

ORDINANCE NO. 9758-24

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE BY AMENDING ARTICLE 2, ZONING DISTRICTS, DIVISION 1. LOW DENSITY RESIDENTIAL DISTRICT ("LDR"), DIVISION 2. LOW MEDIUM DENSITY RESIDENTIAL DISTRICT ("LMDR"), DIVISION 3. MEDIUM DENSITY RESIDENTIAL DISTRICT ("MDR"), DIVISION 4. MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT ("MHDR"), DIVISION 5. HIGH DENSITY RESIDENTIAL DISTRICT ("HDR"), DIVISION 7. COMMERCIAL DISTRICT ("C"), DIVISION 8. TOURIST DISTRICT ("T"), DIVISION 10. OFFICE DISTRICT ("O"), DIVISION 11. US 19 DISTRICT ("US 19"), DIVISION 12. INSTITUTIONAL ("I") DISTRICT, AND DIVISION 13. INDUSTRIAL, RESEARCH AND TECHNOLOGY DISTRICT ("IRT"), BY AMENDING ARTICLE 3 DEVELOPMENT STANDARDS, DIVISION 1. ACCESS MANAGEMENT STANDARDS, DIVISION 2. ACCESSORY USE/STRUCTURES, DIVISION 8. FENCES AND WALLS, DIVISION 9. GENERAL APPLICABILITY STANDARDS, DIVISION 12. LANDSCAPING/TREE PROTECTION, DIVISION 14. PARKING AND LOADING, DIVISION 18. SIGNS, AND DIVISION 21. TEMPORARY USES, BY AMENDING ARTICLE 4, DEVELOPMENT REVIEW AND OTHER PROCEDURES, DIVISION 2. GENERAL PROCEDURES, DIVISION 8. TRAFFIC IMPACT STUDY, DIVISION 9, CONCURRENCY AND MOBILITY MANAGEMENT, BY AMENDING ARTICLE 8, DEFINITIONS AND RULES OF CONSTRUCTION, DIVISION 2. DEFINITIONS, BY AMENDING APPENDIX B, US 19 ZONING DISTRICT AND DEVELOPMENT STANDARDS, DIVISION 3. SUBDISTRICT STANDARDS, BY AMENDING APPENDIX C, DOWNTOWN DISTRICT AND DEVELOPMENT STANDARDS, DIVISION 2. REGULATING PLAN, DIVISION 3. CHARACTER DISTRICT STANDARDS, DIVISION 6. BUILDING DESIGN STANDARDS, AND DIVISION 8. FLEXIBILITY; CERTIFYING CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has made numerous amendments to the Community Development Code to account for changing conditions within the City; and

WHEREAS, the City recently updated its Comprehensive Plan, Clearwater 2045, requiring updates to references within Community Development Code; and

WHEREAS, the City wishes to promote housing diversity and stock within the City; and

WHEREAS, accessory dwelling units are a method to incrementally increase housing diversity and stock within neighborhoods; and

WHEREAS, the Governor signed into law Senate Bill 250 (2023), an Act Relating to Natural Emergencies, which amended how temporary emergency housing after a natural disaster is regulated; and

WHEREAS, the City incorporates emergency housing provisions of the Pinellas County Code into the City's Community Development Code; and

WHEREAS, the City desires to reference the requirements of Senate Bill 250 into its Community Development Code; and

WHEREAS, the Governor signed into law Senate Bill 64 (2021), an Act Relating to Reclaimed Water, which created development bonuses for the use of graywater systems in residential development and the City is required to provide these development bonuses to assist in the creation of housing in the City; and

WHEREAS, the City adopted Greenprint 2.0 (2021), to support and advance the City's sustainability and resiliency goals; and

WHEREAS, the City wishes to further implement Greenprint 2.0 by creating standards for electric vehicle parking and promoting the use of solar; and

WHEREAS, the Governor signed into law Senate Bill 1411 (2022), an Act Relating to Floating Solar Facilities, which requires a floating solar facility to be a permitted use within the city; and

WHEREAS, the City wishes to increase public participation and awareness of development proposals through providing additional noticing for certain site plan applications; and

WHEREAS, state statutes no longer require certificates of concurrency or capacity, and the City's Mobility Management System replaces outdated traffic concurrency requirements; and

WHEREAS, the City has determined that these amendments to the Community Development Code promote and support the public health, safety, morals, and welfare, of the City's residents; and

WHEREAS, the City desires for the Community Development Code to function effectively and equitably throughout the City; 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:

Section 1. That Article 2, Zoning Districts, Section 2-100, Permitted Uses, Chart 2-100, Permitted Uses, Community Development Code, be amended to read as follows:

Sec. 2-100. – Permitted uses.

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

Section 2. That Article 2, Zoning Districts, Division 1, Low Density Residential District (“LDR”), Community Development Code, be amended to read as follows:

Section 2-103. – Flexible 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(1)		
Accessory Dwelling Unit	10,000	50	n/a	5-10	10-20	Attached 30 Detached 15-20	0-1/unit
Detached Dwellings	10,000-20,000	50-100	25	5-15 10	5-25 10-20	30	2/unit
Residential Infill Project(3)	n/a	n/a	10— 25	0— 105	0—205	30	2/unit

(3) The development standards for residential infill projects are guidelines and may be varied based on the criteria specified in Section 2-103(B).

Flexibility criteria:

A. Accessory dwelling unit.

1. Size shall not exceed 750 square feet or 50 percent of the gross floor area of the detached dwelling, whichever is less.
2. Shall be located either to the side or rear of the detached dwelling.
3. There shall only be one unit permitted per parcel of land.
4. Either the detached dwelling or accessory dwelling unit shall be owner occupied.

5. Flexibility for the side and rear setbacks may only be approved if the unit is buffered with landscape material and fences to protect the privacy and value of adjacent properties.

6. The height of a detached unit shall be subject to Section 3.203.D.

7. One legal on-street parking space may be substituted in lieu of the required off-street parking space and shall be approved by the City Engineer.

****RELETTER SUBSEQUENT SECTIONS UPON APPROVAL OF CRITERIA A ABOVE****

Section 2-104. – Flexible development.

Table 2-104. "LDR" District Flexible Development Standards							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		

Residential Infill(2)	n/a	n/a	10— 25	0— 105	0— 105	30	2/unit

(1) The Building Code may require the rear setback on a waterfront lot to be at least 18 feet from a seawall.

(2) ~~The development standards for residential infill projects are guidelines and may be varied based on the criteria set forth in Section 2-104(D).~~

Section 3. That Article 2, Zoning Districts, Division 2, Low Medium Density Residential District ("LMDR"), Community Development Code, be amended to read as follows:

Section 2-203. – Flexible standard development.

Table 2-203. "LMDR" District Flexible Standard Development							
Use	Min. Lot Size (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		
Accessory Dwelling Unit	5,000	50	n/a	5	5-10	Attached 30	0-1/unit
						Detached 15-20	

Detached Dwellings	5,000	50	15-25	5	5-105	30	2/unit
Residential Infill Projects(3)	n/a	n/a	10— 25	0—5	0—105	30	2/unit

* * * * *

~~(3) The development standards for residential infill projects are guidelines and may be varied based on the criteria set forth in Section 2-203(C).~~

Flexibility Criteria:

A. Accessory dwelling unit.

1. The size of the unit shall not exceed 750 square feet or 50 percent of the gross floor area of the detached dwelling, whichever is less.
2. The unit shall be located either to the side or rear of the detached dwelling.
3. No more than one unit shall be permitted per parcel of land.
4. Either the detached dwelling or accessory dwelling unit shall be owner occupied.
5. Rear Setback:
 - a. The reduction in rear setback will allow for the preservation of existing vegetation which could not otherwise be preserved.
 - b. Flexibility for the rear setback may only be approved if the unit is buffered with landscape material and fences to protect the privacy and value of adjacent properties.
6. The height of a detached unit shall be subject to Section 3.203.D.
7. One legal on-street parking space may be substituted in lieu of the required off-street parking space and shall be approved by the City Engineer.

RELETER SUBSEQUENT SECTIONS UPON APPROVAL OF CRITERIA A ABOVE

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Section 2-204. – Flexible development.

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Table 2-204. "LMDR" District Flexible Development							
Use	Min. Lot Size (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		
* * * * *							
Residential Infill Projects(2)	n/a	n/a	10—25	0—5	0—10 5	30	2/unit
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~~(2) The development standards for residential infill projects are guidelines and may be varied based on the criteria specified in Section 2-204(E).~~

Section 4. That Article 2, Zoning Districts, Division 3, Medium Density Residential District ("MDR"), Community Development Code, be amended to read as follows:

Section 2-303. – Flexible standard development.

Table 2-303. "MDR" District Flexible 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(1)		
Accessory Dwelling Unit	3,000	30	n/a	0-5	5	Attached 30-40	0-1/unit
						Detached 15-20	

Residential Infill Projects ⁽³⁾	n/a	n/a	10 - 25	0-5	0-5	30-40	2/unit

(3) The development standards for residential infill projects are guidelines and may be varied based on the criteria set forth in Section 2-303(D).

Flexibility Criteria:

A. Accessory dwelling unit.

1. The size of the unit shall not exceed 750 square feet or 50 percent of the gross floor area of the detached dwelling, whichever is less.
2. The unit shall be located either to the side or rear of the detached dwelling.
3. No more than one unit shall be permitted per parcel of land.
4. Either the detached dwelling or accessory dwelling unit shall be owner occupied.
5. Flexibility for the side setback may be no closer than what is approved for the detached dwelling.
6. Height:
 - a. The increased height results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance.
 - b. The increased height will not reduce the vertical component of the view from a parcel of land which is designated as low density residential in the Zoning Atlas.

c. The height of a detached unit shall be subject to Section 3.203.D.

7. One legal on-street parking space may be substituted in lieu of the required off-street parking space and shall be approved by the City Engineer.

RELETTER SUBSEQUENT SECTIONS UPON APPROVAL OF CRITERIA A ABOVE

Section 2-304. – Flexible development.

Table 2-304. "MDR" District Flexible Development							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		

Residential Infill Projects(2)	n/a	n/a	10— 25	0—5	0— 5 10	30—50	2/unit

(1) The Building Code may require the rear setback to be as least 18 feet from any seawall.

~~(2) The development standards for residential infill projects are guidelines and may be varied based on the criteria specified in Section 3-304(G).~~

Section 5. That Article 2, Zoning Districts, Division 4, Medium High Density Residential District ("MHDR"), Community Development Code, be amended to read as follows:

Section 2-404. – Flexible development.

Table 2-404. "MHDR" Flexible Development							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		

Residential Infill Projects(3)	n/a	n/a	10— 25	0— 10	0—15	30— <u>50</u>	2/unit

~~(3) The development standards for residential infill projects are guidelines and may be varied based on the criteria specified in Section 2-404(F).~~

Section 6. That Article 2, Zoning Districts, Division 5, High Density Residential District ("HDR"), Community Development Code, be amended to read as follows:

Section 2-504. – Flexible development.

Table 2-504. "HDR" Flexible Development Standards							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear(1)		

Residential Infill Projects(3)	n/a	n/a	10—25	0—10	0—15	30—130	2/unit

(3) The development standards for residential infill projects are guidelines and may be varied based on the criteria specified in Section 2-504(F).

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

Section 2-702. – Minimum standard development.

Table 2-702. "C" District Minimum Development Standards								
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
				Front	Side	Rear		
Community Gardens ⁽⁴⁾	n/a	n/a	n/a	15	5	5	n/a	n/a
Funeral Homes	10,000	100	25	25	10	20	25	0.25/per seat
Governmental Uses(1)	10,000	100	25	25	10	20	25	4/1,000 SF GFA
Indoor Recreation/ Entertainment	10,000	100	25	25	10	20	25	5/1,000 SF GFA or 5/lane, 2/court or 1/machine
Medical Clinic(1)	10,000	100	25	25	10	20	25	5/1,000 SF GFA
Mixed Use	10,000	100	25	25	10	20	25	Based upon specific use requirements
Offices	10,000	100	25	25	10	20	25	3/1,000 SF GFA
Overnight Accommodations	40,000	200	25	25	10	20	25	1/unit
Parks and Recreational Facilities	n/a	n/a	25	25	10	20	25	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	25	1/2 per 2 seats
Restaurants	10,000	100	25	25	10	20	25	12/1,000 SF GFA
Retail Plazas(2), (3)	15,000	100	25	25	10	20	25	4/1,000 SF GFA
Retail Sales and Services(3)	10,000	100	25	25	10	20	25	5/1,000 SF GFA
Social and Community Centers	10,000	100	25	25	10	20	25	5/1,000 SF GFA
Telecommunications Towers	10,000	100	Refer to Section 3-2004	25	10	20	Refer to Section 3-2001	n/a
Vehicle Sales/Display	40,000	200	25	25	10	20	25	2.5/1,000 SF Lot Sales Area
Veterinary Offices	10,000	100	25	25	10	20	25	4 spaces per 1,000 SF GFA

Section 2-703. – Flexible standard development.

Table 2-703. "C" District Flexible Standard Development Standards

Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking Spaces
				Front	Side	Rear		
Accessory Dwellings Unit	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1 space per unit
Alcoholic Beverage Sales	10,000	100	25	25	10	20	25	5 per 1,000 SF GFA
Automobile Service Stations	10,000	100	25	25	10	20	25	5/1,000 SF GFA
Bars	10,000	100	25	25	10	20	25	10 per 1,000 SF GFA
Brewpubs	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	1.5/1,000 SF GFA dedicated to brewery operations and support services; and 7—12/1,000 SF GFA for all other use area
Educational Facilities(1)	40,000	200	25	25	10	20	25	1 per 2 students
Funeral Homes	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	0.25 per seat
Governmental Uses(1)	10,000	100	25— 50	25	10	20	25— 50	4 spaces per 1,000 SF GFA
Indoor Recreation/Entertainment	5,000— 10,000	50— 100	25	25	10	20	25	3—5/1,000 SF GFA or 3—5/lane, 1—2/court or 1/machine

Medical Clinics(1)	10,000	100	25-50	25	0 - 10	10- 20	25-50	3 - 5/1,000 SF GFA
Microbreweries	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	1.5/1,000 SF GFA dedicated to brewery operations and support services; and 7—12/1,000 SF GFA for all other use area
Mixed Use	5,000— 10,000	50— 100	25— 50	25	0— 10	10— 20	25— 50	Based upon specific use requirements
Nightclubs	10,000	100	25	25	10	20	25	10/per 1,000 SF GFA
Offices	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	3/1,000 SF GFA
Off-Street Parking	10,000	100	n/a	25	10	20	n/a	n/a
Overnight Accommodations	20,000— 40,000	150— 200	25— 50	25	0— 10	10— 20	25— 50	1/per unit
Places of Worship(2)	20,000— 40,000	100— 200	25— 50	25	10	20	25— 50	0.5-1/per 2 seats
Public Transportation Facilities(3)	n/a	n/a	40	n/a	n/a	n/a	10	n/a
Restaurants	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	7—12/spaces per 1,000 GFA
Retail Plazas	15,000	100	25— 50	25	0— 10	10— 20	25— 50	4/spaces per 1,000 SF GFA
Retail Sales and Services	3,500— 10,000	30— 100	25— 50	25	0— 10	10— 20	25— 50	4—5/spaces per 1,000 SF GFA
Schools (5)	40,000	200	25	25	0— 10	10— 20	25	1/per 3 students
Social and Community Centers (1)	3,500— 10,000	35— 100	25— 35	25	0— 10	10— 20	25— 35	4—5/spaces per 1,000 SF GFA
Utility/Infrastructure Facilities(4)	n/a	n/a	20	25	10	20	20	n/a
Vehicle Sales/Displays	20,000— 40,000	150— 200	25	25	10	20	25	2.5/spaces per 1,000 SF of lot sales area
Veterinary Offices	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	4/spaces per 1,000 SF GFA

Flexibility criteria:

A. *Accessory dwelling unit.* One accessory dwelling unit, which is subordinate and accessory to a principal permitted use is allowed provided that:

1. Title to the accessory dwelling is vested in the ownership of the principal use;

2. The floor area of the accessory dwelling does not exceed 25 percent of the floor area of the principal use.
3. The unit shall meet the minimum development standards of the principal use.

Section 2-704. – Flexible development.

Table 2-704. "C" District Flexible Development Standards

Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max Height (ft.)	Min. Off-Street Parking Spaces
				Front	Side	Rear		
Alcoholic Beverage Sales	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	5/ per 1,000 SF GFA
Animal Boarding	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	4/ spaces per 1,000 SF GFA
Bars	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	10/ per 1,000 SF GFA
Brewpubs	3,500— 10,000	30— 100	25— 50	15— 25	0— 10	10— 20	25— 50	1.5/1,000 SF GFA dedicated to brewery operations and support services; and 7—12/1,000 SF GFA for all other use area
Comprehensive Infill Redevelopment Project	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Determined by the community development coordinator based on the specific use and/or ITE Manual standards
Indoor Recreation/Entertainment	3,500— 10,000	30— 100	25— 50	15— 25	0— 10	10— 20	25— 50	3—5/1,000 SF GFA or 3—5/lane, 1—2/court or 1/machine
Light Assembly	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	4—5/ spaces per 1,000 GFA
Limited Vehicle Service	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	4—5/ spaces per 1,000 GFA
Marinas and Marina Facilities	5,000— 20,000	50	25	25	10	20	25	1/ space per 2 slips
Microbreweries	3,500— 10,000	30— 100	25— 50	15— 25	0— 10	10— 20	25— 50	1.5/1,000 SF GFA dedicated to brewery operations and support services; and 7—12/1,000 SF GFA for all other use area
Mixed Use	5,000— 10,000	50— 100	25— 50	15— 25	0— 10	10— 20	25— 50	Based upon specific use requirements

Nightclubs	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	25	10/ per 1,000 SF GFA
Offices	3,500— 10,000	30— 100	25— 50	15— 25	0— 10	10— 20	25— 50	3/1,000 SF GFA
Off-Street Parking	10,000	100	n/a	15— 25	0— 10	10— 20	n/a	n/a
Outdoor Recreation/Entertainment	20,000	100	25	15— 25	10	10— 20	25	1—10/ per 1,000 SQ-FT of land area or as determined by the community development coordinator based on ITE Manual standards
Overnight Accommodations	20,000— 40,000	100— 200	25— 50	15— 25	0— 10	10— 20	25— 50	1/ per-unit
Problematic Uses	5,000	50	25	15— 25	10	10— 20	25	5/ spaces per 1,000 SF GFA
Restaurants	3,500— 10,000	35— 100	25— 50	15— 25	0— 10	10— 20	25— 50	7—12/ spaces per 1,000 SF GFA
Retail Plazas	15,000	100	25— 50	15— 25	0— 10	10— 20	25— 50	4/ spaces per 1,000 SF GFA
Retail Sales and Services	3,500— 10,000	30— 100	25— 50	15— 25	0— 10	10— 20	25— 50	4—5/ spaces per 1,000 SF GFA
RV Parks	40,000	200	25	15— 25	20	10— 20	25	1/ space per RV space
Schools (2)	30,000— 40,000	100— 200	25— 50	15— 25	0— 10	10— 20	25— 50	1/ per 3 students
Self Storage	20,000	100	25	15— 25	10	10— 20	25	1/ per 20 units plus 2 for manager's office
Social/Public Service Agencies(1)	5,000— 10,000	50— 100	25— 50	15— 25	0— 10	10— 20	25— 50	3—4/ spaces per 1,000 SF GFA
Vehicle Sales/Displays	10,000— 40,000	100— 200	25	15— 25	10	10— 20		2.5/ spaces per 1,000 SQ-FT of lot area

Flexibility criteria:

I. *Limited vehicle service.*

6. Tunnels associated with car washes shall be located parallel to the abutting street.

7. Vacuums and similar equipment accessory to car washes shall not be placed between the principal structure and the right-of-way, meet applicable side and rear setbacks, and consist of muted colors.

****RENUMBER SUBSEQUENT CRITERIA UPON APPROVAL OF CRITERIA 6 AND 7 ABOVE****

Section 8. That Article 2, Zoning Districts, Division 8, Tourist District ("T"), Community Development Code, be amended to read as follows:

Section 2-802. – Flexible standard development.

Table 2-802. "T" District Flexible Standard Development Standards

Use ⁽¹⁾	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height ⁽⁴⁾ (ft.)	Min. Setbacks ⁽¹⁾ (ft.)			Max Height ⁽¹⁾ (ft.)	Min. Off-Street Parking
				Front	Side	Rear		
Accessory Dwellings Unit	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1/unit
Alcoholic/Beverage/Sales	5,000	50	35	10—15	10	20	35	5/per-1,000 SF GFA
Attached Dwellings ⁽⁶⁾	10,000	100	35—50	10—15	10	10—20	35—50	2/per-unit
Bars	5,000	50	35	15	10	20	35	10/per-1,000 SF GFA
Brewpubs	5,000—10,000	50—100	35—50	0—15	0—10	10—20	35—50	1.5/1,000 SF GFA dedicated to brewery operations and support services; and 7—12/1,000 SF GFA for all other use area
Governmental Uses ⁽²⁾	10,000	100	35—50	10—15	0—10	10—20	35—50	3—4/1,000 SF GFA
Indoor Recreation/Entertainment	5,000	50	35—50	0—15	0—10	20	35—50	10/per-1,000 SF GFA
Medical Clinic	10,000	100	35—50	10—15	10	20	35—50	5/1,000 SF GFA
Mixed Use	5,000—10,000	50—100	35—50	0—15	0—10	10—20	35—50	Based upon specific use requirements
Museums	10,000	100	35—50	10—15	0—10	10—20	35—50	1—3/1,000 SF GFA
Nightclubs	5,000	50	35	15	10	20	35	10/per-1,000 SF GFA
Offices	5,000—10,000	50—100	35—50	0—15	0—10	10—20	35—50	3/1,000 SF GFA
Outdoor Recreation/Entertainment	5,000	50	35	10—15	10	20	35	2.5/spaces per 1,000 sq. ft. SF of lot area or as determined by the community development director based on

								ITE Manual standards
Overnight Accommodations	20,000	100—150	35—50	10—15	0—10	10—20	35—50	1.2/per-unit
Parking Garages and Lots	20,000	100	50	15—25	10	10—20	50	n/a
Parks and Recreation Facilities	n/a	n/a	50	25	10	20	50	1/per-20,000 SF of land area or as determined by the community development coordinator based on ITE Manual standards
Public Transportation Facilities(3)	n/a	n/a	40	n/a	n/a	n/a	10	n/a
Resort Attached Dwellings(6)	10,000	100	35—50	10—15	10	10—20	35—50	1.5/per-unit
Restaurants	5,000—10,000	50—100	35—50	0—15	0—10	10—20	35—50	7—12/spaces per 1,000 SF GFA(5)
Retail Plazas	15,000	100	35—50	0—15	0—10	10—20	35—50	4/spaces per 1,000 SF GFA
Retail Sales and Services	5,000—10,000	50—100	35—50	0—15	0—10	10—20	35 - 50	4—5/spaces per 1,000 SF GFA(5)
Social and Community Center	5,000—10,000	50—100	35—50	10—15	0—10	10—20	35—50	4—5/spaces per 1,000 SF GFA
Utility/Infrastructure Facilities(4)	n/a	n/a	n/a	25	10	10	n/a	n/a

Flexibility criteria:

A. Accessory dwellings unit. One accessory dwelling unit, which is subordinate and accessory to a principal permitted use is allowed provided that:

- ~~1. One accessory dwelling that is subordinate and accessory to a principal permitted use.~~
- ~~2. Title to the accessory dwelling unit is vested in the ownership of the principal use.~~
- ~~3. The floor area of the accessory dwelling unit does not exceed 25 percent of the floor area of the principal use.~~
3. The unit shall meet the minimum development standards of the principal use.

Section 2-803. – Flexible development.

Table 2-803. "T" Flexible Development Standards								
Use ⁽¹⁾	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height ⁽⁴⁾ (ft.)	Min. Setbacks ⁽¹⁾ (ft.)			Max. Height ⁽¹⁾ (ft.)	Min. Off-Street Parking
				Min. Front ⁽⁴⁾ (ft.)	Min. Side ⁽⁴⁾ (ft.)	Min. Rear ⁽⁴⁾ (ft.)		
Alcoholic Beverage Sales	5,000	50	35—100	0—15	0—10	10—20	35—100	5/ per 1,000 SF GFA
Attached Dwellings(3)	5,000—10,000	50—100	35—100	0—15	0—10	10—20	35—100	2/ per unit
Bars	5,000	50	35—100	0—15	0—10	10—20	35—100	10/ per 1,000 SF GFA
Brewpubs	5,000—10,000	50—100	35—100	0—15	0—10	10—20	35—100	1,5/1,000 SF GFA dedicated to brewery operations and support services; and 7-12/1,000 SF GFA for all other use area
Comprehensive Infill Redevelopment Project	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Determined by the community development coordinator for all other uses based on the specific use and/or ITE Manual standards
Limited Vehicle Sales and Display	5,000	50	35—100	0—15	0—10	10—20	35—100	4—5/ spaces per 1,000 SF GFA
Marinas and Marina Facilities	5,000	50	25	10—15	0—10	10—20	25	1/ space per 2 slips
Mixed Use	5,000—10,000	50—100	35—100	0—15	0—10	0—20	35—100	Based upon specific use requirements
Nightclubs	5,000	50	35—100	0—15	0—10	10—20	35—100	10/ per 1,000 SF GFA
Offices	5,000—10,000	50—100	35—100	0—15	0—10	10—20	35—100	3/1,000 SF GFA
Outdoor Recreation/Entertainment	5,000	50	35	5—15	0—10	10—20	35	2.5/ spaces per 1,000 SQ FT of lot area or as

								determined by the community development coordinator based on ITE Manual standards
Overnight Accommodations(3)	10,000— 20,000	100— 150	35—100	0—15	0—10	0—20	35—100	1—1.2/_per unit
Resort Attached Dwellings(3)	5,000— 10,000	50— 100	35—100	0—15	0—10	10— 20	35—100	1.5/_per unit
Restaurants	5,000— 10,000	50— 100	25—100	0—15	0—10	10— 20	25—100	7—12/_spaces per 1,000 <u>SF</u> GFA(2)
Retail Plazas	15,000	100	35—100	0—15	0—10	10— 20	35—100	4/_spaces per 1,000 <u>SF</u> GFA
Retail Sales and Services	5,000— 10,000	50— 100	35—100	0—15	0—10	10— 20	35—100	4—5/_spaces per 1,000 <u>SF</u> GFA(2)

Section 9. That Article 2, Zoning Districts, Division 10, Office District (“O”), Community Development Code, be amended to read as follows:

Section 2-1002. – Minimum standard development.

Table 2-1002. "O" District Minimum Development Standards

Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking Spaces
				Front	Side	Rear		
Funeral Homes	10,000	100	30	25	10	20	30	0.25/_per-seat
Medical Clinic	10,000	100	30	25	10	20	30	5/1,000 <u>SF</u> GFA
Offices	10,000	100	30	25	10	20	30	3/1,000 sq. ft. <u>SF</u> GFA
Parks and Recreation Facilities	n/a	n/a	50	25	10	20	50	1/_per-20,000 SF of land area or as determined by the community development director based on ITE Manual standards
Places of Worship(1)	40,000	200	30	35	20	20	30	1/_per-2 seats
Schools	40,000	200	30	35	20	20	30	1/3 students
Telecommunication Towers	10,000	100	Refer to Section 3-2004	25	10	20	Refer to Section 3-2001	n/a

Section 2-1003. – Flexible standard development.

Table 2-1003. "O" District Flexible Standard Development Standards								
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
				Front	Side	Rear		
Accessory Dwellings Unit	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1/unit
Community Residential Homes	6,000	60	30	25	10	10	30	1 /per 2 residents
Educational Facilities	3,500	50	30—50	25	10	20	30—50	2—3/1,000 SF_GFA
Funeral Homes	3,500—10,000	50-100	30-50	15-25	10	10-20	30-50	0.25 /per seat
Medical Clinic	10,000	100	30-50	15-25	10	10-20	30-50	5/1,000 SF_GFA
Nursing Homes	20,000	100	30	35	20	20	30	1 /per 2 residents
Offices	3,500—10,000	50—100	30—50	15—25	10	10—20	30—50	2—3/1,000 SF_GFA
Off-Street Parking	3,500	50	n/a	25	10	20	n/a	n/a
Places of Worship(1)	20,000—40,000	100—200	30—50	25—35	10—20	10—20	30—50	1 /per 2 seats
Public Transportation Facilities(2)	n/a	n/a	40	n/a	n/a	n/a	10	n/a
Restaurant	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Retail Sales and Service	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TV/Radio Studios	40,000	200	35	35	20	20	35	5/1,000 SF_GFA
Utility/Infrastructure Facilities(3)	n/a	n/a	n/a	35	20	20	n/a	n/a
Veterinary Offices	5,000	50	30	25	10	20	30	4/1,000 SF_GFA

Flexibility criteria:

A. Accessory dwellings unit. One accessory dwelling unit, which is subordinate and accessory to a principal permitted use ~~is allowed shall be permitted~~ provided that:

1. Title to the accessory dwelling unit is vested in the ownership of the principal use;
2. The floor area of the accessory dwelling unit does not exceed 25 percent of the floor area of the principal use;
3. The unit shall meet the minimum development standards of the principal use.

Section 2-1004. – Flexible development.

Table 2-1004. "O" District Flexible Development Standards								
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking Spaces
				Front	Side	Rear		
Comprehensive Infill Redevelopment Project	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Determined by the community development director based on the specific use and/or ITE Manual standards
Mixed Use	3,500	50	30— 80	15— 35	10— 20	10— 20	30—80	Based upon specific use requirements
Nursing Homes	20,000	100	30— 50	15— 35	10— 20	10— 20	30—50	1/per-2 residents
TV Radio Studios	20,000— 40,000	100— 200	35— 80	15— 35	10— 20	10— 20	35—80	3—5/1,000 SF GFA

Section 10. Article 2, Zoning Districts, Division 11, US 19 District ("US 19"), Community Development Code, be amended to read as follows:

Section 2-1101.1. – Maximum development potential.

B. Residential density on those portions of property located within the coastal storm area shall be limited to the density in place prior to the adoption of this Code, consistent with Policy A.1.1.2CCM 2.4.3 and Map A-16CCM 6 of the Comprehensive Plan.

Section 11. That Article 2, Zoning Districts, Division 12, Institutional District ("I"), Community Development Code, be amended to read as follows:

Section 2-1203. – Flexible standard development.

Table 2-1203. "I" District Flexible Standard Development Standards							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side	Rear		
Accessory Dwellings Unit	n/a	n/a	n/a	n/a	n/a	n/a	1/unit

Flexibility criteria:

- A. *Accessory dwellings unit.* One accessory dwelling unit, which is subordinate and accessory to a principal permitted use is allowed provided that:
1. Title to the ~~accessory dwelling~~ unit is vested in the ownership of the principal use;
 2. The floor area of the ~~accessory dwelling~~ unit does not exceed 25 percent of the floor area of the principal use.
 3. The unit shall meet the minimum development standards of the principal use.
- B. *Airport.* All development activity identified in the ~~1999~~ Airport Master Plan (as amended) ~~study as short term development projects shall be processed as Flexible Standard Development Projects, and all mid-term development projects shall be processed as Flexible Development Projects.~~ All development projects at the city's Airpark must be consistent with the ~~1999~~approved Master Plan.

Section 12. Article 2, Zoning Districts, Division 13, Industrial, Research and Technology District ("IRT"), Community Development Code, be amended to read as follows:

Section 2-1302. – Minimum standard development.

Table 2-1302. "IRT" District Minimum Development Standards

Uses	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)		Max. Height (ft.)		Min. Off-Street Parking Spaces
			Front	Side/Rear	Rear		
Accessory Dwellings <u>Unit</u>	5,000	50	20	15	<u>15</u>	50	1/unit
Governmental Uses(1)	20,000	200	20	15	<u>15</u>	50	3/1,000 SF GFA
Indoor Recreation/Entertainment(2)	20,000	200	20	15	<u>15</u>	50	5/1,000 SF GFA or 5/lane, 2/court or 1/machine
Manufacturing(3)	20,000	200	20	15	<u>15</u>	50	1.5/1,000 SF GFA
Offices(4)	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a
Parks and Recreation Facilities	n/a	n/a	25	10/20	<u>20</u>	50	1/ per 20,000 SF land area or as

								determined by the community development coordinator based on the ITE Manual standards
Publishing and Printing	20,000	200	20	15	<u>15</u>	50		3/1,000 SF GFA
Research and Technology	20,000	200	20	15	<u>15</u>	50		2/1,000 SF GFA
Restaurants(5)	10,000	100	20	15	<u>15</u>	50		12 spaces per 1,000 SF GFA
Self Storage	20,000	200	20	15	<u>15</u>	50		1 per 20 units plus 2 for manager's office
Telecommunication Towers	10,000	50	25	10/20	<u>20</u>	Refer to Section 3-2001		n/a
TV/Radio Studios	20,000	200	20	15	<u>15</u>	50		4/1,000 SF GFA
Urban Farms(6)	n/a	n/a	20	15	<u>15</u>	50		2 per acre or fraction thereof
Vehicle Service(7)	20,000	200	20	15	<u>15</u>	50		1.5/1,000 SF GFA
Wholesale/Distribution/Warehouse Facility	20,000	200	20	15	<u>15</u>	50		1.5/1,000 SF GFA

Section 2-1302. – Flexible standard development.

Table 2-1303. "IRT" District Flexible Standard Development Standards							
Uses	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Setbacks (ft.)			Max. Height (ft.)	Min. Off-Street Parking
			Front	Side/Rear	Rear		
Animal Boarding	10,000	100	20	15	<u>15</u>	30	5/1,000 SF GFA
Automobile Service Stations(1)	20,000	100	20	15	<u>15</u>	30	4/1,000 SF GFA
Major Vehicle Service(1)	20,000	100	20	15	<u>15</u>	30	4/1,000 SF GFA

Manufacturing(2)	10,000	100	20	15	<u>15</u>	50	1.5/1,000 SF GFA
Microbreweries	5,000—10,000	50—100	20	15	<u>15</u>	50	1.5/1,000 GFA dedicated to brewery operations and support services; and 7—12/1,000 GFA for all other use area
Offices	20,000	200	20	15	<u>15</u>	50	3/1,000 SF GFA
Outdoor Recreation/Entertainment(3)	40,000	200	20	15	<u>15</u>	30	1—10/1,000 SF Land Area or as determined by the community development coordinator based on ITE Manual standards
Outdoor Storage	10,000	100	20	15	<u>15</u>	30	3/1,000 SF GFA
Parking Lots	10,000	100	20	15	<u>15</u>	n/a	n/a
Public Facilities	10,000	100	20	15	<u>15</u>	50	1—2 per 1,000 GFA
Public Transportation Facilities(4)	n/a	n/a	n/a	n/a	<u>n/a</u>	10	n/a
Publishing and Printing	10,000—20,000	100—200	20	15	<u>15</u>	50	3/1,000 SF GFA
Research and Technology	10,000	100	20	15	<u>15</u>	50	2/1,000 SF GFA
Residential Shelters(5)	5,000	50	20	15	<u>15</u>	30	3/1,000 SF GFA
Retail Sales and Services(1)	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a
Restaurants(6)	5,000—10,000	50 - 100	20	15	<u>15</u>	50	7—12 spaces per 1,000 GFA
Self Storage	10,000	100	20	15	<u>15</u>	50	1/2 per 20—25 units plus 2 for manager's office
TV/Radio Studios	10,000	100	20	15	<u>15</u>	50	4/1,000 SF GFA
Utility/Infrastructure Facilities(7)	n/a	n/a	20	15	<u>15</u>	n/a	n/a
Vehicle Sales/Displays and Major Vehicle Sales/Displays(8)	40,000	200	20	15	<u>15</u>	30	1.5/1,000 SF Lot Sales Area
Vehicle Service(8)	10,000	100	20	15	<u>15</u>	50	1.5/1,000 SF GFA

Veterinary Offices	10,000	100	20	15	<u>15</u>	30	5/1,000 SF GFA
Wholesale/Distribution/Warehouse Facility	10,000	100	20	15	<u>15</u>	50	1.5/1,000 SF GFA

Section 13. That Article 3, Development Standards, Division 1, Access Management Standards, Community Development Code, be amended to read as follows:

Section 3-102. – Access management classification system and standards.

E. *Measurement of driveway spacing.* Driveway spacing shall be measured from the closest edge of the pavement to the next closest edge of the pavement. ~~The projected future edge of the pavement of the intersecting road shall be used in measuring corner clearance, where widening, relocation, or other improvement is indicated on the Future Traffic Circulation Map in the City’s Comprehensive Plan.~~

Section 14. That Article 3, Development Standards, Division 2, Accessory Structures/Uses, Community Development Code, be amended to read as follows:

Section 3-202. – Exemptions.

I. Accessory dwelling units shall be exempt from the standards in this Article, with the exception of Section 3-203.D, and shall comply with the applicable standards in Article 2, Zoning Districts, for which they are located.

Section 3-203. – General standards.

E. Carports, garages or any structure used or intended to be used for the storage of any vehicle shall include a permanent and solid roof deck constructed with material such as asphalt shingles, metal, concrete tile, ~~or wood, or photovoltaic (PV) panels.~~ Fabric, canvas, and canvas/fabric-like materials are prohibited.

H. Accessory uses shall not cumulatively exceed ~~ten~~25 percent of the gross floor area of the principal use, except as may otherwise be permitted in this Code.

Section 3-204. – Specific standards.

D. *Mechanical equipment.* ~~Outdoor mechanical, electrical, and communication equipment, including heating, air conditioning, and ventilation equipment; venting and vent terminations for commercial hoods; electric meters; mechanical penthouses; electrical and communication equipment, panels, and cabinets; satellite dishes; and similar features shall be located and designed to meet all of the following standards:~~

1. Equipment shall be placed on roofs or to the rear or side of buildings and shall not be placed between any right-of-way and the principal structure(s).
2. Equipment screening:
 - a. Ground-mounted mechanical equipment shall be screened from public view by landscape materials or architecturally finished walls and enclosures designed consistent with the exterior façade of the building.
 - b. Rooftop-mounted mechanical equipment shall be screened by a parapet wall, articulated roofline or other roof screen, or similar device that is integrated into the building's architectural design and of a height equal to or exceeding the height of the equipment being screened.
 - c. Elevator equipment rooms or similar mechanical equipment enclosures shall be designed to complement the design of the street-facing building facades and shall be clad on all sides in material used on street-facing facades. Equipment shall be exempt from side and rear setback requirements. However, no mechanical equipment shall be permitted within a side setback which has been reduced as part of a Level One or Level Two application.
3. ~~Equipment shall be screened from public view by landscaping, fencing, or architecturally finished walls and/or enclosures designed to be compatible with the exterior façade of the building. Rooftop mechanical and elevator penthouses shall complement the design of street facing building façades and shall be clad on all sides in the same or a material complementary to that used on street-facing façades.~~

* * * * *

J. Solar energy systems.

1. Roof mounted solar energy system.

- a. Panels shall be installed in a horizontal configuration and meet the following:
 - i. On pitched roofs, shall be parallel to the roof and not exceed 12 inches in height above the roof.
 - ii. On flat roofs, shall not exceed five feet in height when at maximum tilt angle and shall be set back from the edge of the roof to minimize visibility from the street, where technically feasible.
- b. Panels shall not exceed the maximum height permitted in the applicable zoning district, whether installed on a pitched roof or flat roof.
- c. Systems shall meet applicable building and fire codes.

2. Floating solar energy system.

- a. At the time of application, a professional engineer shall provide a statement ensuring the proposed system will not cause degradation to the performance or any negative

impacts to the biological community of the body of water for which the system will be located.

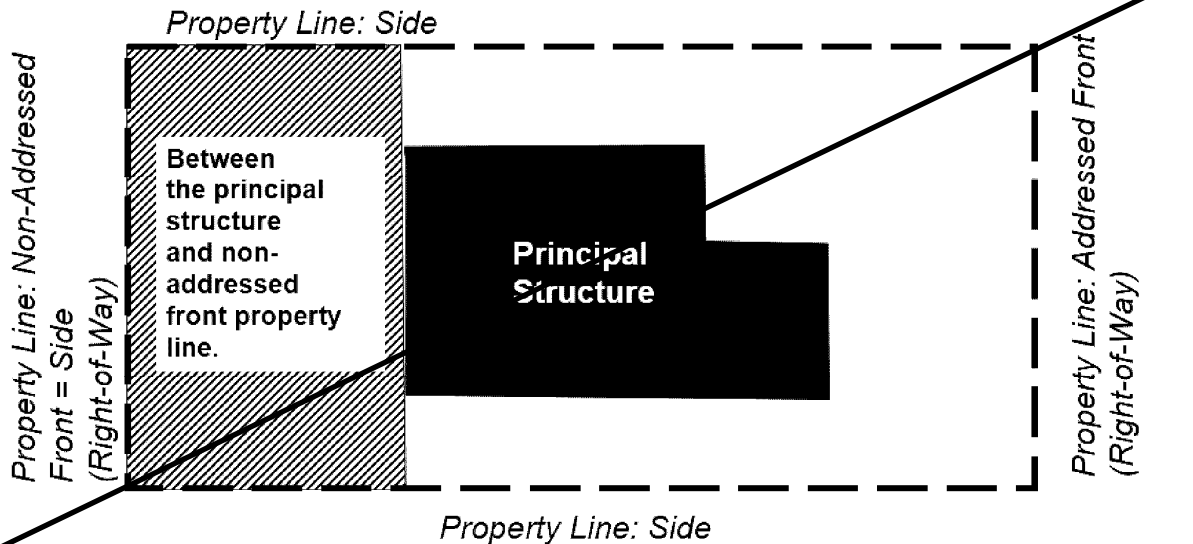
b. Systems shall not exceed 3 feet in height above the surface of the body of water in which it is located.

Section 15. That Article 3, Development Standards, Division 8, Fences and Walls, Community Development Code, be amended to read as follows:

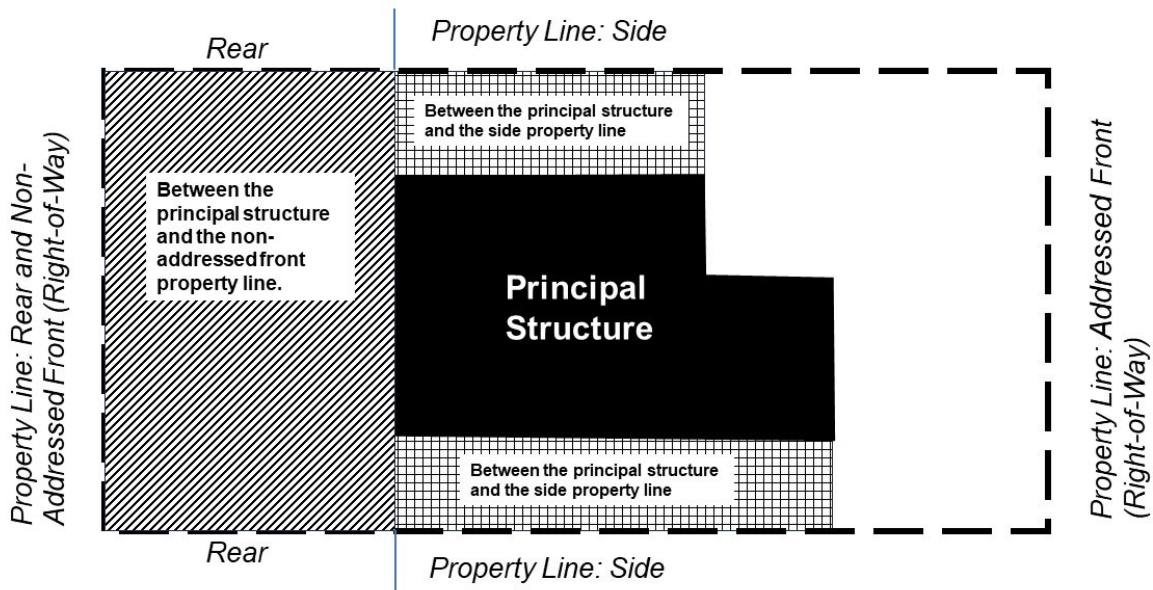
Section 3-804. – Height requirements.

D. *Double frontage lots.* For the purposes of fence or wall placement on double frontage lots, the front shall be the front property line from which the property is addressed, and the opposite front property line will be treated as a rear property line for the purpose of fencing as illustrated below. The placement of any fence or wall on the front of the property shall adhere to the provisions in Section 3-804.A., above. A fence may be permitted on the rear property line in compliance with the provisions in Section 3-804.B., above provided the following conditions exist:

Fences and Walls: Double Frontage Lots



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Section 16. That Article 3, Development Standards, Division 9, General Applicability Standards, Community Development Code, be amended to read as follows and by adding new section 3-921:

Section 3-903. – Required setbacks.

- A. Except for fences, walls, outdoor lighting, signs, minimum door landing required by the Florida Building Code, walkways leading to building entrances, driveway access to garages, and/or vehicular cross access (driveways), shared parking, and trash staging areas, no building or structure shall be permitted in a setback required by the applicable zoning district. Sidewalks shall be no greater than 428 inches in width, nor greater in width than that required by the Florida Building Code.

Section 3-904. – Sight visibility triangle.

- A. To minimize traffic hazards at street or driveway intersections, no structure or landscaping may be installed which will obstruct views at a level between 30 inches above grade and eight feet above grade within the sight visibility triangle described in the following figure, unless otherwise determined by the City Engineer.

Section 3-920. – Affordable housing incentives.

- A. *Affordable housing density dwelling units.*
 - 1. *City review and approval process.*
 - a. *City approval procedures.* Such approval shall be considered a Level ~~Two~~One (flexible standard development) approval in accordance with the provisions of Article

4 Division 43 of the Community Development Code. The use of the density bonus as provided within this section shall not be considered a land use plan amendment.

* * * * *

Section 3-921. – Graywater system incentives.

A. Graywater system density bonuses.

1. City approval procedures. Such approval shall be considered a Level One (flexible standard development) approval in accordance with the provisions of Article 4, Division 3 of the Community Development Code.
2. Coastal storm area. No graywater system bonus density projects shall be located in the coastal storm area.
3. Requirements.
 - a. Graywater technologies shall meet all applicable requirements, including but not limited to, the Florida Building Code and Department of Health.
 - b. The following bonuses shall be provided to the developer or homebuilder:
 - i. A 25 percent density or intensity bonus for projects where a minimum of 75 percent of the development will have a graywater system installed; or
 - ii. A 35 percent density or intensity bonus for projects where 100 percent of the development will have a graywater system installed.
 - iii. The density or intensity bonuses for graywater systems shall not be applied to multifamily projects that are more than five stories in height.
4. Graywater density or intensity bonuses can be applied in addition to other density or intensity bonuses provided for in this code.

Section 17. That Article 3, Development Standards, Division 12, Landscaping/Tree Protection, Community Development Code, be amended to read as follows:

Section 3-1202. – General Landscaping Standards.

A. Applicability.

* * * * *

3. Existing developed lots. Existing lot not meeting the requirements contained in this division shall be brought into full compliance under compliant with one or more of the following conditions to the greatest extent practicable as determined by the Community Development Coordinator:

* * * * *

Section 18. That Article 3, Development Standards, Division 14, Parking and Loading, Community Development Code, be amended as follows and by adding a new Section 12, Electric Vehicle Parking, as follows:

* * * * *

Section 3-1401. – Parking.

* * * * *

B. *Applicability.*

* * * * *

3. Existing parking lots. Existing parking lots not meeting the requirements contained in this division, ~~except for Section 3-1412,~~ shall be brought into full compliance ~~under compliant~~ with one or more of the following conditions to the greatest extent practicable as determined by the Community Development Coordinator:

* * * * *

Section 3-1412. – Required Electric Vehicle (EV) Parking.

A. *EV parking space requirements.*

1. Any development requiring 25 or more off street parking spaces shall meet the following electric vehicle (EV) parking requirements:
 - a. Five percent of the required off street spaces, or a minimum of two spaces, shall be electric vehicle supply equipment (EVSE) installed; and
 - b. 20 percent of the required off street spaces shall be EV-ready parking spaces.
2. At minimum, Level II dual-port charging equipment shall be provided for EVSE installed parking spaces.
3. Appropriately rated raceways, service panel capabilities, overcurrent protection devices, wires, and suitable termination points shall be installed for EV-ready parking spaces.
4. All EVSE parking spaces shall be appropriately marked, through the use of signs, painted icons, or parking space striping, as being reserved for the exclusive use of electric vehicles.

C. *EV installation standards.*

1. Charging stations, whether Level II or Level III, shall be installed in such a way to provide charging capabilities to two adjacent spaces.
2. Direct current (DC) fast charging, or Level III charging, electrical panels or boxes may be installed within interior landscape islands provided that they are screened from view with vegetation.
3. Direct current (DC) fast charging, or Level III charging, electrical panel or boxes within parking garages shall be located in the least obtrusive location and be protected from vehicle collisions.
4. Under no circumstances shall the installation of charging stations or direct current (DC) fast charging, or Level III charging, panels or boxes cause the reduction in required landscaping.

Section 19. That Article 3, Development Standards, Division 18, Signs, Community Development Code, be amended to read as follows:

* * * * *

Section 3-1803. Exempt signs.

The following signs are exempt from regulations under this Division 18:

* * * * *

G. Banners erected within the public right-of-way or on public property if part of a city banner program.

* * * * *

Section 20. Article 3, Development Standards, Division 21, Temporary Uses, Section 3-2103, Allowable Temporary Uses, Community Development Code, be amended to read as follow:

* * * * *

Section 3-2103. – Allowable temporary uses.

* * * * *

N. Temporary emergency housing.

1. Upon declaration of a state of housing emergency by either the Pinellas County Board of County Commissioners, or the City of Clearwater City Council, or the Governor, those provisions set forth in the Pinellas County Code with regard to emergency housing shall be applicable in those areas encompassed by the declaration, with the exception that the emergency housing may be permitted for up to 36 months after the date of declaration or until a certificate of occupancy is issued on the permanent residential structure, whichever occurs first.

* * * * *

Section 21. That Article 4, Development Review and Other Procedures, Division 2, General Procedures, Community Development Code, be amended to read as follows:

* * * * *

Section 4-202. – Applications for development approval.

* * * * *

C. Determination of completeness.

1. Determination of completeness. Within seven working days after the published application deadline, the community development coordinator shall determine whether an application is complete.

* * * * *

- b. Notice of application to abutting property owners. After the community development coordinator has accepted a Level One (flexible standard development) or Level Two (flexible development) application for filing, ~~he shall~~ notice of the application shall be mailed to each owner of record of any land within a 200-foot radius of the perimeter boundaries of the subject property. Notice shall also be mailed to any affected registered local neighborhood association and to any citywide neighborhood association. Notice shall be provided no less than ten days prior to the review of the application before the development review committee (determination of sufficiency). All notices shall include a summary of the proposal under consideration, the procedure for consideration of the application, the address of the subject property, and contact information for both the applicant and the city.

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Section 22. That Article 4, Development Review and Other Procedures, Division 8, Traffic Impact Study, Community Development Code, be amended to read as follows:

* * * * *

Section 4-801. – Purpose and applicability.

- A. The purpose of the traffic impact study is to examine the effect of a proposed development on the roadways of the city in accordance with an established methodology. If a traffic impact study is required pursuant to ~~this division Article 4. Division 9~~, the methodology to be used shall be discussed and agreed upon at a pre-application conference held in accordance with Section 4-201.
- B. Except as provided in subsection C below, a traffic impact study shall be required for any Tier 2 or Tier 3 development project within a deficient road corridor pursuant to Article 4. Division 9, which may degrade the acceptable level of service for any roadway as adopted in the Comprehensive Plan. Trip generation shall be based on the most recent edition of the Institute of Transportation Engineers Trip Generation Manual.

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Section 4-802. – Procedures.

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- B. Typically, the examination shall be made for the a.m. and p.m. peak hours of the roadway; if a proposed use or mix of uses has peaking characteristics which fall outside of the normal a.m. and p. m. peak hours, the traffic engineer may require an analysis of the particular peak period of the proposed use or mix of uses.

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Section 4-803. – Standards for study.

- A. *Traffic characteristics to be analyzed.* The following traffic characteristics shall be analyzed for any development for which a traffic impact study is required:
 1. Study area roadways and intersections shall be established during a discussion with City of Clearwater staff. This discussion shall also finalize traffic study requirements.
 21. Existing (data collected within the last two years) and projected traffic volumes and levels of service.
 32. Trip distribution including origination and destination projections for the proposed development.
 43. Average daily trips and peak hour trips projected to be generated at buildout and full occupancy.
 54. Amounts and projected growth of background traffic in five years after build-out (including an annual growth rate and any approved developments specified by City of Clearwater staff).
 65. Existing and future, no-build and build, roadway, and intersection levels of service design capacities in five years.

76. Proposed improvements or alterations to roadways, intersections, or traffic control in the study area serving the development.

87. Appropriate trip generation adjustments including internal shared-use trips, pass-by trips, and transit mode share Percentage of internal capture and passerby trips.

B. *Additional traffic analyses which may be required.* The following analyses of site-related traffic may be required by the traffic engineer as part of the traffic impact study:

* * * * *

5. Accident rates, patterns, and crash mitigations at intersections.

* * * * *

D. *Minimum required standards.* A traffic impact study for a development shall demonstrate that the infrastructure requirements and standards set forth in the transportation and capital improvement elements of the Comprehensive pPlan of the city are or shall be satisfied to the extent that such requirements apply to the development.

* * * * *

Section 23. That Article 4, Development Review and Other Procedures, Division 9, Concurrency and Mobility Management, Community Development Code, be amended to read as follows:

Division 9. Concurrency and Mobility Management

Section 4-901. Authority and applicability. Reserved.

~~A. *Certificate of concurrency/capacity required.* Unless exempted under the provisions of paragraph B below, all applications for development approval shall include an application for a certificate of concurrency/capacity or a nonconcurrency affidavit. No development approval shall be granted until a certificate of concurrency/capacity is issued or a nonconcurrency affidavit is executed.~~

~~B. *Exception.* No certificate of concurrency/capacity is required for the following:~~

- ~~1. Replacement of structures that do not increase the demand for public facilities.~~
- ~~2. Room additions to residences.~~
- ~~3. Accessory structures to residences, including swimming pools, fences and walls.~~
- ~~4. Signs.~~
- ~~5. Utility infrastructure facilities.~~
- ~~6. Public transportation facilities.~~
- ~~7. Telecommunication towers.~~
- ~~8. Parking garages and lots.~~
- ~~9. Fill in permits if the original shell permit is vested prior to May 31, 1990, or passed a concurrency determination on or after May 31, 1990.~~
- ~~10. Expansions that were previously disclosed by the applicant and subject to a concurrency test as part of the original application of a phased development.~~
- ~~11. Projects that are vested.~~
- ~~12. Roads.~~

Section 4-902. Application and procedures. Reserved.

- ~~A. An application for a certificate of concurrency/capacity shall be filed with the community development coordinator as part of an application for development approval and shall include such fees as are required by Section 4-202(F).~~
- ~~B. The community development coordinator shall review the application and determine whether the application complies with the standards in Section 4-903. If the community development coordinator determines that the application complies with the standards, a certificate of concurrency/capacity shall be issued and shall be valid for a period of two years or such later period as may be provided for in a development approval.~~
- ~~C. In the event that an application for a certificate of concurrency/capacity is approved, the applicant shall pay prior to the issuance of the certificate, a fee in the form of prepayment of the capacity being reserved, or some other financial assurance provided by the applicant that is acceptable to the city. The certificate of concurrency/capacity fee may be refunded if development does not proceed so long as the city has not expended or obligated the money for preconstruction costs or construction of the facility, if the road impact fee has not been transferred to the county. If the road impact fee portion has been transferred to the county, the applicant may request a refund from the county.~~
- ~~D. A certificate of concurrency/capacity may be extended according to the same terms and conditions as the underlying development approval. If a development approval is granted an extension, the certificate of concurrency/capacity, if any, shall also be extended.~~
- ~~E. A certificate of concurrency/capacity may be extended to remain in effect for the life of each subsequent development approval for the same parcel, as long as the applicant obtains a subsequent development approval prior to the expiration of the earlier development approval.~~
- ~~F. A certificate of concurrency/capacity runs with the land and is valid only for subsequent development approvals for the same parcel and to new owners of the original parcel for which it was issued.~~
- ~~G. A certificate of concurrency/capacity shall expire if the underlying development order expires or is revoked by the city and the capacity has not been extended to a subsequent development approval for the same parcel.~~
- ~~H. A denial of a certificate of concurrency/capacity may be appealed in the manner provided in Article 4, Division 5.~~

Section 4-903. Standards for certificate of concurrency/capacity. Reserved.

- ~~A. In determining whether a certificate of concurrency/capacity may be issued, the community development coordinator shall apply the level of service standards in the comprehensive plan according to the following measures for each public facility:

 - ~~1. Potable water: water service area.~~
 - ~~2. Sanitary sewer: sewer facility availability.~~
 - ~~3. Drainage: drainage basin.~~~~

4. ~~Solid waste: citywide.~~

5. ~~Parks and recreation: citywide.~~

B. ~~For public facilities provided by entities other than the city, the certificate may be issued subject to the availability of such public facilities consistent with policy I.1.3.3 of the comprehensive plan.~~

C. ~~If the capacity of available public facilities is less than the capacity required to maintain the level of service standard for the impact of the development, the applicant may:~~

1. ~~Accept a 15-day encumbrance of public facilities that are available and, within the same 15-day period, amend the application to reduce the needed public facilities to the capacity that is available.~~

2. ~~Accept a 90-day encumbrance of public facilities that are available and, within the same 90-day period, arrange to provide for public facilities that are not otherwise available, to be in place or under construction not more than three years after permit issuance.~~

3. ~~Reapply for a certificate of capacity not less than six months following the denial of an application for a certificate of capacity.~~

D. ~~If the capacity of impacted roads is inadequate, the community development coordinator may consider the following forms of mitigation:~~

1. ~~System improvements, including but not limited to turn lanes, signals, acceleration/deceleration lanes and intersection improvements.~~

2. ~~Travel time/speed studies conducted using methodology and data acceptable to the community development coordinator.~~

3. ~~Alternative transportation programs, incentives and disincentives, including but not limited to transit systems, car pools, van pools, limited parking, and staggered work hours.~~

4. ~~The following are not generally acceptable mitigation strategies:~~

a. ~~Improvements to roads that are not below level of service standards.~~

b. ~~Diverted trips.~~

c. ~~Averaging, i.e., system analysis instead of by link.~~

Section 4-904. Mobility management system.

A. *Purpose and intent.* The purpose of this section is to provide a more-flexible and efficient set of alternative to the traditional form of transportation concurrency management procedures, which ties development approvals to maintaining adopted roadway level of service standards, while facilitating multi-modal transportation solutions.

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C. *General requirements.* All development projects within the City of Clearwater that generate new peak hour trips are subject to the provisions of this section to address their

development impacts. Determination of trip generation associated with an application for development shall be based on Schedule A or B in Section 150-40 of Pinellas County Land Development Code, or the latest edition of the Institute of Transportation Engineers Trip Generation Manual. As an alternative to the fee schedule and Trip Generation Manual, the applicant may submit a trip generation study in accordance with Section 4-905.C.4.a and b.

1. The minimum acceptable level of service standard for any intersection or movement is "D". One exception is for "stop" sign controlled minor street approaches. Level of service "E" and "F" may be deemed acceptable by the City Engineer on a case-by-case basis if a traffic signal is determined not be warranted. Any level of service deficiencies or storage or blocking issues caused by the development must be mitigated at the study area intersections. Deficient road corridors include parcels, all or a portion of which lie within a corridor, and are defined as:
 - a. Sole direct access. A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility;
 - b. Direct access. A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one-half mile of the road facility; and
 - c. Sole indirect access. A condition where the only point of site ingress/egress is onto a public non-arterial roadway which makes its first and shortest arterial level connection onto a road facility regardless of the distance of that site from the facility.
2. Deficient road corridors are listed within the most recent Pinellas County Metropolitan Planning Organization's annual Level of Service Report. The following classifications shall define any proposed developments within the City of Clearwater:
 - a. Tier 1. A development that is forecast to generate 50 or fewer highest peak hour trips.
 - b. Tier 2. A development that is forecast to generate between 51 and 300 highest peak hour trips.
 - c. Tier 3. A development that is forecast to generate greater than 300 highest peak hour trips.
 - d. In cases where a development is being expanded or land use changes are proposed, the trip generation for the entire development shall apply for determining what tier the development falls under.
3. Tier 1 developments are required to pay a multi-modal impact fee in accordance with Section 4-905. A traffic impact analysis or transportation management plan or study is not required for Tier 1 developments. A trip generation letter is required documenting the projected number of new trips. Development projects that generate less than 51 new peak hour trips are required to pay a multi-modal impact fee in accordance with Section 4-905. They are not required to submit a transportation management plan or study.
4. Tier 2 developments. Tier 1 projects. Tier 1 projects are development projects that generate between 51 and 300 new peak hour trips.

- a. Tier 2 developments are required to submit a traffic impact study pursuant to Article 4, Division 8 to assess traffic impacts and proposed appropriate mitigations. The study should contain a transportation management plan section and strategies that may be used to help mitigate traffic impacts. A scoping meeting should take place with the City Engineer to set the traffic impact analysis methodology and standards prior to preparation of the analysis. Developers of Tier 1 projects located within deficient road corridors are required to submit a transportation management plan designed to address their impacts while increasing mobility and reducing the demand for single occupant vehicle travel.
 - b. The study area shall consist of the study access driveway intersections plus all signalized intersections within a ½-mile radius of the outermost site access points. This study area may be modified by the City Engineer at the scoping meeting. The cost of transportation management strategies implemented for Tier 1 projects are creditable toward their multi-modal impact fee assessment. If the cost of the improvement exceeds the assessment, the development project would not be subject to payment of the fee.
 - c. The cost of transportation management strategies implemented for Tier 2 projects are creditable toward their multi-modal impact fee assessment. If the cost of the improvement exceeds the assessment, the development project would not be subject to payment of the fee.
5. Tier 3 developments. Tier 2 projects. Tier 2 projects are development projects that generate more than 300 new peak hour trips.
- a. Tier 3 developments are required to submit a traffic impact study pursuant to Article 4, Division 8 to assess traffic impacts and proposed appropriate mitigations. The study should contain transportation management plan section and strategies that may be used to mitigate traffic impacts. A scoping meeting should take place with the City Engineer to set the traffic impact analysis methodology and standards prior to preparation of the analysis. Developers of Tier 2 projects within deficient road corridors are required to conduct a traffic study and submit an accompanying report. The report shall include the results of the traffic study and a transportation management plan identifying improvements necessary to mitigate the impacts of the project.
 - b. The study area shall consist of the study access driveway intersections plus all signalized intersections within a 1-mile radius of the outermost site access points. This study area may be modified by the City Engineer at the scoping meeting. The cost of transportation management strategies implemented for Tier 2 projects may be applied as credit toward the project's multi-modal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
 - c. The cost of transportation management strategies implemented for Tier 3 projects may be applied as credit toward the project's multi-modal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
6. Development projects that generate more than 50 new peak hour trips on non-deficient road corridors shall be reviewed by the city to determine if the impacts of the project

adversely affect the level of service of the surrounding road network. If it is determined that approval of the development project reduces the level of service of the adjacent road(s) to peak hour level of service E or F or would cause the volume to capacity ratio to reach or exceed 0.9, a transportation management plan is required. The applicant may submit a traffic study to verify whether their project would affect the level of service of adjacent road(s). A transportation management plan is required if the results of the traffic study confirm the finding of the city, and the transportation management plan for such developments shall comply with the requirements of Tier 1 or Tier 2 projects, as described in Sections 4-904.C.2. and 3.

7.—Transportation management plans. At the time of site plan review, the city shall analyze the development impacts of a project. A transportation management plan is a required part of the traffic impact study for Tier 2 and Tier 3 development applications subject to Sections 4-904.C.3, 4, and 5, utilizing transportation management strategies/improvements to address their development impacts. The extent of the strategies/improvements included in an approved transportation management plan in terms of the scale of the project(s) and roadway capacity and/or mobility benefits provided shall be based primarily on the project(s) impact on the surrounding traffic circulation system. Specific conditions of the deficient road corridor(s) impacted by the development shall also be considered.

Transportation management plans must be developed by the applicant as part of the traffic impact study and accepted by the city. If the project impacts a State road, the applicant shall also submit the transportation management plan to the Florida Department of Transportation District 7 Office. Transportation management plans seeking to implement strategies that do not involve structural improvements, such as ride sharing and transit incentive programs, must include a monitoring program to ensure the strategies are carried out in accordance with the plan. Site-related improvements are not eligible for inclusion in transportation management plans. Transportation management plan strategies/improvements include, but are not limited to, those listed below:

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Section 24. That Article 8, Definitions and Rules of Construction, Section 8-102. Definitions, Community Development Code, be amended to read as follows:

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Section 8-102. Definitions.

Blackwater means that part of domestic sewage carried off by toilets, urinals, and kitchen drains.

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Coastal storm area means the area delineated in Map E-1 of the Coastal Management Element of the Clearwater Comprehensive Plan, which encompasses all of the following: (1) the Coastal High Hazard Area (CHHA), which shall be defined by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) model to be inundated from a category one hurricane, as reflected in the most recent Regional Evacuation Study, Storm Tide Atlas, (2) all land connected to the mainland of Clearwater by bridges or causeways, (3) those isolated areas that are defined by the SLOSH model to be inundated by a category two hurricane or above and that are surrounded by the CHHA or by the CHHA and a body of water, and (4) all land located within the Velocity Zone as designated by the Federal Emergency Management Agency.

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Dwelling unit, accessory means a secondary living unit that includes provisions for living, sanitation, and kitchen facilities that exists either within the same structure, or on the same lot as a detached dwelling or a dwelling unit accessory to and occupying the same lot as a nonresidential use. Mobile homes and recreational vehicles shall not be used as accessory dwelling units.

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Electric vehicle ready (EV-Ready) means parking spaces that include listed raceways (conduit), sufficient electrical panel service capability, overcurrent protection devices, wires, and suitable termination points such as a junction box with a service loop.

Electric vehicle supply equipment (EVSE) means devices that provide electric power to the vehicle to recharge the vehicle's batteries, including electrical conductors, related equipment, software, and communications protocols that deliver energy efficiently and safely to the vehicle.

Electric vehicle supply equipment (EVSE) installed means a fully installed and operating electric vehicle (EV) charging unit, as defined by the National Electric Code, provided to support future electric charging.

* * * * *

Graywater means that part of domestic sewage that is not blackwater, including waste from the bath, lavatory, laundry, and sink, except kitchen sink waste.

* * * * *

Maximum tilt angle means the angle at which a solar energy system produces the highest energy yield in converting solar energy into electrical energy. The maximum tilt angle for solar energy systems in the City of Clearwater is approximately 25°.

* * * * *

Mechanical equipment means outdoor mechanical, electrical, and communication equipment including heating, air conditioning, and ventilation equipment; venting and vent terminations for commercial hoods; mechanical penthouses; electrical and communication equipment, panels, and cabinets; satellite dishes; pool equipment such as heaters, filters, and pumps; generators; propane tanks; and similar features.

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Nonresidentially zoned property means any parcel of property located in one of the following districts; Office ("O"); Tourism ("T"); Commercial ("C"); Downtown ("D"); Industrial, Research and Technology ("IRT"); Institutional ("I"); Open Space/Recreation ("OS/R"); Preservation ("P"); Mixed Use ("MU")US 19 ("US 19").

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Photovoltaic (PV) panel means a device that converts solar energy directly into electricity.

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Racking equipment means any and all equipment used during the installation of a solar energy system.

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Retail sales and services means a building, property, or activity the principle use or purpose of which is the sale or lease of goods, products, materials, or services directly to the consumer, including grocery stores, bicycle stores (sales, rentals and/or repair), adult day care, child care, dog day care, personal services, tattoo parlor, animal grooming, art galleries, artisans, farmer

markets, medical marijuana treatment center dispensing facilities, and including the sale of alcoholic beverages for off-premises consumption provided that the sale of alcoholic beverages is subordinate to the principal use and display of alcoholic beverages occupies less than 25 percent of the floor area of the use. Not including problematic uses, street vendors or the on-premises consumption of alcoholic beverages.

* * * * *

Solar energy system means a system that converts the sun’s light into electricity or thermal energy.

Solar energy system, floating means a solar energy system, that floats within a body of water, for electric power which uses photovoltaic modules to convert solar energy to electricity that may be stored on site, delivered to a transmissions system, and consumed primarily offsite; consists principally of photovoltaic modules, a mounting or racking system, power inverters, transformers, collection systems, battery systems, fire suppression equipment, and associated components; and may include accessory administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures.

Solar energy system, roof mounted means a solar energy system that is mounted to a roof, whether pitched or flat, or with or without parapets.

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Section 25. That Appendix B, US 19 Zoning District and Development Standards, Division 3, Subdistrict Standards, Community Development Code, be amended to read as follows:

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Section B-301. Development intensity.

A) Maximum Development Potential

The maximum development potential set forth for each Subdistrict is shown in Table 1. Permitted Intensities by Future Land Use Category. All allowable uses, including residential and overnight accommodations, are regulated by Floor Area Ratio (FAR).

Table 1. Permitted Intensities by Future Land Use Category			
Clearwater Future Land Use Category	Countywide Plan Map Category/Subcategory	US 19 Subdistrict	Maximum Floor Area Ratio (FAR)
US 19 Regional Center	Activity Center (AC)/Major Center Subcategory	Regional Center	FAR 2.5
US 19 Neighborhood Center	Activity Center (AC)/Community Center Subcategory	Neighborhood Center	FAR 1.5
US 19 Corridor	Multimodal Corridor (MMC)/Primary Category	Corridor	FAR 1.5

B) Residential Density in Coastal Storm Area

Residential density on those portions of property located within the coastal storm area shall be limited to the density in place prior to the adoption of this Code, consistent with Policy A-1.2.2CCM 2.4.3 and Map A-16CCM 6 of the Comprehensive Plan.

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Section B-303. Permitted uses and parking.

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C) Parking Reduction

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Table 3. Parking Reduction Factors		
Factor	Criteria	Parking Reduction
* * * * *		
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.
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Section 26. That Appendix C, Downtown District and Development Standards, Division 2, Regulating Plan, Community Development Code, be amended to read as follows:

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Section C-202. – Character district regulating plan.

Standards and regulations in Appendix C, Division 3 related to land use and parking, development density and intensity, and building height within the Downtown District apply to properties falling within one of five character districts illustrated in Figure 1. Character Districts.

A. Downtown Core Character District. The Downtown Core Character District is intended for high intensity mixed-use, office, and residential development in building with active ground floor uses opening onto pedestrian-friendly streetscapes. Standards are designed to support a dense urban pattern of development with buildings facades aligned along public sidewalks and parking primarily located within buildings behind active uses and behind buildings. Properties adjacent to the Pinellas Trail are designed to provide pedestrian and bicycle connections to the trail.

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Section 27. That Appendix C, Downtown District and Development Standards, Division 3, Character District Standards, Community Development Code, be amended to read as follows:

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Section C-301. Development potential.

Table 1. Tier 1 Public Amenities Incentive Pool Criteria						
Requirement (Public Benefit)	Type of Bonus (Residential Density, Hotel Density, Floor Area)	Downtown Core	Old Bay	South Gateway	Prospect Lake	Downtown Gateway

Electric Vehicle (EV) Parking Spaces provided in project consistent with all of the following: • Minimum 20% of all required parking spaces and a minimum 10% for all additional parking spaces (not required), or 10 spaces total, whichever is greater, are EV Ready; ⁴ and • Minimum 5% of all required parking spaces and a minimum of 2% for all additional parking spaces (not required), or two spaces, whichever is greater, have electrical vehicle supply equipment (EVSE) with Level 2 charging capacity or greater installed.	Residential (du/ac)	15%	15%	15%	15%	15%
	Hotel (ov/ac)	10%	10%	10%	10%	10%
	Floor Area (FAR)	10%	10%	10%	10%	10%

Section 28. That Appendix C, Downtown District and Development Standards, Division 6, Building Design Standards, Community Development Code, be amended to read as follows:

Section C-606. – Mechanical equipment.

Outdoor mechanical, electrical, and communication equipment, including heating, air conditioning, and ventilation equipment; venting and vent terminals for commercial hoods; electric meters; mechanical penthouses; electrical and communication equipment, panels, and cabinets; satellite dishes; and similar features shall be located and designed to meet all of the following standards.

B. Equipment Screening.

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3. ~~Elevator penthouses~~Elevator equipment room or similar mechanical equipment enclosures shall be designed to complement the design of street-facing building façades and shall be clad on all sides in material used on street-facing façades.

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Section 29. That Appendix C, Downtown District and Development Standards, Division 8, Flexibility, Community Development Code, be amended to read as follows:

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Section C-803. – Flexibility provisions.

Flexibility may be approved subject to the standards below.

A. Character district standards – height transitions.

1. Flexibility in meeting required building step backs along street frontages in Section C-302.B may be approved where the alternative design provides visual and ~~special~~spatial relief similar to a step back, a varied an 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 30. Amendments to the Community Development Code of the City of Clearwater (as originally adopted by Ordinance No. 6348-99 and subsequently amended) are hereby adopted to read as set forth in this Ordinance.

Section 31. The City of Clearwater does hereby certify that the amendments contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the City’s Comprehensive Plan.

Section 32. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 33. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 34. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL
READING AND ADOPTED

Mayor

Approved as to form:

Attest:

Matthew J. Mytych, Esq.
Senior Assistant City Attorney

Rosemarie Call, MPA, MMC
City Clerk

DRAFT