value as reflected in the Property Appraiser's current records at the time of application or as established by a qualified independent appraiser using a recognized appraisal method are exempt from all but Sections the existing street preservation standards in C-502.A, the pedestrian circulation and access standards in C-503.C, the parking and service area standards in C-504, and the landscaping

and fencing/walls in C-506 of these standards, which shall be brought into compliance to the greatest extent practicable as determined by the Community Development Coordinator. Additionally, the location of any new floor area, including accessory structures, shall be compliant with all setback requirements in Division 4 of these standards to the greatest extent practicable as determined by the Community Development Coordinator.

4. Historic Designated Structures. The Community Development Coordinator may waive the Development Standards for the renovation, expansion, or development of structures which have been designated historic in accordance with the provisions of Section 4-607. Changes to such structures shall comply with the standards for historic preservation in Article 23, Division 10.
5. Parks and Recreation Facilities. Parks and Recreation Facilities on publicly owned land shall comply with the Development Standards in Appendix C, Divisions 3, 4, 5, 6, and 7 to the maximum extent practicable as determined by the Community Development Coordinator.

Section X. That Appendix C. Downtown District and Development Standards, Division 2. Regulating Plan, Section C-203. Street type regulating plan and Figure 2. Regulating Plan – Street Types and Key Corners, be amended to read as follows:

Section C-203. - Street type regulating plan.

A. Street Types and Key Corner Locations

Figure 2. Regulating Plan – Street Types and Key Corners establishes the applicability of development standards in Appendix C, Division 4 based on a site's location along streets and at key corner locations. As shown in Figure 2. Regulating Plan – Street Types and Key Corners, streets are assigned a street type in descending alphabetical order based upon intensity of pedestrian activity, or as determined by the Community Development Coordinator. ~~with high~~ High levels of existing and planned pedestrian activity are assigned Street Types A, B or C; streets with modest levels of existing and planned pedestrian activity are assigned Street Type D; and streets with residential uses and the least amount of existing and planned pedestrian activity are assigned Street Types E and F. For sites at locations identified as key corners, specific development standards related to ground floor uses are included in Appendix C, Division 4. The Service Street Type is applied to public streets and alleys with very low levels of anticipated pedestrian activity that provide access to parking and service areas.

B. Street Types Assignment

Along existing or proposed new public streets where street types are not depicted on the Regulating Plan, an appropriate street type shall be established by the Community Development Coordinator as part of an application for development approval. This includes assignment of street types for properties not fronting on a street.

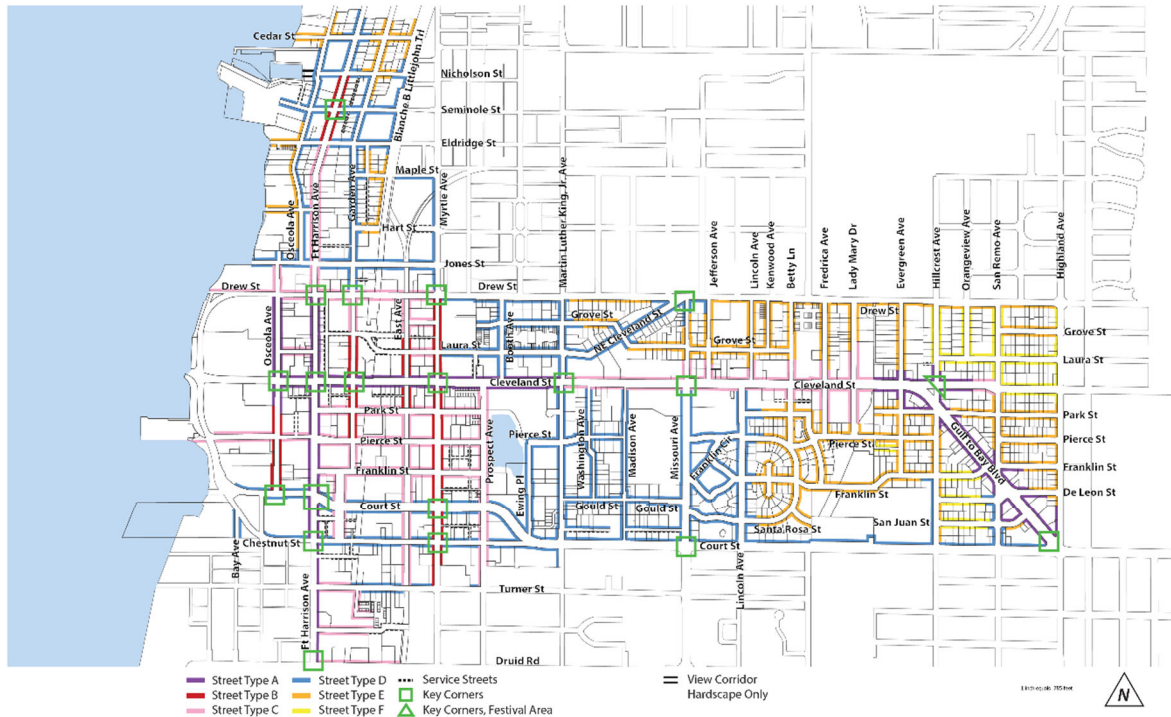
C. View Corridors

The view corridor at the western terminus of Nicholson Street shall be preserved through an open space corridor the width of the Nicholson Street right-of-way. The corridor shall extend to the west to the mean high water line. Hardscaping improvements may occupy this space provided the height does not exceed the average pre-development grade of the property

within the open space corridor. View corridors are shown on Figure 2. Regulating Plan—Street Types and Key Corners.

(Remove existing Figure 2. and replace with the following map that includes additional street labels, adds street type designations where missing on Turner Street and Bay Avenue, and removes the designation from vacated right-of-way on a property located at X (i.e., Peace Memorial))

Figure 2. Regulating Plan—Street Types and Key Corners



Section X. That Appendix C. Downtown District and Development Standards, Division 3. Character District Standards, be amended to read as follows:

Section C-301. - Development potential.

A. Maximum Development Potential.

1. Development in the Downtown District shall be consistent with the development potential set forth by location in the Clearwater Downtown Redevelopment Plan. Properties within the Downtown District shall have a future land use of Central Business District (CBD), which is consistent with the Activity Center (AC) Countywide Plan Map category and the Special Center subcategory in the Countywide Plan for Pinellas County. The maximum

development potential set forth for each established character district is shown on Figures 3 through 7. Residential uses and overnight accommodation uses are regulated by density, or units per acre, while nonresidential uses are regulated by intensity, or floor area ratio (FAR). The development potential for mixed-use projects shall be determined consistent with **Section 3-902**.

2. The Public Amenities Incentive Pool and the Pool allocation process is established in the Clearwater Downtown Redevelopment Plan. The Pool allows for density and/or intensity increases for projects in excess of the allowable maximum development potential established for a parcel.
 - a. Tier 1: The Community Development Coordinator may approve allocations of units and/or square feet of floor area from the Public Amenities Incentive Pool for projects in the Downtown Core that meet the specific criteria listed in Table 1. Tier 1 Public Amenities Incentive Pool Criteria for the Downtown Core. Density and/or intensity allocated from the criteria in Table 1. Tier 1 Public Amenities Incentive Pool Criteria for the Downtown Core may be cumulatively stacked in excess of the maximum thresholds for the Downtown Core, but in no case shall the cumulative maximum density/intensity for a project exceed 150 dwelling units an acre, 190 hotel rooms an acre, or 6.0 FAR. For example, a mixed-use project that includes long-term rental and public parking could have a total density of 145 units per acre.

75 UPA (base max)
35 UPA (bonus rental)
+ 35 UPA (bonus public parking)
145 UPA
 - b. Tier 2: The Community Development Board may approve allocations of density and/or intensity from the Pool for projects in any Downtown Character District that incorporate one or more improvements and/or fees in-lieu of certain improvements that provide a direct benefit to Downtown revitalization, consistent with the eligible amenities list in the Clearwater Downtown Redevelopment Plan.
 - c. Increases to height for either a Tier 1 or Tier 2 project may also be approved by the Community Development Board if the developer of a site plan application provides a major public amenity as defined in the **Community Development Code**, and provided the increase in height does not exceed 20 percent of the maximum permitted height or a minimum of ~~ten~~ 10 feet.
3. Residential density on parcels proposed for development within the Downtown Gateway Character District which have frontage along Street Type F shall be limited to no more than two dwelling units on local streets, including one duplex or a detached dwelling with carriage house only, or three dwelling units on collector streets, including one duplex and one carriage house.

Table 1. Tier 1 Public Amenities Incentive Pool Criteria for the Downtown Core

<u>Criteria</u>	<u>Maximum Density Bonus</u>	<u>Maximum Intensity Bonus</u>
<u>Minimum 15% Affordable Housing (families earning at or below 80% AMI) or Workforce (families earning between 80% and 120% AMI)</u>	<u>20 UPA</u>	<u>N/A</u>
<u>Minimum 25% Affordable Housing (families earning at or below 80% AMI) or Workforce (families earning between 80% and 120% AMI)</u>	<u>40 UPA</u>	<u>N/A</u>
<u>Achieve LEED Certification or Equivalent:</u> <u>Silver Certification:</u> <u>Gold Certification:</u>	<u>50 UPA</u> <u>60 RPA</u> <u>75 UPA</u> <u>95 RPA</u>	<u>1.0 FAR</u> <u>1.5 FAR</u>
<u>Structured Public Parking Tied to % of Project Cost</u>	<u>35 UPA</u>	<u>0.50 FAR</u>
<u>Mixed-Use Project with Minimum 25% Gross Floor Area in Long-term Rental Residential Use</u>	<u>35 UPA</u>	<u>0.50 FAR</u>
<u>Hotel Use with Public Function Space (i.e., ballrooms, banquet halls, meeting rooms)</u>	<u>45 RPA</u>	<u>0.25 FAR</u>
<u>Meets Downtown Building Design Standards (Appendix C, Division 6) without the Need to Apply Flexibility Criteria (Appendix C, Division 8)</u>	<u>20 UPA</u>	<u>0.25 FAR</u>

B. Residential Density in Coastal Storm Area.

Where residential density was increased in 2018, residential density on those portions of property located within the coastal storm area (CSA) shall be limited to the density in place prior to the adoption of the Clearwater Downtown Redevelopment Plan (adopted March 2, 2018) consistent with Figure 7. Residential Density in the Coastal Storm Area. However, if development is located entirely outside of those portions of property located within the CSA, this provision shall not apply.

Section C-302. - Building height.

A. Maximum Building Heights. The maximum building height for each character district is shown on Figure 8. Maximum Height & Height Transitions.

B. Height Transitions.

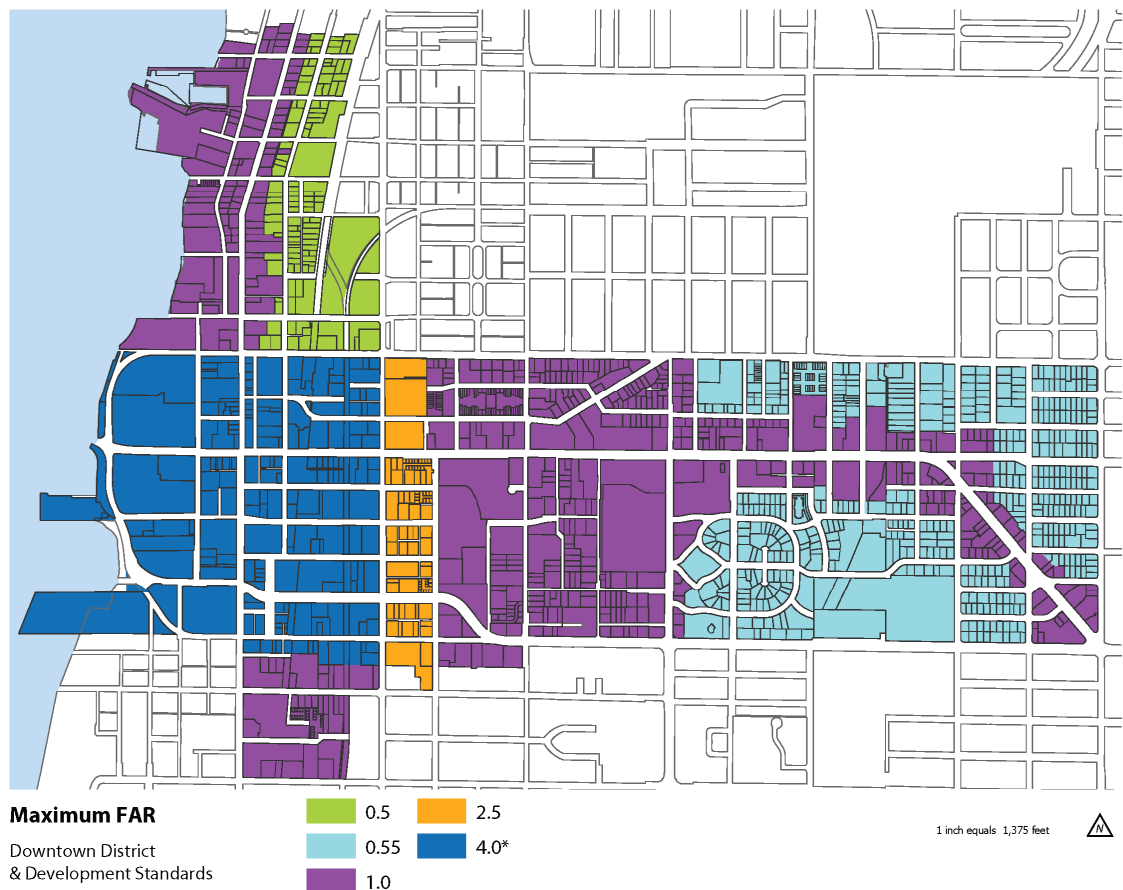
- Buildings greater than 75 feet in height shall provide at least a 15-foot minimum façade step back from the lower floor façade at or between the 3rd and 6th floors 3 through 6 along street frontages abutting public streets. Buildings greater than 150 feet in height shall have an additional 15-foot minimum façade step back at or between the 12th and 15th floors 12 through 15 along street frontages abutting public streets. Where structured parking is located on floors 3 through 6, an alternative stepback location may be approved by the Community Development Coordinator.

3. To avoid a monotonous streetscape, a building shall not replicate the step back configuration of the ~~neighboring~~ adjacent buildings including those directly across rights-of-way.
4. In addition to the step back requirements above, buildings, or portions of buildings located on properties that are two acres or larger in size and located west of North Osceola Avenue and north of Seminole Street, but not fronting on Cedar Street, and are greater than 30 feet in height shall not be closer than 30 feet to any property.

(Remove existing Figure 3. Comprised of 1 map and replace with the following map with added footnote regarding Downtown Core max density)

Figure 3. Maximum Intensity—FAR *** EDITS NEEDED***

- should be 1.5 FAR
- Change Footnote to be ¹ & rephrase to **Not to exceed 6.0 FAR through allocations of intensity of use through the Public Amenities Incentive Pool**



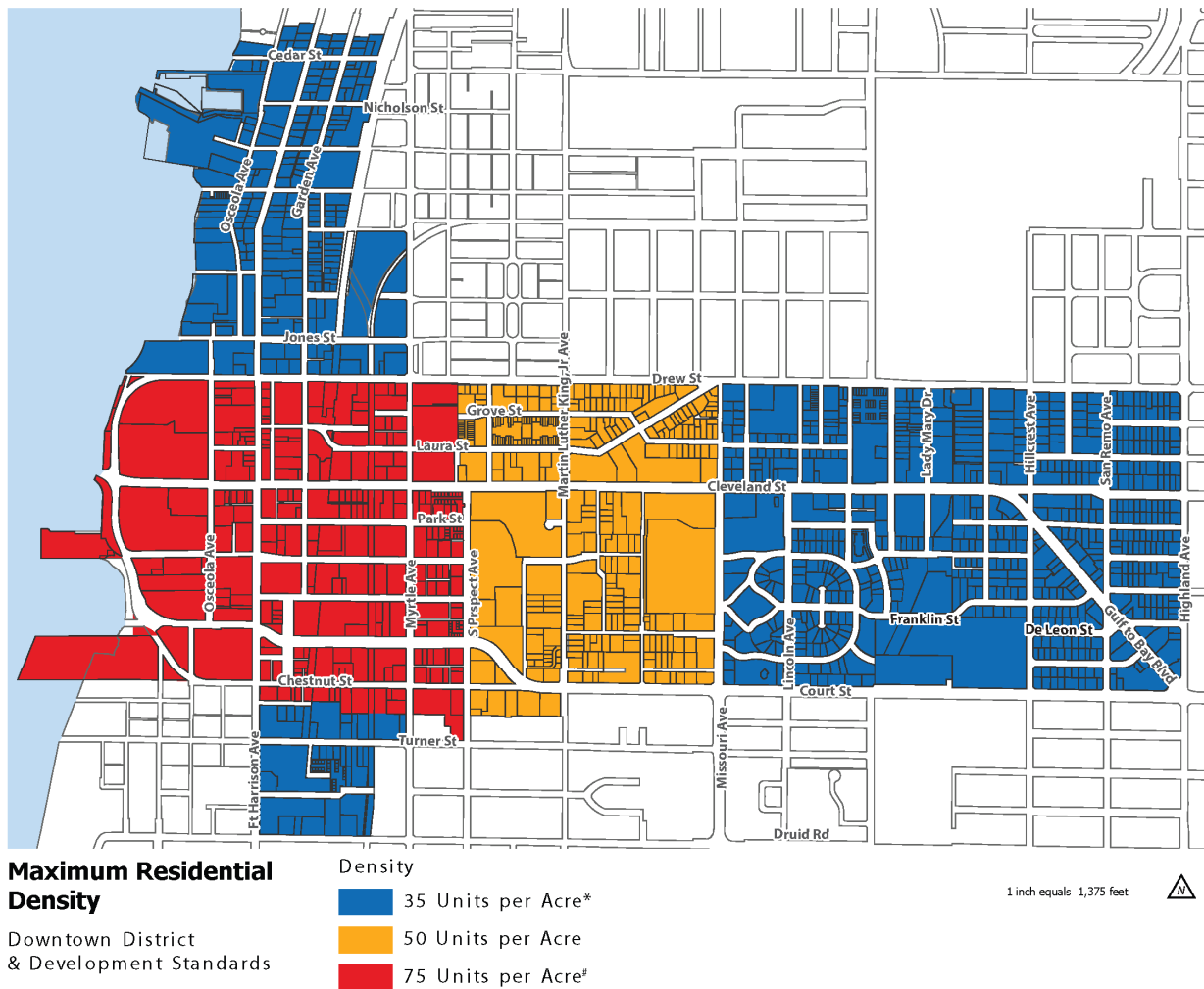
**Not to exceed 6.0 FAR through application of the Public Amenities Incentive Pool.
Sources: City of Clearwater Planning & Development Department; Engineering Department; Pinellas County Property Appraiser
Prepared by: City of Clearwater Planning & Development Department, Month 2021*

(Remove existing Figure 4. Comprised of 1 map and replace with the following map with added footnotes regarding Downtown Gateway and Downtown Core max density)

Figure 4. Maximum Residential Density

*** EDITS NEEDED***

- Change Footnote to be ¹ and ²
- **Modify Note 1:** Except as provided in Section C-301.A.3 which further restricts residential density on parcels within the Downtown Gateway Character District with frontage along Street Type F.
- **Modify Note 2:** Not to exceed 150 units per acre through allocations of density through the Public Amenities Incentive Pool



*Except as noted in Section C-301.A.3, which restricts the total number of units in the Downtown Gateway Character District that have frontage along Street Type F to no more than two dwelling units per parcel.

[#]Not to exceed 150 Units per Acre through application of the Public Amenities Incentive Pool.

Sources: City of Clearwater Planning & Development Department; Engineering Department; Pinellas County Property Appraiser

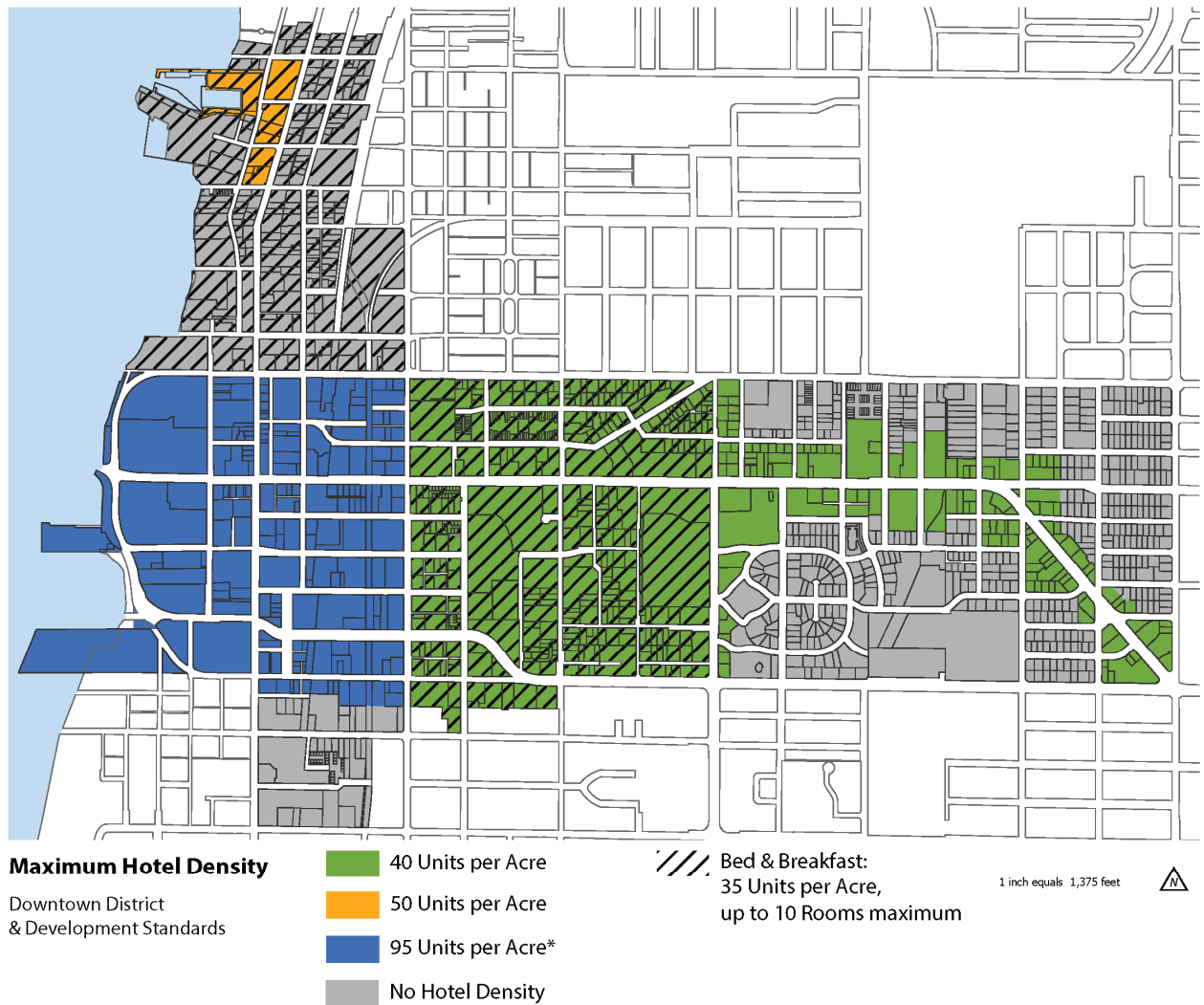
Prepared by: City of Clearwater Planning & Development Department, Month 2021

(Remove existing Figure 5. Comprised of 1 map and replace with the following map, with added hotel density in the Old Bay Character District, with updated legend text for Bed & Breakfast and footnote regarding Downtown Core Pool max density)

Figure 5. Maximum Hotel Density

***** EDITS NEEDED *****

- Change Footnote to be ¹
- **Modify Note 1: Not to exceed 190 units per acre through allocations of density through the Public Amenities Incentive Pool**



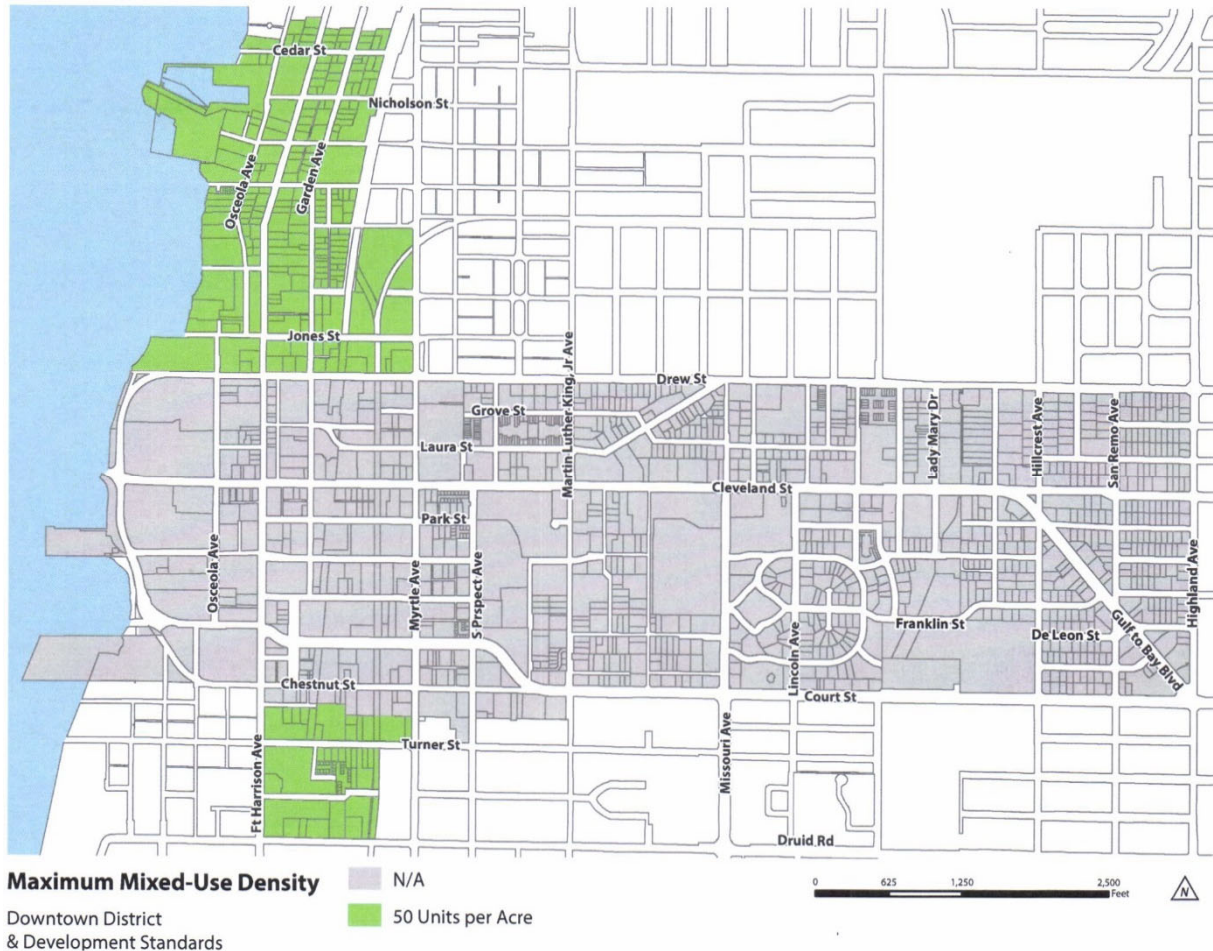
*Not to exceed 190 Units per Acre through application of the Public Amenities Incentive Pool.

Sources: City of Clearwater Planning & Development Department; Engineering Department; Pinellas County Property Appraiser
Prepared by: City of Clearwater Planning & Development Department, Month 2021

Figure 6. Maximum Mixed-Use Density

***** EDITS NEEDED*****

- Address area where Vertical Mixed Use applies (all of Downtown?) and add footnote Not to exceed 150 units per acre through allocations of density through the Public Amenities Incentive Pool



Section C-303. - Permitted uses and parking.

- Use and Off-Street Parking Table. Permitted uses and approval levels by character district, along with off-street parking requirements, are listed in Table 42. Use and Off-Street Parking.
- Residential and Overnight Accommodation (bed and breakfast) use restrictions. Only residential and overnight accommodations (bed and breakfast) uses, where permitted, are allowed in the Urban Residential 2, Neighborhood Infill, and Neighborhood Conservation Frontages as defined in Appendix C, Division 4 except as provided for in Division 8. Flexibility.

RENUMBER TABLE 1 AS TABLE 2, PENDING APPROVAL OF TABLE 1 ABOVE

Table 42. Use and Off-Street Parking

Use	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway	Use Specific Criteria	Minimum Off-Street Parking Spaces
RESIDENTIAL USES							
Attached Dwellings	BCP	BCP	BCP	BCP	BCP	Parking provided in excess of the minimum required may be provided as tandem parking. Handicapped parking spaces shall not be used for tandem spaces.	1/unit
Community Residential Homes	X	BCP	X	BCP	BCP	1. See footnote 1. 2. No more than six residents shall be permitted.	1 per 2 residents
Detached Dwellings	X	BCP	BCP	BCP	BCP	Parking provided in excess of the minimum required may be provided as tandem parking.	2/unit
NONRESIDENTIAL USES							
Alcoholic Beverage Sales	BCP	BCP	BCP	BCP	BCP	Permitted in Storefront 1 and Storefront 2 Frontages only.	N/A
Animal Boarding	FLD	FLD	FLD	FLD	FLD	1. The use of the parcel does not involve animal confinement facilities that are open to the outside. 2. Animals may have supervised outdoor exercise but only between 7:00 a.m.—9:00 p.m. In no case shall animals be left unsupervised while outdoors.	N/A
Assisted Living Facilities	X	BCP	BCP	X	BCP	None	N/A
Bars	BCP	BCP	BCP	BCP	BCP	If the parcel proposed for development is abutting Street Types E or F, the following shall apply: 1. A landscaped wall or fence that is a minimum of six feet in height shall be constructed along property lines abutting those parcels with a Street Type of E or F. 2. No outdoor amplified music allowed after 11:00 pm Sunday through Thursday or 12:00	N/A

Table 42. Use and Off-Street Parking

Use	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway	Use Specific Criteria	Minimum Off-Street Parking Spaces
						midnight Friday and Saturday.	
Brewpubs	BCP	BCP	BCP	BCP	BCP	If the parcel proposed for development is abutting Street Types E or F, the following shall apply: 1. A landscaped wall or fence that is a minimum of six feet in height shall be constructed along property lines abutting those parcels with a Street Type of E or F. 2. No outdoor amplified music allowed after 11:00 pm Sunday through Thursday or 12:00 midnight Friday and Saturday.	N/A
Community Gardens	BCP	BCP	BCP	BCP	BCP	None Limited on-site retail sales may be permitted as an accessory use consistent with the criteria specified in Section 3-2602.B.	N/A
Congregate Care	X	BCP	BCP	X	BCP	None	N/A
Convention Center	FLS	X	X	X	X	None	N/A
Educational Facilities	FLS	FLS	FLS	FLS	FLS	None	4/1,000 SF GFA, or as determined by the Community Development Coordinator based on a parking study
Governmental Uses	FLS	FLS	FLS	FLS	FLS	None	N/A
Indoor Recreation/Entertainment	BCP	BCP	BCP	BCP	BCP	None	N/A
Light Assembly	BCP	BCP	BCP	BCP	BCP	None	N/A
Marinas & Marina Facilities	FLD	FLD	X	X	X	1. High and dry and/or upland boat storage is prohibited. 2. Must comply with Section 3-601.C.3 and Section 3-603 of this Development Code. 3. The parcel proposed for development is not located in areas identified in the Comprehensive Plan as areas of environmental significance including Clearwater Harbor grass beds or	1 per 2 slips

Table 42. Use and Off-Street Parking

Use	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway	Use Specific Criteria	Minimum Off-Street Parking Spaces
						Clearwater Harbor spoil islands. 4. No commercial activities other than the mooring of boats on a rental basis shall be permitted on any parcel of land which is contiguous to a parcel of land which is designated as residential in the Zoning Atlas, unless the marina facilities are totally screened from view from the contiguous land which is designated as residential and the hours of operation of the commercial activities are limited to the time period between sunrise and sunset.	
Medical Clinic	BCP	BCP	BCP	BCP	BCP	None	N/A
Microbreweries	FLS	FLS	FLS	FLS	FLS	See footnote 2.	N/A
Museums	BCP	BCP	BCP	BCP	BCP	None	N/A
Nightclubs	BCP	FLS	FLS	FLS	FLS	See footnote 2.	N/A
Offices	BCP	BCP	BCP	BCP	BCP	None	N/A
Open Space	BCP	BCP	BCP	BCP	BCP	None	N/A
Overnight Accommodations (Bed & Breakfast)	X	BCP	BCP X	BCP	X	1. The use is accessory to the use of the principal building as a private residence. 2. An owner or manager shall reside on the premises in the principal building. 3. Food service in conjunction with the overnight accommodations shall be limited to guests of the use, and shall include at a minimum service of breakfast to guests. 4. Off-street parking is screened to a height of four feet by a landscaped wall or fence so that headlamps from automobiles in the off-street parking area cannot project into adjacent properties and streets. 5. Receptions or	2/dwelling unit plus 1/ overnight accommodation unit

Table 42. Use and Off-Street Parking

Use	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway	Use Specific Criteria	Minimum Off-Street Parking Spaces
						parties of any kind are prohibited.	
Overnight Accommodations (Hotel)	BCP	BCP	BCP X	BCP	BCP	None	0.75/unit
Parking Garages	BCP	BCP	BCP	BCP	BCP	None	N/A
Parks & Recreation Facilities	BCP	BCP	BCP	BCP	BCP	None	N/A
Places of Worship	BCP	BCP	BCP	BCP	BCP	None	N/A
Public Facility	FLD	X	X	X	X	None	N/A
Public Transportation Facilities	FLS	X	X	FLS	X	None	N/A
Research & Technology	BCP	BCP	BCP	BCP	BCP	None	N/A
Restaurants	BCP	BCP	BCP	BCP	BCP	Drive-through components are prohibited.	N/A
Retail Plazas	BCP	BCP	BCP	BCP	BCP	See footnote 3.	N/A
Retail Sales & Services	BCP	BCP	BCP	BCP	BCP	See footnote 3.	N/A
Schools	BCP	BCP	BCP	BCP	BCP	None	N/A
Self Storage Warehouses	FLS	X	FLS	FLS	X	1. The use shall be secondary to and shall not exceed 25 percent of the gross floor area of another principal use. 2. Leasing office and other non-storage customer service areas shall be incorporated into the building frontage along the primary street. 3. Outdoor storage of any kind shall be prohibited. 4. All loading areas, including bays and loading zones used for the placement of personal products onto, or removal from, a transportation vehicle shall be provided along the interior side or rear of the building.	N/A
Social & Community Centers	X	BCP	BCP	BCP	BCP	None	N/A
Social/Public Service Agencies	X	X	FLD	X	FLD	1. See footnote 1. 2. See footnote 2.	N/A
Telecommunication Towers	BCP	BCP	BCP	BCP	BCP	Shall meet requirements set forth in Section 3-2001.	N/A
TV/Radio Studios	FLS	FLS	FLS	FLS	FLS	See footnote 2.	N/A
Utility/Infrastructure Facilities	BCP	BCP	BCP	BCP	BCP	None	N/A
Vehicle Sales/Display, Limited	BCP	BCP	BCP	BCP	BCP	1. The use shall be within an enclosed structure and no outdoor display, storage, and/or sales shall be permitted. 2. Vehicle service of any kind shall be prohibited.	N/A

Table 42. Use and Off-Street Parking

Use	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway	Use Specific Criteria	Minimum Off-Street Parking Spaces
Veterinary Offices	BCP	BCP	BCP	BCP	BCP	None	N/A
Footnotes: 1. The use shall not be located within 1,000 feet of another like use. 2. The parcel proposed for development is not abutting to a parcel of land which has frontage along Street Type E or F. 3. Medical marijuana treatment center dispensing facilities shall comply with the requirements set forth in F.S. § 381.986, as amended. Key: BCP – Level 1 Minimum Standards (Building Construction Permit) FLS – Level 1 Flexible Standard Development (Community Development Coordinator approval required) FLD – Level 2 Flexible Development (Community Development Board approval required) X – Not Permitted							

* * * * *

- C. Bicycle Parking. Long-term bicycle spaces parking requirements shall be provided for new development providing off-street parking as are listed in Table 23. Long-Term Bicycle Parking, and shall comply with the bicycle parking standards in Section 3-1411 of this Development Code. Buildings with less than 5,000 square feet of gross building area and residential projects with fewer than 10 units are exempt from this long-term bicycle parking requirement. All short-term and long-term bicycle parking provided shall also comply with the bicycle parking standards in Section 3-1411 of this Development Code.

RENUMBER TABLE 2 AS TABLE 3, PENDING APPROVAL OF TABLE 1 ABOVE

Table 23. Long-Term Bicycle Parking

Use	Long Term Spaces
Attached Dwellings (10 or more units)	1 per 4 dwelling units. Units with private garage or private storage space are exempt.
Offices	2 min., or 1 per 10,000 SF GFA
Parking Garages	2 min., or 1 per 20 vehicle parking spaces, whichever is greater
Public Transportation Facilities	4 min., or 1 per 10,000 SF GFA

- Section X. That Appendix C. Downtown District and Development Standards, Division 4. Frontage Standards, be amended to read as follows:

Section C-401. - Relationship between street types and frontage standards and hierarchy of street types.

Street Frontage Types are described in Section C-203. Table 34. Frontages and Street Types shows which development standards in this division apply by the street types shown in Figure 2. Regulating Plan – Street Types and Key Corners. Multiple frontages can apply to a single project along a street type.

Section C-402. - Properties with multiple street frontages.

A. Definition of Primary and Secondary Street Frontages.

1. ~~For project sites with multiple street frontages, including corner sites, a~~ A primary street frontage shall be ~~defined~~ established for project sites with multiple street frontages.

2. The primary street frontage shall be defined as the street frontage with the highest level of designated street type or the highest level of existing and planned pedestrian activity as defined in the Clearwater Downtown Redevelopment Plan and consistent with Section C-203.A, or as determined by the Community Development Coordinator.

3. All other street frontages shall be secondary street frontages. As provided in Division 8. Flexibility, a limited amount of flexibility in meeting requirements for frontages defined as secondary street frontages may be approved. (moved from B. below)

B. ~~Definition~~ Assignment of Street Frontages for Corner Sites.

1. ~~For corner sites where the street type is the same on two~~ all frontages, the primary street frontage shall be ~~defined as~~ assigned the frontage to which the majority of buildings on adjacent sites are oriented and addressed, ~~or as determined by the Community Development Coordinator.~~

2. In locations where the orientation of buildings on adjacent sites is unclear, the primary street frontage shall be ~~defined as the frontage on which the building is addressed~~ determined by the Community Development Coordinator. ~~As provided in Division 8. Flexibility, a limited amount of flexibility in meeting requirements for frontages defined as secondary street frontages may be approved. (moved to A. above)~~

3. Primary street frontage requirements may be applied for up to 50% of the linear street frontage of the secondary street frontage to wrap around the corner of a building that is located at the intersection of two different Street Types. The balance of the secondary street frontage shall revert to the standards of the applicable Street Type.

C. Application of Setbacks ~~on Through~~

1. ~~Double-Frontage~~ Lots. For project sites with frontage on two parallel streets, ~~one of which is a Service Street Type,~~ the side setbacks applicable to the primary street frontage shall apply.

2. Corner Lots. Front setbacks shall be applicable to the street frontages of corner lots, and side setbacks shall apply to non-street frontages.

3. Lots with 3 or More Street Frontages. Front setbacks shall be applicable to all street frontages of lots with three or more street frontages, and side setbacks shall apply to all non-street frontages.

* * * * *

Section C-404. - Storefront 1 frontage.

* * * * *

C. Front Setback Improvements.

Where front setbacks are provided, the area within the setback shall be improved primarily as a hardscape extension of the public streetscape with no change in elevation from adjacent sidewalks, no landscape areas, and no permanent physical obstructions such as a curbing,

railing, or fencing. Movable furnishings, including tables, seats, and landscape planters, are permitted.

D. Ground Floor Façades and Entries.

1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
2. Ground floor front building façades shall meet the following standards **(D)**:
 - a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. ~~A-To maximize transparency, a minimum 60 percent of the area of the ground floor façade between 2 and 10 feet in height above adjacent ground level shall consist of storefront windows and doors with transparent glazing with no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited).~~ Transom windows are encouraged above storefront display windows. Residential window types, with closely spaced mullions and recessed punched windows, are not allowed for storefront frontages. The bottom of storefront windows shall be no more than 2 feet above the adjacent ground level.
 - c. Primary entries to individual ground floor tenant spaces and entries to shared lobbies for upper story spaces shall be located along the front façade and may be recessed 18 inches maximum.
 - d. For sites with multiple frontages, there shall be at least one entry to individual ground floor tenant spaces or entries to shared lobbies on each street frontage unless provided on the corner of the primary street frontage and secondary street frontage.
 - ~~de.~~ Thresholds at front building entries and the ground floor finished floor elevation shall match the elevation of the abutting public sidewalk or publicly accessible plaza.
 - ~~ef.~~ The ground floor floor-to-structural-ceiling height shall be 14 feet minimum and ground floor building space shall be designed to meet Florida Building Code requirements for commercial uses.
3. Awnings, canopies, or other forms of weather protection shall be required along at least 80 percent of the front façade and shall meet the standards in Appendix C, Division 6 **(E)**.

* * * * *

Section C-405. - Storefront 2 frontage.

* * * * *

B. Building Setbacks.

1. Buildings shall be placed along street frontages consistent with the following building setbacks from property lines:
 - a. Front Setbacks **(A)**: 0 feet minimum, 3 feet maximum.

- b. Side Setbacks **(B)**: 0 feet maximum, or as required by applicable building and fire codes.
 - c. Rear Setbacks **(C)**: 10 feet minimum.
 - 2. Front building setbacks on Fort Harrison Avenue, Cleveland Street, and Osceola Avenue shall be increased to the extent required to allow for the creation of sidewalks widths consistent with the Master Streetscape Plan within the Clearwater Downtown Redevelopment Plan.
 - 3. To promote the continuity of frontages along front setbacks, the space between buildings on the same or adjacent sites, or between wall facades of the same building, shall be 80 feet maximum.
- C. Front Setback Improvements.
- 1. Where front setbacks are provided, the area within the setback shall be improved primarily as a hardscape extension of the public streetscape with no change in elevation from adjacent sidewalks.
 - 2. Landscape areas may account for 35 percent maximum of the front setback area. Such landscaping shall comply with landscape requirements in Section 3-1202.
 - 3. Low curbing may be used to define the edge of landscape areas but no permanent physical obstructions such as walls, railing, or fencing are permitted.
- D. Ground Floor Façades and Entries.
- 1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
 - 2. Ground floor front building façades shall meet the following standards **(D)**:
 - a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. A-To maximum transparency, a minimum 50 percent of the area of the ground floor façade between 2 and 10 feet in height above adjacent ground level shall consist of storefront windows and doors with transparent glazing with no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited). Transom windows are encouraged above storefront display windows. Residential window types, with closely spaced mullions and recessed punched windows, are not allowed for storefront frontages. The bottom of storefront windows shall be no more than 2 feet above the adjacent ground level.
 - c. Primary entries to individual ground floor tenant spaces and entries to shared lobbies for upper story spaces shall be located along the front façade and may be recessed 18 inches maximum.
 - d. Thresholds at front building entries and the ground floor finished floor elevation shall match the elevation of the abutting public sidewalk or publicly accessible plaza.
 - e. The ground floor floor-to-structural-ceiling height shall be 14 feet minimum and ground floor building space shall be designed to meet Florida Building Code requirements for commercial uses.

3. Awnings, canopies, or other forms of weather protection shall be required along at least 80 percent of the front façade and shall meet the standards in Appendix C, Division 6 **(E)**.

E. Parking.

1. In addition to the following standards, parking location, design and access shall meet standards in Appendix C, Division 5.
2. Parking, vehicular loading/unloading areas, and passenger drop off areas are prohibited in front setbacks.
3. Surface parking located to the side of buildings along streets shall be no greater than 1 bay in width or 60 feet maximum as measured along the street frontage and shall be set back 5 feet behind front building façades and screened from public sidewalks by an opaque hedge or wall 24 to 36 inches in height **(F)**. Where provided, side surface parking shall be located along a single building side.
4. Parking and vehicular circulation areas incorporated in the ground floor of a building along street frontages shall be located behind fully-enclosed, occupied building space with a depth of 20 feet minimum **(G)**.
5. Surface and structured parking shall comply with side and rear building setbacks. Side and/or rear setbacks shall not apply between surface parking areas on abutting properties which provide for shared access and use.
6. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-406. - Workshop/flex frontage.

B. Building Setbacks.

1. Buildings shall be placed along street frontages consistent with the following building setbacks from property lines:
 - a. Front Setbacks **(A)**: 5 feet minimum, 10 feet maximum.
 - b. Side Setbacks **(B)**: 5 feet minimum or as required by applicable building and fire codes.
 - c. Rear Setbacks **(C)**: 10 feet minimum.
2. To promote the continuity of frontages along front setbacks, the space between buildings on the same or adjacent sites, or between wall facades of the same building, shall be 80 feet maximum. shall be 80 feet maximum.

C. Front Setback Improvements.

1. The front setback area shall be improved as a landscape area with walkway connections between sidewalks and front building entries. Low curbing may be used to define the edge of landscape areas but no permanent physical obstructions such as walls, railings, or fencing are permitted between the street and front building façade.

2. Landscaping in the front setback area shall comply with landscape requirements in Section 3-1202.
3. Hardscape areas improved as open air patio or café space may account for 50 percent maximum of the front setback area. Such areas may be defined by railings or low walls 36 inches maximum in height.

D. Ground Floor Façades and Entries.

1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
2. Ground floor front building façades shall be designed to meet the following standards **(D)**:
 - a. Building façades shall be located generally parallel to the street frontage to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. A-To maximize transparency, a minimum 40 percent of the area of the ground floor façade between 2 and 10 feet in height above adjacent ground level shall consist of windows and doors with transparent glazing with no more than 10 percent daylight reduction (tinting) and no reflective or mirrored coating or treatment clear and nonreflective glass with a high percentage of visible light transmittance (dark tinting, colored, or opaque glazing is prohibited).
 - c. Primary entries to individual ground floor tenant spaces and entries to shared lobbies for upper story spaces shall be located along the front façade and may be recessed 18 inches maximum.
 - d. Thresholds at front building entries and the ground floor finished floor elevation may be elevated 18 inches maximum above the grade of the abutting public sidewalk or publicly accessible plaza.
 - e. The ground floor floor-to-structural-ceiling height shall be 14 feet minimum and ground floor building space shall be designed to meet Florida Building Code requirements for commercial uses.
3. Awnings, canopies, or other forms of weather protection shall be required at building entries and shall meet the standards in Appendix C, Division 6 **(E)**.

E. Parking.

1. In addition to the following standards, parking location, design and access shall meet standards in Appendix C, Division 5.
2. Parking, vehicular loading/unloading areas, and passenger drop off areas are prohibited in front setbacks.
3. Surface parking located to the side of buildings along streets shall be no greater than 1 bay in width or 60 feet maximum as measured along the street frontage and shall be set back 5 feet behind front building façades and screened from public sidewalks by an opaque hedge or wall 24 to 36 inches in height **(F)**. Where provided, side surface parking shall be located along a single building side.
4. Surface parking and vehicular circulation areas incorporated in the ground floor of a building along street frontages shall be located behind fully-enclosed, occupied building space with a depth of 20 feet minimum **(G)**.

5. Surface and structured parking shall comply with side and rear building setbacks. Side and/or rear setbacks shall not apply between surface parking areas on abutting properties which provide for shared access and use.
6. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-407. Urban residential 1 frontage.

* * * * *

B. Building Setbacks.

1. Buildings shall be placed along street frontages consistent with the following building setbacks from property lines:
 - a. Front Setbacks **(A)**: 3 feet minimum, 5 feet maximum.
 - b. Side Setbacks **(B)**: 0 feet maximum, or as required by applicable building and fire codes.
 - c. Rear Setbacks **(C)**: 10 feet minimum.
2. Front building setbacks on Fort Harrison Avenue, Cleveland Street, and Osceola Avenue shall be increased to the extent required to allow for the creation of sidewalks widths consistent with the Master Streetscape Plan within the Clearwater Downtown Redevelopment Plan.
3. To promote continuity of frontages along front setbacks, the space between buildings on the same or adjacent sites, or between wall facades of the same building shall be 20 feet maximum and may be occupied by a mid-block pedestrian passageway open for tenant use. Where such space is provided with no pedestrian passageway or to provide for a private courtyard, a 6-foot minimum, or 8-foot maximum high brick or other masonry wall, wall with masonry columns linked by substantial grill work, or wall designed to match the architectural design of the building shall be constructed in line with the front building façade.

C. Front Setback Improvements.

1. The front setback area shall be improved with landscape areas and walkways providing access to common building entries and to porches or stoops at entries to ground floor units. Walkways to building entries shall generally match sidewalk grade.
2. Landscaping in the front setback area shall comply with landscape requirements in Section 3-1202.
3. Walls, railings, fencing, or other similar improvements not part of a porch or stoop are prohibited within front setbacks.
4. Fenced, walled, or otherwise enclosed patios or other forms of enclosed outdoor space are not permitted for ground floor units along street frontage.

D. Ground Floor Façades and Entries.

1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
2. Ground floor front building façades shall meet the following standards **(D)**:

- a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. The finished floor elevation of ground floor residential units along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent sidewalks.
 - c. Primary entries to individual ground floor units and shared lobby space providing access to upper story units shall be located along the front façade and be visible from streets and sidewalks.
 3. Stoops shall be provided at entries to individual ground floor units and be designed to meet the following standards **(E)**:
 - a. Stoops may project 5 feet maximum from front building façades into setbacks.
 - b. Stoops shall include stairs and landings providing access to unit entries with low walls or railings on stairs and landings as required by Florida Building Code.
 - c. No more than two front stoops serving adjacent units shall be connected.
 - d. Landscape areas between stoops may be defined by curbing or low walls. Such landscaping shall comply with landscape requirements in Section 3-1202.
 4. Canopies or other forms of weather protection shall be provided at front building entries to shared ground floor lobby space and shall meet the standards in Appendix C, Division 6 **(E)**.
- E. Parking.
1. In addition to the following standards, parking location, design and access shall meet standards in Appendix C, Division 5.
 2. Parking shall be located to the rear of the property away from the primary street frontage and corner locations. Parking to the side of buildings is prohibited.
 3. Parking, vehicular loading/unloading areas, and passenger drop off areas are prohibited in front setbacks.
 4. Parking and vehicular circulation areas incorporated in the ground floor of a building along street frontages shall be located behind fully-enclosed, occupied building space with a depth of 20 feet minimum **(F)**.
 5. Surface and structured parking shall comply with side and rear building setbacks. Side and/or rear setbacks shall not apply between surface parking areas on abutting properties which provide for shared access and use.
 6. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-408. - Urban residential 2 frontage.

* * * * *

B. Building Setbacks.

1. Buildings shall be placed along street frontages consistent with the following building setbacks from property lines:
 - a. Front Setbacks **(A)**: 8 feet minimum, 15 feet maximum.
 - b. Side Setbacks **(B)**: 5 feet minimum or as required by applicable building and fire codes.
 - c. Rear Setbacks **(C)**: 10 feet minimum.
 2. To promote the continuity of frontages along front setbacks, the space between buildings on the same or adjacent sites, or between wall facades of the same building, shall be 80 feet maximum.
- C. Front Setback Improvements.
1. The front setback area shall be improved with landscape areas and walkways providing access to common building entries and to porches or stoops at entries to ground floor units. Walkways to building entries shall generally match sidewalk grade.
 2. Landscaping in the front setback area shall comply with landscape requirements in Section 3-1202.
 3. Walls, railings, fencing, or other similar improvements not part of a porch or stoop are prohibited within front setbacks.
- D. Ground Floor Façades and Entries.
1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
 2. Ground floor front building façades shall meet the following standards **(D)**:
 - a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. The finished floor elevation of ground floor residential units along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent sidewalks.
 - c. Primary entries to individual ground floor units, where provided, and shared lobby space shall be located along the front façade and be visible from streets and sidewalks.
 3. Where primary entries to individual ground floor units are located along the front façade, front porches or stoops shall be provided at entries and designed to meet the following standards **(E)**:
 - a. Porches and stoops may project 4 feet minimum, 8 feet maximum from front building façades into setbacks but shall be located no closer than 2 feet from public sidewalks.
 - b. No more than two front porches or stoops serving adjacent units shall be connected.
 - c. Landscape areas at least 8 feet in width as measured along the front building façade shall be provided between individual or connected porches or stoops.
 4. Canopies or other forms of weather protection shall be provided at front building entries to shared ground floor lobby space and shall meet the standards in Appendix C, Division 6 **(E)**.

E. Parking.

1. In addition to the following standards, parking location, design and access shall meet standards in Division 5.
2. Parking, vehicular loading/unloading areas, and passenger drop off areas are prohibited in front setbacks.
3. Surface parking located to the side of buildings along streets shall be no greater than 1 bay in width or 60 feet maximum as measured along the street frontage and shall be set back 5 feet behind front building façades and screened from public sidewalks by an opaque hedge or wall 24 to 36 inches in height **(F)**. Side surface parking shall be located along a single building side.
4. Parking and vehicular circulation areas incorporated in the ground floor of a building along street frontages shall be located behind fully-enclosed, occupied building space with a depth of 20 feet minimum **(G)**.
5. Surface and structured parking shall comply with side and rear building setbacks. Side and/or rear setbacks shall not apply between surface parking areas on abutting properties which provide for shared access and use.
6. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-409. - Neighborhood infill frontage.

* * * * *

D. Ground Floor Façades and Entries.

1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
2. Ground floor front building façades shall meet the following standards **(D)**:
 - a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. The finished floor elevation of ground floor residential units along front setbacks shall be elevated 18 inches minimum, 36 inches maximum above the grade of adjacent sidewalks.
 - c. Primary entries to ground floor units and shared lobby space shall be located along the front façade and be visible from streets and sidewalks.
3. Front porches or stoops shall be provided at entries to individual ground floor units and be designed to meet the following standards **(E)**:
 - a. Porches may project 6 feet minimum, 10 feet maximum from front building façades into setbacks. Stoops may project 4 feet minimum, 6 feet maximum from front building façades into setbacks. Neither shall be located closer than 2 feet from front property line.
 - b. For buildings at corner locations, porches shall be oriented to the primary street frontage and wrap around ~~from~~ ~~to~~ the façade a minimum of 6 feet along the

~~secondary street frontage and extend 6 feet minimum along the façade facing the secondary street frontage.~~

- c. No more than two front porches or stoops serving adjacent units shall be connected.
 - d. Landscape areas shall be provided between individual or connected porches or stoops and shall be at least 8 feet in length as measured along the front building façade.
4. Canopies or other forms of weather protection shall be provided at front building entries to shared ground floor lobby space and shall meet the standards in Appendix C, Division 6 **(E)**.

E. Parking.

- 1. In addition to the following standards, parking location, design and access shall meet the standards in Appendix C, Division 5.
- 2. Surface parking shall be located to the rear of buildings away from the primary street frontage and corner locations and shall comply with side and rear building setbacks.
- 3. Parking to the side of buildings behind front building façades is permitted only for single family detached dwellings and duplex building types. Such parking shall be in single width private driveways perpendicular to the right-of-way and may be located in front and side setbacks but may be no closer than 2 feet from side lot lines.
- 4. Surface parking lots serving multiple dwelling units shall comply with side and rear building setbacks. Side and/or rear setbacks shall not apply between surface parking lots on abutting properties which provide for shared access and use.
- 5. Parking, vehicular loading/unloading areas, and passenger drop off areas are prohibited in front setbacks.
- 6. Parking and vehicular circulation areas incorporated in the ground floor of a building or parking garage shall be located behind fully-enclosed, occupied building space along street frontages with a depth of 20 feet minimum **(F)**.
- 7. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-410. - Neighborhood conservation frontage.

* * * * *

- A. General. The Neighborhood Conservation Frontage Standards are intended for application along Street Type F which is identified as appropriate for residential development and redevelopment. Development standards for this frontage require detached dwellings and attached dwellings ~~(two units maximum, may include detached dwelling with one carriage house)~~, as described in Table 45. Attached Dwelling Types General, oriented to public sidewalks with front lawns and parking to the rear of occupied building space with allowance for limited parking in private driveways to the side of houses. On local streets, two units maximum may be permitted including one duplex or one detached dwelling with one carriage house. On collector streets, three units maximum may be permitted, including one duplex and one carriage house. *****NOTE: The number 4 in Table 4 above is stricken*****

(In the sections below, the bold lettering in parentheses refers to the annotations in Figures 28 and 29.)

B. Building Setbacks.

1. Buildings shall be placed along street frontages consistent with the following building setbacks from property lines:
 - a. Front Setbacks **(A)**: 20 feet minimum.
 - b. Side Setbacks **(B)**: 5 feet minimum.
 - c. Rear Setbacks **(C)**: 10 feet minimum.
2. Front setbacks shall be no greater than the average setback for buildings along the same block frontage.

C. Front Setback Improvements.

1. The front setback area shall be improved with lawn and landscape areas.
2. Walkways may be provided to connect public sidewalks with porches or stoops at entries to ground floor units. Walkways to building entries shall generally match sidewalk grade.
3. Walls, railings, fencing, or other similar improvements not part of a porch or stoop are not permitted within front setbacks except that picket fences no higher than 36 inches in height may be permitted to define the front yards of individual units.
4. Fenced, walled, or otherwise enclosed patios or other forms of enclosed outdoor space are not permitted in front setbacks.

D. Ground Floor Façades and Entries.

1. Building façades along street frontages shall meet building design standards in Appendix C, Division 6.
2. Ground floor front building façades shall meet the following standards **(D)**:
 - a. Building façades shall be located along front setbacks and aligned generally parallel to streets and public sidewalks to a rectilinear primary street frontage property line or the tangent of a curved primary street frontage property line.
 - b. Primary entries to ground floor units shall be located along the front façade and be visible from streets and sidewalks.
3. Front porches or stoops shall be provided at entries to individual units and be designed to meet the following standards **(E)**:
 - a. Porches may project 6 feet minimum, 10 feet maximum from front building façades into setbacks. Stoops may project 4 feet minimum, 6 feet maximum from front building façades into setbacks.
 - b. For buildings at corner locations, porches shall be oriented to the primary street frontage and wrap around ~~from to the façade~~ a minimum of 6 feet along the secondary street frontage ~~and extend 6 feet minimum along the façade facing the secondary street frontage.~~
 - c. No more than two front porches or stoops serving attached units shall be connected.

- d. Landscape areas shall be provided between individual or connected porches or stoops and shall be at least 8 feet in length as measured along the front building façade.

E. Parking.

1. In addition to the following standards, parking location, design and access shall meet standards the in Appendix C, Division 5.
2. Surface parking lots shall be located to the rear of buildings away from the primary street frontage and corner locations and shall comply with side and rear building setbacks.
3. Parking is permitted in single width private driveways. Such driveways shall meet the side setback requirement and be located to the side of buildings **(F)**.
4. Parking incorporated in enclosed garages or the ground floor of a detached or attached dwelling shall be set back 5 feet minimum from the front building façade **(G)**.
5. With approval from appropriate City, County or State authorities, parallel parking may be constructed within the right-of-way along streets abutting the property.

Section C-411. - Frontage along service streets.

- A. Building Setbacks. ~~Buildings~~ Except as provided in Section C-402.C, buildings with frontage along streets designated as Service Streets on Figure 2. Regulating Plans - Street Types and Key Corners, shall be placed consistent with the following building setbacks from property lines:
 1. Front Setbacks: 5 feet minimum.
 2. Side Setbacks: 10 feet minimum.
 3. Rear Setbacks: 10 feet minimum.
- B. Front Setback Improvements. The front setback area shall be improved with landscaping and fencing to buffer parking lot or parking structures and service areas. Such buffers and fencing shall comply with standards in Appendix C, Division 5.
- C. Parking and Vehicular Circulation. Parking, vehicular circulation, and other vehicular use areas are permitted along the frontage and shall be located and designed to meet standards in Appendix C, Division 5.

Section X. That Appendix C. Downtown District and Development Standards, Division 5. Site Design Standards, be amended to read as follows:

* * * * *

Section C-503. - Access and circulation.

* * * * *

C. Pedestrian Circulation and Access.

1. ~~Pedestrian~~ Except for duplexes and detached dwellings on internal lots along Street Type F, pedestrian walkways shall be provided to access parking lots and parking structures behind or to the side of buildings, connect destinations on adjacent properties, connect front building entries to adjacent sidewalks, and allow pedestrian circulation through parking lots to create a continuous pedestrian network.
2. Pedestrian walkways shall be 6-foot wide minimum and free of obstructions.
3. Pedestrian walkways that cross a parking area or other vehicular use areas shall be clearly marked with striping, contrasting paving materials (e.g., light-color concrete inlay between asphalt), textured or raised pavement, or other appropriate treatment as approved by City staff.
4. Where specialty paving, such as pavers, decorative concrete, or other materials, is used for public sidewalks or other pedestrian walkways, the specialty paving shall continue across parking access drive aisles.
5. Pedestrian walkways provided between buildings shall be designed to meet the following standards.
 - a. Where blocks are longer than 600 feet, one mid-block pedestrian walkway open to the public during regular building hours shall be provided.
 - b. Pedestrian walkways between buildings shall be at least 15-foot wide and 20-foot wide on average.
 - c. Pedestrian scale lighting shall be provided along pedestrian facilities.
- D. Cross Parcel Connections. To facilitate circulation and improve accessibility, vehicle and pedestrian ~~paths~~ facilities on adjacent sites shall be interconnected, except for detached dwellings and duplexes on internal lots along Street Type F. Parking Existing and planned parking lot drive aisles, private drives, private service drives, and pedestrian walkways shall be aligned and connected with abutting sites. In cases where no connection existing on an abutting developed site, and drive aisle and pedestrian walkway stub outs shall be constructed on properties abutting undeveloped sites to allow for future connections.
- E. Connection to Trails. Pedestrian and bicycle connections to the Pinellas Trail and/or Druid Trail, or future trails, bikeways, or the like, that are visible from public rights-of-way and/or building entrances shall be incorporated into site plans where property is adjacent to the Trail(s).

* * * * *

Section C-505. - Garages for attached or detached dwellings.

- A. Garages shall be located behind the principal building and accessed from public alleys, private drives, or private service drives.
- B. Where public alleys, private drives, or private service drives are not provided, single width private driveways no greater than 10 feet in width maximum are permitted and the following standards shall apply.
 1. Attached, front facing garages serving detached dwellings, where permitted, shall be set back 5 feet minimum from the front façade of the building.
 2. Detached garages shall be located behind the principle building to the rear of the property, not along the primary street frontage, and accessed from a single width private driveway.

3. Attached or detached garages on corner sites shall be located to the rear of the property away from the primary street frontage, oriented toward a secondary street frontage, and accessed from a secondary street frontage by a single width private driveway.

Section C-506. - Landscape and fencing/walls.

- A. Landscape Requirements in Article 3, Division 12. Landscape improvements shall meet the general landscaping standards set forth in Article 3. Division 12 ~~in~~ in addition to the frontage standards in Appendix C, Division 4 and landscape and parking standards in Appendix C, Division 5.

* * * * *

Section C-508. - Waterfront development.

Waterfront development shall be located and designed to meet all of the following standards.

- A. Waterfront Setback. ~~Waterfront development~~ Structures shall maintain a waterfront setback of 20 feet minimum from the sea wall, property line, or mean high water line, whichever is most interior to the property.
- B. Parking.
 1. Residential uses along Clearwater Harbor shall be designed with parking garages or with parking areas internal to the site/building and screened from Clearwater Harbor.
 2. Perimeter screening shall not be required for public parking located along waterfronts.

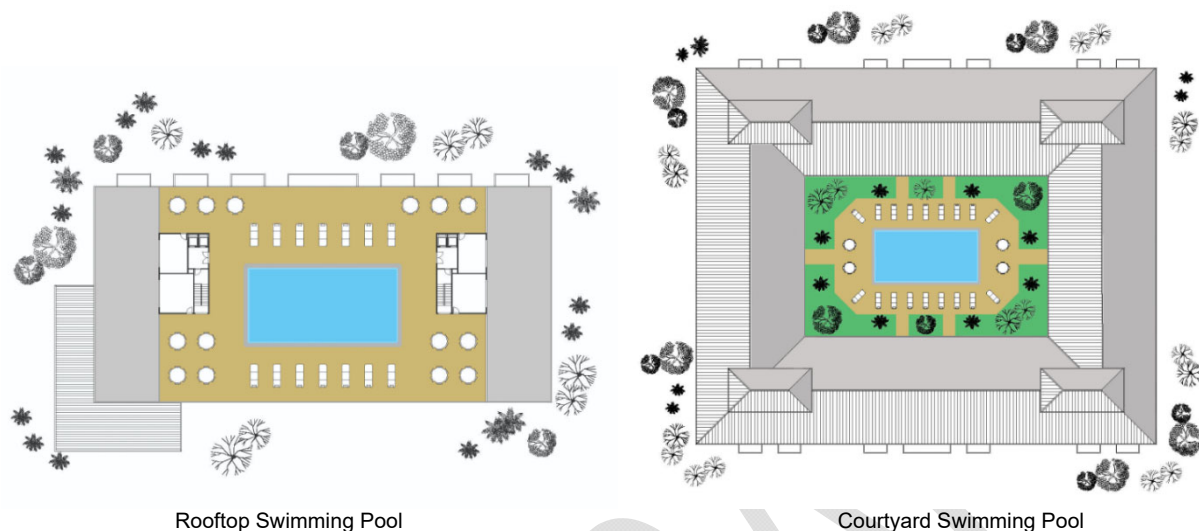
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Section C-510. – Swimming Pools.

Swimming pools shall be located on the roof of the building or internal to the development site as a courtyard pool and not along street frontages as illustrated in Figure 31.

Figure 31. Swimming Pools

(Insert two new images for Figures 31 and renumber subsequent Figures accordingly)



Section X. That Appendix C. Downtown District and Development Standards, Division 6. Building Design Standards, be amended to read as follows:

Section C-601. - General.

To support the creation of more pedestrian- and transit-accessible destinations, buildings shall be located generally parallel to adjacent streets and designed to contribute to the creation of attractive, accessible destinations. Building façades along streets and public spaces shall be designed with attractive ground floor façades, well-defined building entries, and shall use quality building materials. Buildings shall occupy a substantial portion of the frontage and be located to minimize the visual impact of parking, loading, service and other vehicular use areas.

Section C-602. - Façade treatment and design.

- C. Facade Materials All building facades within view of a public street, pedestrian walkway, waterfront, or other public space, including side and rear facades, shall be constructed of high quality materials such as brick, stone, architectural block, concrete with an architectural finish, and traditional cementitious stucco. Side and rear facades shall use materials and design features similar to or complementary to those of the front facade. The use of metal facades shall not be permitted.

- I. Upper Level Façade Length Fenestration. A minimum of 20 percent of all upper floor façade lengths along Street Types A, B, C, or D shall consist of fenestration in the form of doors, window, or other openings to minimize blank facades.

Section C-603. - Awnings, canopies, and balconies.

1. Ground floor awnings, canopies, and other forms of shading devices or structures, where provided, shall comply with the following standards.
 - a. Such devices and structures shall project 5 feet minimum, 10 feet maximum from the front façade with the exception that in no case shall such projection be closer than five feet from the curbline.
 - b. Such devices and structures shall be permitted into required setbacks and over street rights-of-way provided a clearance of eight feet over grade is maintained.
 - c. Such devices and structures with supports may be located up to the property line.
 - d. Such devices and structures that project into rights-of-way shall be cantilevered or suspended from the building façade.
2. Awnings, canopies, or other forms of shading devices or structures are permitted on upper stories and shall not extend further than 36 inches from the façade.
3. Awnings, canopies, or other forms of shading devices or structures shall not be backlit or constructed of high-gloss material or fabric which appears to be plastic, or be clad with barrel tiles, asphalt shingles, or other standard roofing materials.
4. Balconies or other projections may encroach into front setbacks. Awnings or canopies provided for balconies shall not extend forward of the balcony.

* * * * *

Section C-605. - Building entries.

- A. Location.
1. Building entries opening onto parking located to the side or rear of buildings shall not be considered primary building entries.
 2. For sites with multiple frontages, the primary building entry or entries shall be located along the primary street frontage or at the corner of the primary street frontage and secondary street frontage.
- B. Design Treatment. Primary building entries, including main entries to individual tenant spaces and to lobbies used to access upper story building space, shall be distinguished by façade design, accomplished through the use of a combination of materials, articulation, or other architectural treatments such as variation in building height, arches, columns, towers, or similar treatments that provide interest to the building façade and draw attention to the entrance.

* * * * *

Section X. That Appendix C. Downtown District and Development Standards, Division 7. Sign Standards, be amended to read as follows:

***GINA TO PROVIDE LANGUAGE REGARDING MARQUEE SIGNAGE IF APPLICABLE IN
THIS SECTION***

* * * * *

Section X. That Appendix C. Downtown District and Development Standards, Division 8. Flexibility, be amended to read as follows: [add note re: re-lettering of the other flex provisions if new Step Back Flex is added as A.]

* * * * *

Section C-803. – Flexibility provisions.

Flexibility may be approved subject to the standards below.

- A. Character District Standards – Height Transitions. Flexibility in meeting requirement for building step backs along street frontages in Section C-302.B may be approved where the alternative design treatment provides a varied and interesting design, and the alternative treatment is integral to the building's design and results in façades of equal or better quality than the standards would produce.
- AB. Frontage Standards – Properties with Multiple Street Frontages. Flexibility in the standards for orientation of front building façades for attached and detached dwellings in Appendix C, Division 4 may be approved to allow for frontage orientation consistent with typical frontage orientation on surrounding blocks.
- BC. Frontage Standards – Building Setbacks.
1. Front building setbacks less than the minimums or greater than the maximums allowed in Appendix C, Division 4 may be approved for projects with a publicly-accessible outdoor open space or site constraints such as shape irregularities and/or the presence of natural features, existing utilities, utility easements, or access easements making meeting setback requirements impractical or infeasible.
 2. Flexibility in the application of front setback requirements in Appendix C, Division 4 may be approved to allow new development setbacks compatible with the traditional character of development on adjacent sites and block frontages.
 3. Flexibility in the application of front setback requirements in Appendix C, Division 4 to provide 10-foot minimum sidewalk widths may be approved to allow new development setbacks compatible with the traditional character of development on adjacent sites and block frontages.
 4. Side and rear setbacks less than the minimum allowed in Appendix C, Division 4 may be approved for projects to allow for innovative site designs that advance the goals and objectives for the Clearwater Downtown Redevelopment Plan.
 5. The maximum spacing between individual buildings along Storefront 1 and Urban Residential 1 Street Frontages in Section C-404.B. and Section C-407.B may be increased or waived for projects with one or more of the following characteristics.

- a. The proposed site configuration is designed to incorporate natural features such as a stand of mature trees, body of water, wetland or other similar feature.
- b. Placement of existing buildings and/or site access and circulation constraints make it infeasible to meet the standard.
- c. The placement of publicly-accessible outdoor plaza spaces to the side of the building results in increased spacing to accommodate the plaza.

Where flexibility in the standard is allowed, enhanced landscaping and the use of low walls along street frontages to screen parking and define the edge of pedestrian walkways shall be required.

5. The maximum spacing between building frontages or wall facades of the same building may be increased to 100 feet along Street Type C when on a secondary frontage or Street Type D when on a primary or secondary frontage to allow for a private courtyard.

CD. Frontage Standards – Fences and Walls Along Street Frontages Front Setback Improvements.

1. Flexibility in the prohibition of fences and walls, railings, fencing or other similar improvements in front of buildings with Workshop/Flex, Urban Residential 2, Neighborhood Infill or Neighborhood Conservation Frontages along Street Types D, E, and F may be approved where the placement of a fence or wall, railing, fence or other similar improvement in front of the building does not negatively affect the project's pedestrian orientation or is found to be compatible with front setback conditions on abutting and nearby properties. Where flexibility is approved, fence or wall height shall be 6 feet maximum, and any portion above three 3 feet in height shall be at least 50 percent open (i.e., picket style).

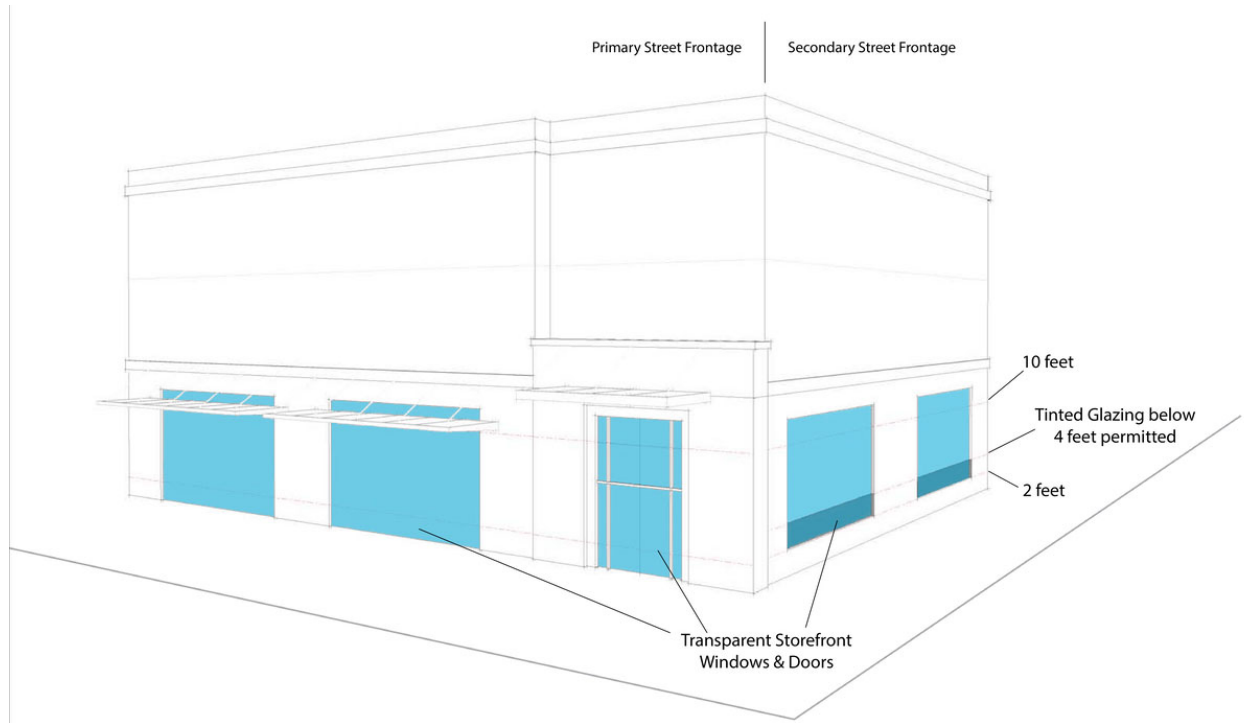
2. Flexibility in the application of landscaping standards in front setbacks found in Section C-407.C, Section C-408.C, Section C-409.C, and Section C-410.C may be approved if pedestrian orientation is not adversely impacted and site functionality is improved.

DE. Frontage Standards – Front Building Ground Floor Façades and Entries.

1. For buildings with multiple street frontages, required glazing below 4 feet along secondary street frontages may be exempt from the daylight reduction (tinting) standard required for buildings with Storefront 1, Storefront 2 or Workshop/Flex Frontages. No reflective or mirrored coating or treatments are permitted. These flexibility provisions are illustrated in Figure 3370. Frontage Design Flexibility.
2. For buildings on corner lots, Flexibility flexibility in locating primary building entries on secondary street frontages may be approved as long as façades on primary and secondary street frontages are designed to meet applicable standards in Appendix C, Division 4, and the primary building entry is shall be located on within 20 feet of the primary street frontage or corner. ***NEEDS FURTHER DISCUSSION***
3. Flexibility in the application of finished floor elevation standards for residential buildings in Appendix C, Division 4 may be approved to accommodate projects on sloping sites or projects with innovative building types.

(Remove mis-numbered Figure 33, renumber as Figure 70, and replace with the following 1 image)

Figure 3370. Frontage Design Flexibility



EE. Frontage Standards – Parking.

1. Flexibility in the application of landscape and wall requirements in Appendix C, Division 4 to screen surface parking, service areas, and structured parking, may be approved where alternative design treatments result in all of the following.
 - a. The screening of vehicles from view along public sidewalks.
 - b. The physical separation of pedestrian use and vehicular use areas.
 - c. The creation of safe, comfortable, and quality pedestrian environments along pedestrian walkways and public sidewalks.
2. **Flexibility in the applicability of requirements to locate parking to the rear of the property and/or not on the side of a building may be approved consistent with one of the following.**
 - a. **Surface parking lots for existing office buildings lawfully existing on the date of adoption of these Development Standards located on primary frontages may continue to be repaired, expanded, or reduced in size consistent with the provisions set forth in Article 3, Division 12, provided that the new parking area must meet required landscaping provisions, site access is consistent with Section C-503.A, and a low wall 24-36 inches in height shall be installed to screen and connect the entire parking area.**
 - b. Flexibility to allow surface or ground floor structured parking and other vehicular use areas, including vehicular loading/unloading areas and passenger drop off areas, may be approved along secondary street frontages. If approved, such areas shall be set back from primary street frontages 20 feet minimum, and include architectural

and landscape screening and other treatments that contribute to the creation of safe and comfortable pedestrian environments along pedestrian walkways and public sidewalks. Curb cuts from secondary street frontage to access such locations shall be minimized.

3. Flexibility to allow single width private driveways located in side setbacks no closer than 2 feet from side lot lines may be approved along Street Type F for projects where the adjacent property's driveway is not located within the side setback on the shared property line for which the flexibility is required.

FG. Frontage Standards – Attached and Detached Dwellings along Street Types E and F.

Flexibility in meeting frontage requirements found in Section C-409 and Section C-410 for attached or detached dwelling projects may be approved if a project utilizes innovative building types or styles such as bungalow court configurations, carriage houses, or the like. Flexibility shall only be approved along Street Types E and F.

GH. Site Design Standards – Development Pattern.

Flexibility in the application of requirements for found in Section C-502.B regarding development blocks and lots, Section C-502.C. regarding new private drives, and Section C-502.D. regarding new private service drives may be approved for projects on sites where the applicant demonstrates that site size, dimension, shape, or presence of constraints such as natural areas, utilities or utility easements, or other existing features make meeting these requirements infeasible.

I. Site Design Standards – Access and Circulation.

1. Flexibility in the application of pedestrian walkway width requirements found in Section C-503.C.2 regarding pedestrian walkway width when strict adherence to the standard may not be possible or practicable.
2. Flexibility in the application of requirements found in Section C-503.D regarding cross parcel connections along Street Type F when it does not otherwise negatively affect connectivity of future connections.

J. Site Design Standards – Service Areas

Flexibility in the application of requirements found in Section C-504.C regarding the location of service areas may be approved where vehicular access to the rear of the property is not possible as determined by the City. Dumpster enclosure requirements are still applicable.

K. Site Design Standards – Swimming Pools.

Flexibility in the application of requirements found in Section C-510 regarding the location of at-grade swimming pools shall only be approved within a private courtyard along the secondary street frontage of a corner lot or along Street Type D.

H-L Building Design Standards – Façade Design and Articulation.

Flexibility in meeting the façade design and articulation standards in Appendix C, Division 6, may be approved where the alternative design treatment provides a varied and interesting design and the alternative treatment is integral to the building's design and results in façades of equal or better quality than the standards would produce.

I-M Building Design Standards – Glass Treatments.

Flexibility in applying glass treatment standards in Section C-602.D may be permitted for buildings that incorporate stained or art glass as an integral part of the building design and still provide for the minimum level of glazing as required under Appendix C, Division 4.

J.N General Flexibility Provisions.

1. Flexibility in the application of development standards for places of worship, certain indoor recreation uses such as auditoria, museums, and stadiums, and public utilities uses may be approved. Buildings and improvements shall include architectural details, and landscape screening, and other treatments that contribute to the creation of safe and comfortable pedestrian environments along pedestrian walkways and public sidewalks.
2. Flexibility in applying the frontage standards in Appendix C, Division 4 may be approved for parcels not fronting on a street if the proposed development is consistent with the vision, guiding principles, goals, objectives, and policies of the Clearwater Downtown Redevelopment Plan. The City will establish an appropriate street type through Section C.203.B. and the standards shall be met to the greatest extent practicable as determined by the Community Development Coordinator.
3. Flexibility in the application of frontage standards required under Appendix C, Division 4 when strict adherence would conflict with base flood elevation standards. Where flexibility is approved, buildings and improvements shall include architectural details, landscape screening, and other treatments that contribute to the creation of safe and comfortable pedestrian improvements along pedestrian walkways and public sidewalks.
4. Flexibility in the application of development standards for any new structures or improvements on properties which have been designated historic in accordance with the provisions of Section 4-607 may be approved, provided that the new structures or improvements preserve the historic character and design of the site.

K.Q Character District Standards – Residential Use Restrictions.

Flexibility in the application of residential use restrictions for projects along Street Type D or limited segments of frontage designated Street Type E may be approved to permit office use where the applicant demonstrates that the hours of operation, parking demand, and other use related impacts are minimized, primary entries to individual ground floor units are provided, and the office use and architectural character are consistent with the character of the surrounding area. Flexibility on frontage designated Street Type E shall only be permitted on: Drew Street between Martin Luther King, Jr. Avenue and Missouri Avenue; Grove Street between Martin Luther King, Jr. Avenue and Missouri Avenue; and on Garden Avenue north of Seminole Street.

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Section 23. That Appendix C. Downtown District and Development Standards, Division 9. Administration, be amended to read as follows:

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Section C-903. – Regulating plan adjustments.

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- B. Street Type on Existing or New Public Streets. Upon approval of a development project which includes new public streets or existing public streets where a street type was not previously depicted in Figure 2. Regulating Plan–Street Types and Key Corners, the Community Development Coordinator will make an administrative adjustment to Figure 2. Regulating Plan–Street Types and Key Corners to reflect the approved street type(s).

DRAFT