

ORDINANCE NO. 8810-16

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE BY AMENDING ARTICLE 2, CHART 2-100, TO ADD FUNERAL HOMES AS A PERMISSIBLE USE IN THE COMMERCIAL, OFFICE AND INSTITUTIONAL DISTRICTS, ADD MICROBREWERIES IN THE DOWNTOWN DISTRICT, AND REMOVE NON-RESIDENTIAL OFF-STREET PARKING FROM THE TOURIST DISTRICT; AMENDING ARTICLE 2, SECTIONS 2-702, 2-1002 AND 2-1202, ADDING FUNERAL HOMES AND MEDICAL CLINICS AS MINIMUM STANDARD DEVELOPMENT USES; AMENDING ARTICLE 2, SECTION 2-702, ADDING A FOOTNOTE PERTAINING TO RESTAURANTS AND RETAIL PLAZAS, AND MODIFYING FOOTNOTE #1 TO INCLUDE MEDICAL CLINICS; AMENDING ARTICLE 2, SECTIONS 2-703, 2-1003 AND 2-1203, ADDING FUNERAL HOMES AS FLEXIBLE STANDARD DEVELOPMENT USES; AMENDING ARTICLE 2, SECTIONS 2-703, 2-802, 2-1003 AND 2-1203, MODIFYING DEVELOPMENT STANDARDS AND/OR FLEXIBILITY CRITERIA FOR MEDICAL CLINICS; AMENDING ARTICLE 2, SECTION 2-802, DELETING NON-RESIDENTIAL OFF-STREET PARKING AS A FLEXIBLE STANDARD DEVELOPMENT USE AND DELETING FOOTNOTE #7; AMENDING ARTICLE 2, SECTIONS 2-802 AND 2-803, ADDING A HEIGHT CRITERION FOR THE RESORT ATTACHED DWELLINGS USE; AMENDING ARTICLE 2, SECTION 2-902, ADDING MICROBREWERIES AS A FLEXIBLE STANDARD DEVELOPMENT USE; AMENDING ARTICLE 2, SECTION 2-1004, DELETING MEDICAL CLINICS AS A FLEXIBLE DEVELOPMENT USE; AMENDING ARTICLE 2, SECTION 2-1203, MODIFYING DEVELOPMENT STANDARDS AND/OR FLEXIBILITY CRITERIA FOR ASSISTED LIVING FACILITIES, CONGREGATE CARE, HOSPITALS, NURSING HOMES, AND SOCIAL AND COMMUNITY CENTERS; AMENDING ARTICLE 2, SECTION 2-1204, DELETING SOCIAL AND COMMUNITY CENTERS AS A FLEXIBLE DEVELOPMENT USE, AND MODIFYING FLEXIBILITY CRITERIA FOR SOCIAL/PUBLIC SERVICE AGENCIES; AMENDING ARTICLE 3, SECTION 3-909, MODIFYING APPLICABILITY AND LOCATION AND DESIGN REQUIREMENTS OF OUTDOOR CAFÉ PROVISIONS; AMENDING ARTICLE 3, SECTIONS 3-1202 AND 3-1401, TO REFERENCE THE DIVISION INSTEAD OF THE SECTION; AMENDING ARTICLE 3, SECTION 3-1406, CLARIFYING THE ZONING DISTRICT EXCEPTIONS FOR OFF-STREET LOADING; AMENDING ARTICLE 5, SECTION 5-302, CLARIFYING THE RESPONSIBILITIES OF THE DEVELOPMENT REVIEW COMMITTEE; AMENDING ARTICLE 8, SECTION 8-102, MODIFYING THE DEFINITIONS FOR BREWPUBS, LIGHT ASSEMBLY,

MANUFACTURING, MEDICAL CLINICS, MICROBREWERIES, RESEARCH AND TECHNOLOGY USE, RESORT ATTACHED DWELLINGS, RETAIL SALES AND SERVICES, AND VEHICLE SERVICE, AND ADDING DEFINITIONS FOR BEER GARDEN, FUNERAL HOMES, AND PRINT SHOPS; CERTIFYING CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Clearwater has determined where the Community Development Code and Code of Ordinances needs clarification and revision; now therefore,

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

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

Use Categories	CHART 2-100 PERMITTED USES															
	LDR	LMDR	MDR	MHDR	HDR	MHP	C	T	D	O	I	IRT	OSR	P	CRNCOD	IENCOD
Residential																
Accessory dwellings							X	X	X	X	X	X				
Attached dwellings	X	X	X	X	X			X	X							
Community residential homes	X	X	X	X	X					X					X	X
Detached dwellings	X	X	X	X	X	X									X	X
Mobile homes						X										
Mobile home parks						X										
Residential infill projects	X	X	X	X	X										X	X
Nonresidential																
Adult uses							X					X				
Airport											X					
Alcoholic beverage sales							X	X	X							
Animal boarding							X		X			X				
Assisted living facilities			X	X	X						X					
Automobile service stations							X					X				
Bars							X	X	X			X				
Brewpubs							X	X	X							
Cemeteries											X					
Community gardens	X	X	X	X	X		X		X		X					
Comprehensive infill redevelopment project (CIRP)							X	X	X	X	X	X	X			

Congregate care			X	X	X						X						
Convention center									X								
Educational facilities							X		X	X	X						
Environmental park															X		
Funeral homes							X			X	X						
Governmental uses							X	X	X		X	X	X				
Halfway houses											X						
Hospitals											X						
Indoor recreation/entertainment							X	X	X			X					
Light assembly							X										
Manufacturing												X					
Marinas															X		
Marinas and marina facilities							X	X	X		X						
Medical clinic							X	X		X	X						
Microbreweries							X		X			X					
Mixed use							X	X	X	X							
Nightclubs							X	X	X			X					
Non-residential off-street parking		X	X	X				X									
Nursing homes				X	X						X	X					
Offices						X	X	X	X	X		X					
Off-street parking							X			X							
Open space														X			
Outdoor recreation/entertainment							X	X				X	X				
Outdoor storage												X					
Overnight accommodations	X		X	X	X		X	X	X			X					
Parking garages and lots					X			X	X		X	X	X				
Parks and recreation facilities	X	X	X	X	X		X	X	X	X	X	X	X				
Places of worship							X		X	X	X						
Planned medical campus											X						
Planned medical campus project											X						
Problematic uses							X										
Public facility									X			X					
Publishing and printing												X					
Public transportation facilities						X	X	X	X	X	X	X					
Research and technology use												X					
Residential shelters											X	X					
Resort Attached Dwellings								X									
Restaurants							X	X	X	X		X	X				
Retail plazas							X	X	X								
Retail sales and services						X	X	X	X	X	X	X	X				
RV parks							X										
Salvage yards												X					
Schools	X	X	X	X	X		X			X	X						
Self-storage warehouse							X					X					

Social and community centers							X	X	X		X					
Social/public service agencies							X		X		X	X				
Telecommunications towers							X		X	X	X	X				
TV/radio studios										X		X				
Urban farms												X				
Utility/infrastructure facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Vehicle sales/displays							X					X				
Vehicle sales/displays, limited								X	X							
Vehicle sales/displays, major												X				
Vehicle service												X				
Vehicle service, limited							X									
Vehicle service, major												X				
Veterinary offices							X		X	X		X				
Wholesale/distribution/warehouse facility												X				

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

Use	Min. Lot Area (sq. ft)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Front (ft.)	Min. Side (ft.)	Min. Rear (ft.)	Min. Off-Street Parking Spaces
Community Gardens	n/a	n/a	n/a	15	5	5	n/a
<u>Funeral Homes</u>	<u>10,000</u>	<u>100</u>	<u>25</u>	<u>25</u>	<u>10</u>	<u>20</u>	<u>0.25 per seat</u>
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
<u>Medical Clinic (1)</u>	<u>10,000</u>	<u>100</u>	<u>25</u>	<u>25</u>	<u>10</u>	<u>20</u>	<u>5/1,000 GFA</u>
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)	15,000	100	25	25	10	20	4/1,000 SF GFA
Retail Sales and Services	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
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.

Section 3. That Article 2, Zoning Districts, Division 7, Commercial District, Section 2-703, Flexible Standard Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

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

<u>Funeral Homes</u>	<u>3,500— 10,000</u>	<u>30—100</u>	<u>25—50</u>	<u>25</u>	<u>0—10</u>	<u>10— 20</u>	<u>0.25 per seat</u>
Governmental Uses(1)	10,000	100	25—50	25	10	20	4 spaces per 1,000 GFA
Indoor Recreation/Entertainment	5,000— 10,000	50—100	25	25	10	20	3—5/1000 SF GFA or 3— 5/lane, 1— 2/court or 1/machine
Medical Clinics(1)	10,000	100	<u>25 - 50</u>	25	<u>0 - 10</u>	<u>10 - 20</u>	<u>3 - 5/1,000 GFA</u>
Microbreweries	3,500 - 10,000	30 - 100	25 - 50	25	0 - 10	10 - 20	1.5/1,000 GFA dedicated to brewery operations and support services; and 7- 12/1,000 GFA for all other use area
Mixed Use	5,000— 10,000	50—100	25—50	25	0—10	10— 20	Based upon specific use requirements
Nightclubs	10,000	100	25	25	10	20	10 per 1,000 GFA
Offices	3,500— 10,000	30—100	25—50	25	0—10	10— 20	3/1,000 SF GFA
Off-Street Parking	10,000	100	n/a	25	10	20	n/a
Outdoor Retail Sales, Display and/or Storage	20,000	100	25	25	10	20	5 per 1,000 SF of outdoor display area
Overnight Accommodations	20,000— 40,000	150— 200	25—50	25	0—10	10— 20	1 per unit
Places of Worship(2)	20,000— 40,000	100— 200	25—50	25	10	20	.5-1 per 2 seats
Public Transportation Facilities(3)	n/a	n/a	10	n/a	n/a	n/a	n/a
Restaurants	3,500— 10,000	30—100	25—50	25	0—10	10— 20	7—12 spaces per 1,000 GFA
Retail Plazas	15,000	100	25—50	25	0—10	10— 20	4 spaces per 1,000 GFA
Retail Sales and Services	3,500— 10,000	30—100	25—50	25	0—10	10— 20	4—5 spaces per 1,000 GFA
Schools (5)	40,000	200	25	25	0—10	10— 20	1 per 3 students
Social and Community Centers (1)	3,500— 10,000	35—100	25—35	25	0—10	10— 20	4—5 spaces per 1,000 GFA
Utility/Infrastructure Facilities(4)	n/a	n/a	20	25	10	20	n/a
Vehicle Sales/Displays	20,000— 40,000	150— 200	25	25	10	20	2.5 spaces per 1,000 of lot sales area
Veterinary Offices	5,000— 10,000	50— 100	25	15— 25	0— 10	10— 20	4 spaces per 1,000 GFA

H. Funeral homes.

1. Lot area and/or width: The reduction shall not result in a building which is out of scale with existing buildings in the immediate vicinity;
2. Height: The increased height results in an improved site plan, landscaping areas in excess of the minimum required or improved design and appearance;
3. Side and/or rear setback:
 - a. The reduction in side and/or rear setback does not prevent access to the rear of any building by emergency vehicles;
 - b. The reduction in side and/or rear setback results in an improved site plan, more efficient parking or improved design and appearance;
 - c. The reduction in side and/or rear setback does not reduce the amount of landscaped area otherwise required.

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JK. *Medical clinics.*

- ~~1. The use and design of the parcel proposed for development is compatible with the surrounding area.~~
1. Side and/or rear setback:
 - a. The reduction in side and/or rear setback does not prevent access to the rear of any building by emergency vehicles;
 - b. The reduction in side and/or rear setback results in an improved site plan, more efficient parking or improved design and appearance;
 - c. The reduction in side and/or rear setback does not reduce the amount of landscaped area otherwise required.
2. Off-street parking: The physical characteristics of a proposed building are such that the likely uses of the property will require fewer parking spaces per floor area than otherwise required or that the use of significant portions of the building will be used for storage or other non-parking demand-generating purposes.
3. Height: The increased height results in an improved site plan or improved design or appearance.

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Section 4. That Article 2, Zoning Districts, Division 8, Tourist District, Section 2-802, Flexible Standard Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

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Use ¹	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height ¹ (ft.)	Min. Setbacks (ft.) ¹			Min. Off-Street Parking
				Min. Front (ft.)	Min. Side (ft.)	Min. Rear (ft.)	
Accessory Dwellings	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	5 per 1,000 GFA
Attached Dwellings(6)	10,000	100	35—50	10—15	10	10—20	2 per unit
Bars	5,000	50	35	15	10	20	10 per 1,000 GFA

Brewpubs	5,000—10,000	50—100	35—50	0—15	0—10	10—20	1.5/1,000 GFA dedicated to brewery operations and support services; and 7-12/1,000 GFA for all other use area
Governmental Uses(2)	10,000	100	35—50	10—15	0—10	10—20	3—4/1,000 GFA
Indoor Recreation/Entertainment	5,000	50	35—50	0—15	0—10	20	10 per 1,000 GFA
Medical Clinic	10,000	100	35—50	10—15	10	20	5/1,000 GFA
Mixed Use	5,000—10,000	50—100	35—50	0—15	0—10	10—20	Based upon specific use requirements
Nightclubs	5,000	50	35	15	10	20	10 per 1,000 GFA
Non-Residential Off-Street Parking (7)	n/a	n/a	n/a	25	5	40	n/a
Offices	5,000—10,000	50—100	35—50	0—15	0—10	10—20	3/1,000 SF GFA
Outdoor Recreation/Entertainment	5,000	50	35	10—15	10	20	2.5 spaces per 1,000 sq. ft. 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	1.2 per unit
Parking Garages and Lots	20,000	100	50	15—25	10	10—20	n/a
Parks and Recreation Facilities	n/a	n/a	50	25	10	20	1 per 20,000 SF land area or as determined by the community development coordinator based on ITE Manual standards
Public Transportation Facilities(3)	n/a	n/a	10	n/a	n/a	n/a	n/a
Resort Attached Dwellings(6)	10,000	100	35—50	10—15	10	10—20	1.5 per unit
Restaurants	5,000—10,000	50—100	35—50	0—15	0—10	10—20	7—12 spaces per 1,000 GFA(5)
Retail Plazas	15,000	100	35—50	0—15	0—10	10—20	4 spaces per 1,000 GFA
Retail Sales and Services	5,000—10,000	50—100	35 - 50	0—15	0—10	10—20	4—5 spaces per 1,000 GFA(5)
Social and Community Center	5,000—10,000	50—100	35—50	10—15	0—10	10—20	4—5 spaces per 1,000 GFA

Utility/Infrastructure Facilities(4)	n/a	n/a	n/a	25	10	10	n/a
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(1) Specific use, height, setback and parking standards set forth in Section II., Future Land Use (Character Districts) and height standards and Coronado and Hamden Drives setback/stepback standards set forth in Section IV., Design Guidelines, of Beach by Design: A Preliminary Design for Clearwater Beach and Design Guidelines, shall supersede these standards.

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~~(7) Non-residential parking lots shall not exceed three acres. Any such use, alone or when added to contiguous like uses which exceed three acres shall require a land use plan map amendment to the appropriate land use category.~~

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H. *Medical clinic.*

~~1. The use of the parcel proposed for development is compatible with surrounding properties.~~

~~2. *Off-street parking:*~~

~~a. Adequate parking is available on a shared basis as determined by all existing land uses within 1,000 feet of the parcel proposed for development, or parking is available through any existing or planned and committed parking facilities or the shared parking formula in Article 2, Division 14;~~

~~b. The physical characteristics of a proposed building are such that the likely uses of the property will require fewer parking spaces per floor area than otherwise required or that the use of significant portions of the building will be used for storage or other non-parking demand-generating purposes.~~

~~31. *Front setback:*~~

~~a. The reduction in front setback contributes to a more active and dynamic street life;~~

~~b. The reduction in front setback results in an improved site plan or improved design and appearance.~~

~~42. *Height:* The increased height results in an improved site plan or improved design or appearance.~~

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~~K. *Non-residential off-street parking.*~~

~~1. The parcel proposed for development is contiguous to the parcel on which the non-residential use which will be served by the off-street parking spaces, is located and has a common boundary of at least 25 feet, or the parcel proposed for development is located immediately across a public road from the non-residential use which will be served by the off-street parking spaces, provided that access to the off-street parking does not involve the use of local streets which have residential units on both sides of the street.~~

~~2. No off-street parking spaces are located in the required front setback for detached dwellings in the T District or within ten feet, whichever is greater, or within ten feet of a side or rear lot line, except along the common boundary of the~~

~~parcel proposed for development and the parcel on which the non-residential use which will be served by the off-street parking spaces.~~

- ~~3. Off-street parking spaces are screened by a wall or fence of at least four feet in height which is landscaped on the external side with a continuous hedge or non-deciduous vine.~~
- ~~4. All outdoor lighting is automatically switched to turn off at 9:00 p.m.~~
- ~~5. All parking spaces shall be surface parking.~~
- ~~6. The design of all buildings complies with the Tourist District design guidelines in Division 5 of Article 3.~~

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RQ. *Resort attached dwellings.*

- 1. *Height.*
 - a. The increased height results in an improved site plan or improved design and appearance;
 - b. The increased height is necessary to allow the improvement of off-street parking on the ground floor of the residential building;
 - c. The increased height does not exceed the height specified for residential uses for the *Beach by Design* character district in which the subject property is located.

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Section 5. That Article 2, Zoning Districts, Division 8, Tourist District, Section 2-803, Flexible Development, Community Development Code be amended to read as follows:

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L. *Resort attached dwellings.*

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- 2. *Height.*
 - a. The increased height results in an improved site plan or improved design and appearance;
 - b. The increased height is necessary to allow the improvement of off-street parking on the ground floor of the residential building;
 - c. The increased height does not exceed the height specified for residential uses for the *Beach by Design* character district in which the subject property is located.

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Section 6. That Article 2, Zoning Districts, Division 9, Downtown District, Section 2-902, Flexible Standard Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

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<i>Table 2-902. "D" Flexible Standard Development Standards</i>		
<i>Use</i>	<i>Max. Height (ft.)</i>	<i>Min. Off-Street Parking</i>
Accessory Dwellings	n/a	n/a

Alcoholic Beverage Sales	30—50	3—5 per 1,000 GFA
Attached Dwellings	30—50	1-1.5 per unit
Bars	30—50	3—10 per 1,000 GFA
Brewpubs	30 -50	1/1,000 GFA dedicated to brewery operations and support services; and 5-10/1,000 GFA for all other use area (1)
Community Gardens	n/a	n/a
Convention Center	30—50	5 per 1,000 GFA
Indoor Recreation/Entertainment Facility	30—50	3—5 per 1,000 GFA(1)
<u>Microbreweries</u>	<u>30—50</u>	<u>1/1,000 GFA dedicated to brewery operations and support services; and 5-10/1,000 GFA for all other use area (1)</u>
Mixed Use	30—50	Based upon specific use requirements
Nightclubs	30—50	3—10 per 1,000 GFA
Offices	30—50	1—3 per 1,000 GFA(1)
Overnight Accommodations	30—50	.75—1 per unit
Parking Garages and Lots	50	n/a
Parks and Recreation Facilities	50	1 per 20,000 SF or as determined by the community development coordinator based on ITE Manual standards
Places of Worship	30—50	.5—1 per 2 seats
Public Transportation Facilities	10	n/a
Restaurants	30—50	5—10 per 1,000 GFA(1)
Retail Plazas	30—50	4 per 1,000 GFA
Retail Sales and Service	30—50	2—4 per 1,000 GFA(1)
Social and Community Centers	30—50	2—4 per 1,000 GFA
Utility/Infrastructure Facilities	n/a	n/a

I. *Microbreweries.*

1. The parcel proposed for development is not contiguous to a parcel of land which is designated as residential in the Zoning Atlas;
2. 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;
3. Any overhead loading doors shall be located perpendicular to the abutting streets and screened from adjacent properties by landscaped walls or fences.
4. Off-street parking:
 - a. Adequate off-street parking is available on a shared basis as determined by all existing land uses within 1,000 feet of the parcel proposed for development, or parking is available through any existing or planned and

committed parking facilities or the shared parking formula in Article 2, Division 14; or

b. The reduction in off-street parking is justified by the reasonably anticipated automobile usage of visitors to the subject property; and

c. That there is access to mass transit within 1,000 feet of the subject property.

5. The design of all accessory buildings complies with the Downtown District design guidelines in Division 5 of Article 3.

Section 7. That Article 2, Zoning Districts, Division 10, Office District, Section 2-1002, Minimum Standard Development, Community Development Code be amended to read as follows:

Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Min. Off-Street Parking
				Front	Side	Rear	
Funeral Homes	10,000	100	30	25	10	20	0.25 per seat
Medical Clinic	10,000	100	30	25	10	20	5/1,000 GFA
Offices	10,000	100	30	25	10	20	3/1,000 sq. ft. GFA
Parks and Recreation Facilities	n/a	n/a	50	25	10	20	1 per 20,000 SF 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	1 per 2 seats
Schools	40,000	200	30	35	20	20	1/3 students

Section 8. That Article 2, Zoning Districts, Division 10, Office District, Section 2-1003, Flexible Standard Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Min. Off-Street Parking
				Front	Side	Rear	
Accessory Dwellings	n/a	n/a	n/a	n/a	n/a	n/a	1/unit
Community Residential Homes	6,000	60	30	25	10	10	1 per 2 residents
Educational Facilities	3,500	50	30-50	25	10	20	2-3/1,000 GFA
Funeral Homes	3,500-10,000	50-100	30-50	15-25	10	10-20	0.25 per seat
Medical Clinic	20,000 10,000	100	30-50	35 15-25	20 10	10-20	5/1,000 GFA
Nursing Homes	20,000	100	30	35	20	20	1 per 2 residents

Offices	3,500-10,000	50-100	30-50	15-25	10	10-20	2-3/1,000 sq. ft. GFA
Off-Street Parking	3,500	50	n/a	25	10	20	n/a
Places of Worship (1)	20,000-40,000	100-200	30-50	25-35	10-20	10-20	1 per 2 seats
Public Transportation Facilities(2)	n/a	n/a	10	n/a	n/a	n/a	n/a
Restaurant	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
TV/Radio Studios	40,000	200	35	35	20	20	5/1,000 GFA
Utility/Infrastructure Facilities(3)	n/a	n/a	n/a	35	20	20	n/a
Veterinary Offices	5,000	50	30	25	10	20	4/1000 GFA

* * * * *

D. Funeral homes.

1. Lot area and/or width: The reduction shall not result in a building which is out of scale with existing buildings in the immediate vicinity;
2. Height: The increased height results in an improved site plan, landscaping areas in excess of the minimum required or improved design and appearance;
3. Side and/or rear setback:
 - a. The reduction in side and/or rear setback does not prevent access to the rear of any building by emergency vehicles;
 - b. The reduction in side and/or rear setback results in an improved site plan, more efficient parking or improved design and appearance;
 - c. The reduction in side and/or rear setback does not reduce the amount of landscaped area otherwise required.

DE. Medical clinic.

1. ~~The use of the parcel proposed for development is compatible with surrounding properties.~~
2. ~~All waste disposal containers which serve the proposed use are located within a landscaped enclosed structure.~~
1. Height: The increased height results in an improved site plan, landscaping areas in excess of the minimum required or improved design and appearance;
2. Front and/or rear setback: The reduction in front and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and/or results in landscaping in excess of the minimum required.

* * * * *

Section 9. That Article 2, Zoning Districts, Division 10, Office District, Section 2-1004, Flexible Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

* * * * *

Table 2-1004. "O" District Flexible Development Standards							
Use	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Max. Height (ft.)	Min. Setbacks (ft.)			Min. Off-Street Parking
				Front	Side	Rear	
Comprehensive Infill Redevelopment Project	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
Medical Clinic	20,000	400	30—50	15—35	10—20	10—20	5/1,000 GFA
Mixed Use	3,500	50	30—80	15—35	10—20	10—20	Based upon specific use requirements
Nursing Homes	20,000	100	30—50	15—35	10—20	10—20	1 per 2 residents
Telecommunication Towers	10,000	100	Refer to Section 3-2001	25	10	20	n/a
TV Radio Studios	20,000—40,000	100—200	35—80	15—35	10—20	10—20	3—5/1,000 GFA

~~B. Medical clinic:~~

- ~~1. The use of the parcel proposed for development is compatible with the surrounding area.~~
- ~~2. All waste disposal containers which serve the proposed use are located within a landscaped enclosed structure.~~
- ~~3. Height: The increased height results in an improved site plan or improved design and appearance.~~
- ~~4. Sign: No sign of any kind is designed or located so that any portion of the sign is more than six feet above the finished grade of the front lot line of the parcel proposed for development unless such signage is a part of an approved comprehensive sign program;~~
- ~~5. Front setback: The reduction in front setback results in an improved site plan or improved design and appearance.~~
- ~~6. Side and rear setbacks:~~
 - ~~a. The reduction in side and rear setback does not prevent access to the rear of any building by emergency vehicles.~~
 - ~~b. The reduction in side and rear setback results in an improved site plan, more efficient parking or improved design and appearance and landscaping in excess of the minimum required.~~

Section 10. That Article 2, Zoning Districts, Division 12, Institutional District, Section 2-1202, Minimum Standard Development, Community Development Code be amended to read as follows:

Table 2-1202. "I" District Minimum 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		
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	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
<u>Funeral Homes</u>	<u>20,000</u>	<u>100</u>	<u>25</u>	<u>10</u>	<u>20</u>	<u>50</u>	<u>0.25 per seat</u>
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
<u>Medical Clinic</u>	<u>10,000</u>	<u>100</u>	<u>25</u>	<u>10</u>	<u>20</u>	<u>50</u>	<u>5 per 1,000 SF GFA</u>
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

Section 11. That Article 2, Zoning Districts, Division 12, Institutional District, Section 2-1203, Flexible Standard Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

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	n/a	n/a	n/a	n/a	n/a	n/a	1/unit
Airport	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Educational Facilities	40,000	200	15—25	10	15—20	50	0.5—1 per 2 students
<u>Funeral Homes</u>	<u>15,000-20,000</u>	<u>100</u>	<u>15-25</u>	<u>10</u>	<u>15-20</u>	<u>50</u>	<u>0.25 per seat</u>
Halfway Houses	10,000	100	15—25	10	15—20	30	1 per 2 residents
Hospitals	1—5 acres	100—250	15—25	10—25	15—25	50	1—2/bed
Medical Clinic	20,000	100	15—25	10	<u>15 - 20</u>	30 <u>50</u>	5/1000 SF

	<u>10,000</u>						
Parking Garages and Lots	20,000	100	15—25	10	15—20	50	n/a
Places of Worship	20,000	100	15—25	10	15—20	50	0.5—1 per 2 seats
Planned Medical Campus Project	Based upon approved Planned Medical Campus						
Public Transportation Facilities	n/a	n/a	n/a	n/a	n/a	10	n/a
Residential Shelters	10,000	100	15—25	10	15—20	30	1 per 2 residents
Retail Sales and Service	10,000	100	15—25	10	15—20	50	5 per 1,000 SF GFA
Utility/Infrastructure Facilities(1)	n/a	n/a	15—25	10	15—20	n/a	n/a
Assisted Living Facilities	15,000— 20,000	100	25	<u>5-10</u>	<u>10-20</u>	50	1 per 2 residents
Nursing Homes	15,000- <u>20,000</u>	100—150	25	<u>5-10</u>	<u>15-20</u>	50	1 per 2 residents
Social and Community Centers	20,000	100	15—25	10	15—20	30—40 <u>50</u>	4—5 per 1,000 GFA
Congregate Care	20,000	100	25	<u>5-10</u>	<u>10-20</u>	50	1 per 2 residents

D. Funeral homes.

1. Lot area: The reduction in lot area will not result in a building which is out of scale with existing buildings in the immediate vicinity of the parcel proposed for development.
2. Front and/or rear setback: The reduction in front and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and/or results in landscaping in excess of the minimum required.

E. Hospitals.

- ~~4. Off-street parking: The physical characteristics of a proposed building are such that the likely uses of the property will require fewer parking spaces per floor area than otherwise required or that the use of significant portions of the building for storage or other non-parking demand-generating purposes.~~

F. Medical clinic.

- ~~1. The use of the parcel proposed for development is compatible with the surrounding area.~~
21. Front setback: The reduction in front setback results in an improved site plan or improved design and appearance.
32. ~~Side and/or rear~~ Rear setback: The reduction in ~~side and/or~~ rear setback is necessary to preserve protected trees and/or results in an improved site plan or

more efficient design and appearance and results in landscaping in excess of the minimum required.

~~4. All waste disposal containers which serve the proposed use are located within a landscaped enclosed structure.~~

* * * * *

NO. *Assisted living facilities.*

* * * * *

6. Lot area: The reduction in lot area will not result in a building which is out of scale with existing buildings in the immediate vicinity of the parcel proposed for development.

7. Side and/or rear setback: The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and results in landscaping in excess of the minimum required.

OP. *Nursing homes.*

* * * * *

3. Lot area and/or lot width: The reduction in lot area and/or lot width will not result in a building which is out of scale with existing buildings in the immediate vicinity of the parcel proposed for development.

4. Side and/or rear setback: The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and results in landscaping in excess of the minimum required.

PQ. *Social and community centers.*

* * * * *

~~2. Front setback:~~ The reduction in front setback results in an improved site plan or improved design and appearance;

~~3. Side and rear setback:~~ The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and results in landscaping in excess of the minimum required.

2. Front and/or rear setback: The reduction in front and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and/or results in landscaping in excess of the minimum required.

3. Off-street parking: The physical characteristics of a proposed building are such that the likely uses of the property will require fewer parking spaces per floor area than otherwise required or that the use of significant portions of the building will be used for storage or other non-parking demand-generating purposes.

QR. *Congregate care.*

* * * * *

5. Side and/or rear setback: The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more

efficient design and appearance and results in landscaping in excess of the minimum required.

Section 12. That Article 2, Zoning Districts, Division 12, Institutional District, Section 2-1204, Flexible Development, Community Development Code be amended to read as follows with subsections re-lettered as appropriate:

<i>Table 2-1204. "I" District Flexible Development Standards</i>							
<i>Use</i>	<i>Min. Lot Area (sq. ft.)</i>	<i>Min. Lot Width (ft.)</i>	<i>Min. Setbacks (ft.)</i>			<i>Max. Height (ft.)</i>	<i>Min. Off-Street Parking</i>
			<i>Front</i>	<i>Side</i>	<i>Rear</i>		
Comprehensive Infill Redevelopment Project	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
Marinas and Marina Facilities	5,000	50	15—25	10—15	0—20	30	1 per 2 slips
Planned Medical Campus	50 acres	250	25	25	25	60—110	Determined by the community development coordinator based on the specific use and/or ITE Manual standards
Social and Community Centers	20,000	400	15—25	10	15—20	50	4—5 per 1000 GFA
Social/Public Service Agencies	10,000—20,000	100	15—25	10	15—20	50	2—3 per 1,000 GFA
Telecommunication Towers	10,000	100	25	10	20	Refer to Section 3-2001	n/a

D. ~~Social and community centers.~~

- ~~1. The parcel proposed for development does not abut any property designated as residential in the Zoning Atlas.~~
- ~~2. *Front setback:* The reduction in front setback results in an improved site plan or improved design and appearance.~~
- ~~3. *Side and rear setback:* The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and results in landscaping in excess of the minimum required.~~

ED. *Social/public service agencies.*

1. The parcel proposed for development does not abut any property designated as residential in the Zoning Atlas.
2. The social/public agency shall not be located within 1,500 feet of another social/public service agency.
- ~~3. *Front setback:* The reduction in front setback results in an improved site plan or improved design and appearance.~~
- ~~4. *Side and rear setback:* The reduction in side and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and results in landscaping in excess of the minimum required.~~
3. *Lot area:* The reduction in lot area will not result in a building which is out of scale with existing buildings in the immediate vicinity of the parcel proposed for development.
4. *Front and/or rear setback:* The reduction in front and/or rear setback is necessary to preserve protected trees and/or results in an improved site plan or more efficient design and appearance and/or results in landscaping in excess of the minimum required.
5. *Off-street parking:* The physical characteristics of a proposed building are such that the likely uses of the property will require fewer parking spaces per floor area than otherwise required or that the use of significant portions of the building will be used for storage or other non-parking demand-generating purposes.

* * * * *

Section 13. That Article 3, Development Standards, Division 9, General Applicability Standards, Section 3-909, Outdoor Cafés Located Within Public Right(s)-of-Way, Community Development Code be amended to read as follows:

* * * * *

~~A. *Applicability.* (i.) A restaurant or (ii.) a take-out food establishment with no indoor seating may establish an outdoor café and shall be exempt from parking requirements.~~

A. *Applicability.* A bar, brewpub, indoor recreation/entertainment facility, microbrewery, nightclub, restaurant, take-out food establishment with no indoor seating, or other use which includes the sale and or consumption of food or drink as determined by the Community Development Coordinator, may establish an outdoor café. Outdoor cafés shall be exempt from parking requirements.

1. Outdoor cafés are allowed only in/on:
 - a. The Downtown District;
 - b. Those properties located in the Commercial District subject to the Clearwater Downtown Redevelopment Plan;
 - c. Those properties located in the Tourist District on Clearwater Beach; and
 - d. The east side of that area known as Beach Walk as existing on the east side of Gulfview Boulevard between the northerly terminus of Beachwalk south of the Gulfview/Coronado confluence and the southern terminus of Beach Walk approximately 330 feet south of Fifth Street and as located within the Beach Walk District as provided in Beach by Design and further

located in the Open Space/Recreation [OS/R] District on Clearwater Beach provided the outdoor café is in conjunction with a permitted restaurant in the adjacent Tourist District.

2. Special provisions of this section apply to outdoor cafés located within the Cleveland Street Café District.
- B. *Application process.* The community development coordinator shall review all outdoor cafés as an allowable encroachment into the public right(s)-of-way subject to compliance with the location, design and operational requirements below.
- C. *Location and design requirements.*
1. Outdoor cafés are restricted to the sidewalk frontage of the subject business applying for a permit, except that outdoor cafés located within the Cleveland Street Café District may extend the linear distance of any adjacent business frontage, in accordance with the provisions of section 3-909.D.10.
 - ~~2. A minimum of one unobstructed pedestrian path at least five feet wide shall be maintained at all times. Within the Cleveland Street Café District the path shall abut the building façade.~~
 2. Outdoor cafés shall be located in a manner that promotes efficient and direct pedestrian movement:
 - a. An unobstructed pedestrian path at least five feet wide shall be maintained at all times.
 - b. Within the Cleveland Street Café District the pedestrian path shall be maintained parallel to the abutting business.
 - c. An unobstructed passage shall be provided to building entrances which shall include at least two feet of clearance on each side of all entrances.
 - d. The community development coordinator may require a wider pedestrian path than established above, and/or that the pedestrian path is delineated by those means set forth in subsection 7, below.
 - e. Failure to comply with any of the above requirements may result in the revocation of the outdoor café permit pursuant to Section 3-909.E.4.
 3. All furnishings shall be of good design and made of quality materials.
 4. No tables, chairs or any other furnishing or item shall be chained or attached to any building, sidewalk, tree, post, sign or other fixture.
 5. No furniture shall be permitted within the sight visibility triangle as required by the Community Development Code. Furniture shall not be placed within four feet of bus stops, telephone booths, fire hydrants, or counter service windows or within two feet of any entrances and/or exits.
 6. Outdoor cafes pursuant to Section 3-909.A.1.d, above, are restricted to sidewalk frontage of the subject business applying for a permit and may extend no more than 25 feet from the façade of the subject business. Under no circumstances may any portion of an outdoor café extend into or obstruct any portion of the main pedestrian thoroughfare (promenade) of Beach Walk. ~~In addition, access to outdoor cafés from the public right-of-way shall be limited to no more than one entranceway. The perimeter of outdoor cafés shall be clearly delineated through~~

~~the use of self-supporting fencing and/or landscape planters and/or other such devices and methods as presented to and approved by the city.~~

7. The perimeter of outdoor cafés may be defined through the use of self-supporting fencing, landscape planters, or other such devices and methods as presented to and approved by the city.

78. Any area in which an outdoor café is permitted shall be clearly delineated on a drawing accurately depicting the area and specifically delineating where alcohol beverage sales are intended to occur. Such a drawing shall be submitted to and approved by the city as part of a ~~Minimum, Flexible Standard or Flexible Development application~~ Level One approval, as applicable.

* * * * *

E. *Revocation of permit.* Upon revocation of a permit, the community development coordinator shall give written notice of such action by certified mail, return receipt requested, to the permittee at the address listed on the application, stating the reason(s) for revocation. The revocation shall become effective 15 days following mailing of the notice if not appealed as provided in section 4-501A. The community development coordinator may revoke a permit for any outdoor café if it is found that:

1. Any necessary business or health permit has been suspended or revoked; or
2. Changing conditions of pedestrian or vehicular traffic cause congestion necessitating the removal of the outdoor café. Such decision shall be based upon findings of the community development coordinator, after consulting with the city engineer, that the existing conditions represent a danger to the health, safety or general welfare of the public and cannot be resolved through modification to the outdoor café layout; or
3. The outdoor café operator fails to comply with one or more requirements of the permit.
4. The outdoor café is deemed to be a threat to public safety, in which case the permit may be revoked immediately without notice or compliance with the requirements described above.
5. The outdoor café is deemed by the city to not be in the city's or the public's best interest, no longer meets the purpose and/or intent of the zoning district or any applicable overlay/special area plan and/or is simply no longer a desired use/activity.

Section 14. That Article 3, Development Standards, Division 12, Landscaping/Tree Protection, Section 3-1202, General Landscaping Standards, Community Development Code be amended to read as follows:

Section 3-1202. - General landscaping standards.

A. *Applicability.*

* * * * *

3. *Existing developed lots.* Existing lots not meeting the requirements contained in this ~~section~~ division shall be brought into full compliance under one or more of the following conditions:

* * * * *

Section 15. That Article 3, Development Standards, Division 14, Parking and Loading, Section 3-1401, Parking, Community Development Code be amended to read as follows:

Section 3-1401. - Parking.

* * * * *

- B. *Applicability.*

* * * * *

3. *Existing parking lots.* Existing parking lots not meeting the requirements contained in this ~~section~~ division shall be brought into full compliance under one or more of the following conditions:

* * * * *

Section 16. That Article 3, Development Standards, Division 14, Parking and Loading, Section 3-1406, Off-Street Loading and Vehicle Stacking Spaces, Community Development Code be amended to read as follows:

Section 3-1406. - Off-street loading and vehicle stacking spaces.

- A. *Off-street loading:*

* * * * *

2. *Guidelines:* The following table sets forth the guidelines to be used in determining the adequacy of off-street loading for all proposed development, except for such development within the Downtown (D) District and those portions of the Tourist (T) ~~districts~~ District located on Clearwater Beach where such facilities are not required:

* * * * *

Section 17. That Article 5, Decisionmaking and Administrative Bodies, Section 5-302, Development Review Committee, Community Development Code be amended to read as follows:

Section 5-302. - Responsibilities/procedures.

All applications for development approval shall be reviewed by the development review committee. The committee shall ~~make a recommendation in regard to applications for development approval to the community development coordinator, who provide technical support to project applicants, as well as providing a determination of sufficiency of an application.~~ The community development coordinator shall make the final decision, in the case of level one approvals, or submit a staff recommendation in the case of level two or level three approvals.

* * * * *

Section 18. 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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Beer garden means an open air, roofed or unroofed area accessory to a microbrewery, where beer and/or other alcoholic beverages are served or consumed.

* * * * *

Brewpubs means establishments 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 hold no more than a U.S. gallon (3,785 ml/128 US fluid ounces)~~ 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.

* * * * *

Dwellings, resort attached means ~~a dwelling unit~~ an attached dwelling use located in the Tourist (T) zoning district ~~that shares one or more common walls with at least one other dwelling unit~~ and the occupancy of which may occur or which may be offered or advertised as being available for any term.

* * * * *

Funeral homes means a facility used for the preparation of the deceased for burial or interment, and ceremonies connected therewith before burial or cremation. The use may include the storage and sale of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles.

* * * * *

~~Light assembly means a use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products. The use shall not include or allow for any exterior storage or processing of equipment or materials of any kind. A light assembly use shall not create any sound, odor, or other negative impacts from the outside of the building.~~

Light assembly means a use engaged in the manufacture of products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products, occurring entirely within enclosed buildings. This use shall not include or allow for any exterior storage or processing of equipment or materials of any kind. Noise, odor, smoke, heat, glare, vibration, hazardous chemicals, and other impacts must be entirely contained within enclosed buildings.

* * * * *

~~Manufacturing means the mechanical or chemical transformation of materials or substances into new products, including the assembly or component parts, and the production or refining of goods, materials, or substances into new products, including the assembly or component parts,~~

~~and the production or refining of goods, materials, or foodstuffs, but not including research and technology production uses.~~

Manufacturing means a use engaged in the manufacture of products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products. This use may include or allow for exterior storage of equipment or materials, provided that impacts are contained on-site and do not negatively affect adjacent land uses.

* * * * *

Medical clinic means an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of healing or health-building services to individuals, the practice of which is lawful in the state and in the city State of Florida. This definition does not include a place for the treatment of animals nor does it include psychologists, social workers, massage therapists, and physical therapists.

* * * * *

Microbreweries means 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. 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.

* * * * *

Print shops means a small-scale retail establishment that provides production services for construction documents and plans, copies, flyers, maps, newsletters, resumes, and similar items, as well as small-scale 3D printing.

* * * * *

~~*Research and technology use* means a use such as medical, optical and scientific research facilities, clinics and laboratories, pharmaceutical compounding and photographic processing facilities and facilities for the assembly of electronic components, optical equipment, and precision instruments or laboratories or buildings the primary use of which is the research, testing and development of goods, materials, foodstuffs or products.~~

Research and technology use means a use engaged in the research, testing, and development of goods, materials, or products, occurring entirely within enclosed buildings. Manufacturing uses conducted on the premises shall be limited to those needed for experimental or testing purposes. Research and technology uses may include the exterior storage of materials and equipment subject to those applicable provisions of this Code.

* * * * *

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, personal services, animal grooming, ~~funeral homes~~ print shops, art galleries, artisans, farmer markets, 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-premise consumption of alcoholic beverages.

* * * * *

Vehicle service means an activity conducted entirely within an enclosed structure primarily involved in servicing or repairing of automobiles, motorcycles, trucks, boats, recreational vehicles and other similarly sized vehicular or transport mechanisms or heavy machinery. Vehicle services include washing, waxing, changing oil, tuning, installing tires, mufflers or detailing, window tinting, shock absorbers, and painting.

* * * * *

Section 19. 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 20. 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 21. 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 22. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 23. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING _____

PASSED ON SECOND AND FINAL
READING AND ADOPTED _____

George N. Cretekos
Mayor

Approved as to form:

Attest:

Camilo A. Soto
Assistant City Attorney

Rosemarie Call
City Clerk