

**ORDINANCE NO. 8885-16**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, MAKING AMENDMENTS TO THE CLEARWATER DOWNTOWN REDEVELOPMENT PLAN BY AMENDING CHAPTER 3 LAND USE PLAN/REDEVELOPMENT PLAN, OLD BAY DISTRICT, ADDING THE CAPABILITY FOR HOTEL DEVELOPMENT IN THE DISTRICT VISION; ENCOURAGING RESTAURANT, COMMERCIAL, AND TOURISM-RELATED DEVELOPMENT WEST OF NORTH OSCEOLA AVENUE AND ALONG THE PINELLAS TRAIL; INCREASING THE PERMITTED FLOOR AREA RATIO (FAR) FOR ALL PROPERTY FRONTING NORTH FORT HARRISON AVENUE AND WESTWARD; ESTABLISHING PERMITTED MAXIMUM HOTEL DENSITY; ADDING A NEW POLICY SUPPORTING THE DEVELOPMENT PATTERNS AND USES WITHIN THE NORTH MARINA AREA MASTER PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the updated Clearwater Downtown Redevelopment Plan on September 18, 2003 by adopting Ordinance No. 7153-03 and has subsequently amended it; and

WHEREAS, the Pinellas Planning Council has recognized the Clearwater Downtown Redevelopment Plan as an adopted Special Area Plan, pursuant to Section 6.5.4.3 of The Countywide Rules; and

WHEREAS, the City of Clearwater has the authority pursuant to The Countywide Rules to amend a Special Area Plan adopted prior to August 7, 2015; and

WHEREAS, the requirements of Florida Statutes Chapter 163 have been met; and

WHEREAS, The North Marina Area Master Plan project was commissioned by the City of Clearwater in response to objectives identified by the Urban Land Institute (ULI) Advisory Services Panel, who provided strategic advice regarding a comprehensive and long-term perspective for the continued growth and development of Downtown Clearwater; and

WHEREAS, the North Marina Area Master Plan is a comprehensive plan that balances the needs of the boating community, area residents and the development community and was accepted by City Council on January 21, 2016; and

WHEREAS, the North Marina Area Master Plan, which encompasses a portion of the Old Bay District of the Downtown Redevelopment Plan, provides for the inclusion of hotel, restaurant, commercial and other like tourism-related development; and

WHEREAS, the increased intensity of use, as proposed herein, within the Old Bay District of the Downtown Redevelopment Plan, will encourage hotel, restaurant, commercial and other like tourism-related development, consistent with the North Marina Area Master Plan; and

WHEREAS, these proposed amendments conform to the Comprehensive Plan of the City of Clearwater; now, therefore,

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

Section 1. That Chapter 3. Land Use Plan/Redevelopment Plan of the Clearwater Downtown Redevelopment Plan, Old Bay District, District Vision, pages 63 through 66, be amended to read as follows:

**District Vision**

Uses

The Old Bay District is envisioned to be a mixed-use neighborhood supporting the Downtown employment base with residential, limited neighborhood commercial and office uses. A variety of densities and housing styles are encouraged throughout the District, as well as renovations of existing older structures.

This District provides an opportunity for higher-density residential uses along Clearwater Harbor west of North Osceola Avenue, provided such development is sensitive to the established low-rise historic character of the District. The area west of North Osceola Avenue may also consider tourism-related development, such as retail and restaurants. Hotel development, however, may only occur in the area west of North Osceola Avenue and north of Seminole Street. The eastern frontage of North Osceola Avenue may retain its residential use, convert existing buildings to offices, redevelop with residential scale offices or combine these two uses on the same site. North Fort Harrison Avenue is envisioned as the main commercial area providing neighborhood commercial uses on properties on both sides of the street. The area between North Fort Harrison Avenue and North Garden Avenue should continue to be a mixed-use area permitting commercial and office development and encouraging the incorporation of residential uses in mixed-use projects. Properties located east of North Garden Avenue may be redeveloped with residential uses, residential scale office development or a mix of these two uses. Neighborhood-scale restaurant or commercial development is permitted along the Pinellas Trail. The parcel within the District east of the Pinellas Trail through to North Myrtle Avenue is envisioned to remain as the City's Gas Department administrative offices and warehouse.

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Section 2. That Chapter 3. Land Use Plan/Redevelopment Plan of the Clearwater Downtown Redevelopment Plan, Old Bay Character District, Intensity, pages 64 through 65, be amended to read as follows:

**Intensity**

~~Floor Area Ratio (FAR) - 0.5 FAR;~~

~~Density - *West of North Garden Avenue:*~~

~~< 2 acres - 25 units/acre~~

~~> 2 acres - 50 units/acre~~

~~*Between North Garden Avenue and the Pinellas Trail:*~~

~~< 1 acre - 7.5 units/acre~~  
~~> 1 acre - 25 units/acre~~

Intensity of Use<sup>1</sup>

Floor Area Ratio:

Properties fronting North Fort Harrison Avenue and westward:

Floor Area Ratio (FAR) - 1.0 FAR

Properties eastward of properties fronting North Fort Harrison Avenue:

Floor Area Ratio (FAR) - 0.5 FAR

Density<sup>1</sup>

Properties fronting North Fort Harrison Avenue and westward:

< 2 acres - 25 dwelling units/acre

≥ 2 acres - 50 dwelling units/acre

Properties eastward of properties fronting North Fort Harrison Avenue:

< 1 acre - 7.5 dwelling units/acre

≥ 1 acre - 25 dwelling units/acre

Properties west of North Osceola Avenue and north of Seminole Boulevard:

≥ 2 acres - 50 hotel/dwelling units/acre

1. Properties with frontage along both North Fort Harrison and North Garden Avenues shall be considered as fronting North Fort Harrison Avenue for the purposes of intensity of use.

Section 3. That Chapter 3. Land Use Plan/Redevelopment Plan of the Clearwater Downtown Redevelopment Plan, Old Bay District, Old Bay District Policies, page 65, be amended by adding a new Policy 12, to read as follows:

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Policy 12: The Old Bay District will support the desired development patterns and uses within the North Marina Area Master Plan.

Section 4. The City Manager or designee shall forward said amendments to any agency required by law or rule to review or approve same.

Section 5. 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 6. This ordinance shall take effect immediately upon adoption, subject to the approval by the Pinellas County Board of County Commissioners and the Countywide Planning Authority.

PASSED ON FIRST READING

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PASSED ON SECOND AND FINAL  
READING AND ADOPTED

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\_\_\_\_\_  
George N. Cretekos  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Camilo Soto  
Assistant City Attorney

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Rosemarie Call  
City Clerk