



## **PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT**

**MEETING DATE:** January 17, 2023

**AGENDA ITEM:** E.1

**CASE:** TA2022-09001

**ORDINANCE NO.:** 9643-23

**REQUEST:** To amend the Community Development Code to clarify, change, or add requirements or standards in Article 2 to address community gardens in the OSR District and detached dwellings and residential infill projects in the MDR District; in Article 3 regarding fences and walls, mixed-use projects, home-based businesses, landscaping, parking restrictions, various sign provisions, temporary uses, dog-friendly dining and community gardens; in Article 4 for pre-application meetings and development agreements; in Article 8 Definitions; in Appendix B US 19 Zoning District & Development Standards regarding general provisions, regulating plan, subdistrict, street frontage, site design, and building design standards, flexibility and administration; and in Appendix C Downtown District & Development Standards regarding general provisions, regulating plan, character district, frontage, site design, and building design standards, flexibility and administration.

**INITIATED BY:** City of Clearwater, Planning and Development Department

### **BACKGROUND:**

There are various impetuses for proposed Ordinance No. 9643-23. City Council requested that staff address several topics within the Community Development Code (CDC), and other Council discussions identified the need to make certain amendments, including the following: fences on corner lots; artificial turf usage in parks; and marquee signage in Downtown. Additionally, amendments to the Countywide Plan Rules allow the City to make certain changes such as allowing community gardens to have limited on-site sales of products and waive the proportionate density/intensity allocation requirement for mixed-use projects in Downtown. Other proposed amendments come from experience with processing of applications, where staff has identified opportunities to streamline processes and provide additional clarity for applicants on certain types of requests. For example, through further implementation of the US 19 Zoning District and

Development Standards (Appendix B of the CDC) and Downtown District and Development Standards (Appendix C of the CDC), staff has found several areas where further clarification was needed, additional flexibility should be provided, and new standards were warranted.

After proposed Ordinance No. 9643-23 was advertised for this Community Development Board meeting, it was decided that certain drafted amendments to the Downtown District creating a tiered approach to the distribution of units available through Public Amenities Incentive Pool as established in the Clearwater Downtown Redevelopment Plan, needed to be processed separately. The Ordinance presented to the Board does not include that language or the maps, and the Ordinance title has been updated to reflect those omissions. These will be finalized and presented to the Board at a later date.

## **ANALYSIS:**

Proposed Ordinance No. 9643-23 includes amendments addressing a variety of sections of the CDC, although most amendments are proposed within Appendix B. US 19 Zoning District and Development Standards and Appendix C. Downtown District and Development Standards. As noted above, certain amendments were requested by City Council while most are being initiated by staff.

The following is a discussion of the proposed amendments, organized generally around initial appearance within the proposed Ordinance, with those recommended by City Council being specifically identified within:

1. **Community Gardens** *[pages 3, 5-6, 18-19, 21 and 46 of Ordinance]*

Community gardens presently are permitted in most zoning districts, and this amendment would expand to permit them within the Open Space/Recreation (OSR) District. Additionally, the Countywide Plan Rules enable municipalities to permit community gardens to have occasional on-site sales of produce and horticultural products that are produced on-site. The proposed Ordinance establishes that community gardens in the Commercial (C), Institutional (I), and Downtown (D) Districts may have such sales on-site on a permanent basis, and all community gardens would otherwise be permitted temporary community garden sales up to four times a year, limited to five days per occurrence. Operational requirements for limited on-site sales are established within Section 3-2602, and new standards for fences around community gardens are also proposed in this Section. The definition in Article 8 is modified to reflect this change as well. This further implements Clearwater Greenprint 2.0, specifically strategy 11.3 regarding community gardens.

2. **Medium Density Residential (MDR) District** *[pages 3-5 of Ordinance]*

Taking into consideration the Community Development Board's approvals of a variety of residential projects in the Medium Density Residential (MDR) District requesting similar setback flexibility, this Ordinance proposes to allow additional flexibility through a Level One (Flexible Standard Development) (FLS) process for detached dwellings. The proposed Ordinance would allow front setbacks to be reduced administratively, consistent with what is currently permitted in the Low Medium Density Residential (LMDR) District. Similarly, the Ordinance proposes to create the Residential Infill Projects use with the same standards and use-specific criteria that is

approvable as a FLS application in the LMDR District. This would allow new residential units or modifications to existing units to occur more expeditiously than at present.

3. **Fences and Walls** *[pages 6-13 of Ordinance]*

There are numerous changes/modifications to the CDC with regard to fences and walls, most of which are intended to provide greater clarity to applicants. Additionally, as previously stated, City Council directed staff to amend these provisions specifically for corner lots. These changes are as follows:

*Section 3-803. Design Requirements [pages 6-7]*

This Section is amended to include a new Subsection A which lists the various zoning districts or areas governed by design standards or guidelines which may include fence regulations that would supersede these fence regulations. Applicants are not always aware of these other governing plans and codes and the possibility of different standards for fences. A new Subsection F is also proposed that references the CDC's site visibility triangle provisions for the same purpose of bringing it to the attention of applicants.

*Section 3-804. Height Requirements [pages 7-13]*

This Section is amended to clarify the rules regarding the placement of fences/walls. Council previously provided direction to amend fence provisions for corner lots, but the fence section of the CDC is one of the most applied sections, and this provided an opportunity to propose other changes that would assist all users, including new graphics illustrating the locations for fences which vary based on the different scenarios governed in the code.

Subsection A is proposed to be amended to allow open-style brick or masonry walls in the Low Density Residential (LDR) and LMDR Districts as a FLS application, and properties in most other zoning districts could request other styles of fences also as a FLS application. Language is provided to provide clarity regarding fences within the portion of the Tourist District governed by Beach by Design, which is based on experience applying the design guidelines.

The current Subsection C pertaining to required landscaping is proposed to be deleted because it is being incorporated directly into other Subsections. However, in these relocated areas, new language is proposed that would allow the Community Development Coordinator to adjust this landscaping requirement.

New Subsection C. Corner and multi-frontage lots, as re-lettered and renamed, implements City Council's direction to allow non-opaque/open style fences of up to six feet in height along any front property line that is not the front from which the property is addressed (the non-addressed property line(s)). Solid fences along arterial or collector rights-of-way would continue to be permitted up to six feet in height.

Subsection D, as re-lettered, pertaining to double frontage lots is revised to incorporate the same terminology utilized throughout this Section.

A new Subsection H is proposed to provide for various “entry components” to be incorporated into fences or walls at a height not to exceed eight feet overall. These features are often requested, and this will establish specific parameters for applicants. This same language is proposed within the fence provisions for community gardens, previously discussed.

4. **Mixed-Use Projects** *[pages 13 and 44-45 of Ordinance]*

The Countywide Plan Rules allow municipalities to authorize waivers to the proportionate density/intensity allocation requirement “... as an incentive to encourage vertically integrated, transit supportive mixed-use development” in areas that are appropriate for such development and have the appropriate form-based or other land development regulations in place addressing important design features. The city has previously established these regulations for Downtown, and this provision would enable the city to allow for vertical mixed-use projects, already defined in the CDC, to utilize this “bonus”. Additionally, Figure 1. Maximum Mixed-Use Density in Appendix C is proposed to be replaced by a new map illustrating this provision.

5. **General Landscaping Standards** *[pages 13-14 of Ordinance]*

The amendment will provide an exception for the use of artificial turf in parks and on athletic fields, as discussed by City Council. Additionally, clarification is provided regarding the required three-foot-wide landscaping strip for certain fence installations. The amendment also provides direction for the use of the comprehensive landscaping program within the Downtown District.

6. **Parking Restrictions** *[pages 14-16 and 22 of Ordinance]*

The proposed amendment introduces “residentially designated downtown property” into the parking restrictions for residential areas, to extend these restrictions to those streets within the Downtown District that are intended to be residential-only. Article 8 defines which street types (established in Appendix C) are covered by this term. When properties were rezoned in 2018 to create a unified zoning district across all properties within Downtown, these parking restrictions no longer applied to these areas of Downtown. Additionally, Section 3-1408 is proposed to be renamed to apply broadly to nonresidential areas, and a new Subsection would prohibit the parking of boat trailers, hauling trailers, and recreational vehicles on rights-of-way in nonresidential areas, addressing safety concerns.

7. **Signs (LED/Rope Lighting, Marquees, Sidewalk Signs)** *[pages 16-18 of Ordinance]*

Several provisions within the sign code are proposed to be amended. Language is added to prohibit the use of LED rope/ribbon lighting to outline doorways and windows as the increased use of this style of lighting creates a community aesthetic which is inconsistent with the visually attractive urban environment the city’s sign regulations seek to preserve. Sidewalk signs are required to obtain permits annually, and the Ordinance would establish that permits would need to be renewed annually on September 30, which corresponds with other annual permit and business tax receipt renewals.

This amendment also implements prior City Council direction to allow for marquees in the Downtown District. This is accomplished through amendments to Section 3-1807.B.6 to differentiate between freestanding and attached electronic changeable message signage. New

standards for the latter would allow such signage at a facility in Downtown with seating for 750 or more people. Related updates are also proposed to the comprehensive sign program.

**8. Dog-Friendly Restaurants** *[page 18-19 of Ordinance]*

The amendment will formally establish that dog-friendly restaurant permits shall be renewed annually to continue operating as a dog-friendly restaurant. The code already establishes that the permit expires on September 30 of each year.

**9. Pre-Application Conferences** *[pages 19, 39 and 64 of Ordinance]*

In an effort to provide better support for applicants for projects in the US 19 and Downtown Districts, a mandatory pre-application conference is proposed prior to submitting a development application. These two zoning districts have specialized form-based codes, and although many applicants currently utilize the existing Building Plan Review Committee (BPRC) meeting for advanced feedback on plans, formalizing this as a requirement would ensure an opportunity for staff and applicants to meet and work through potential issues in advance of a formal application. The Community Development Coordinator would be permitted to not require this meeting. This requirement is integrated into the respective zoning districts as well.

**10. Development Agreements** *[pages 20-21 Ordinance]*

This amendment accomplishes several things. In Subsections B and G, the duration of development agreements is increased to 30 years, consistent with Chapter 163.3229, Florida Statutes, and for consistency with recent City Council actions. Clarification is made in Subsection C regarding staff providing the Community Development Board with a written recommendation. Lastly, it is proposed that reporting on development agreements only be made to City Council when the annual review of development agreements finds that a property owner has not demonstrated compliance with the terms of the agreement.

**11. Definitions** *[pages 21-22 of Ordinance]*

The following definitions are proposed to be added or amended:

- Community gardens – includes allowance for incidental retail sale of goods grown on-site
- Duplex – establishes a new definition for duplex as an attached dwelling with two-units
- Lot, multi-frontage – establishes a new definition as used in the fence code and replaces the current illustration for all lots with a new one illustrating the term
- Porch – establishes a new definition for a term used in the D District that is clearly distinct from the definition of stoop (new)
- Residentially designated downtown property – establishes a new definition which identifies certain street types in the D District and is used in revised residential parking restrictions provisions
- Stoop – establishes a new definition for a term used in the D District that is clearly distinct from the definition of porch (new)

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## 12. US 19 Zoning District and Development Standards *[pages 22-40 of Ordinance]*

### *Division 1. General Provisions [pages 22-23]*

Section B-104. Applicability of Development Standards establishes certain situations in which development projects may be exempt from all or portions of the District standards. The proposed amendments in this section set forth changes of use and improvement, remodel or reconstruction projects shall provide bicycle parking consistent with updated standards (discussed below) and update a scrivener's error.

### *Division 2. Regulating Plan [pages 23-29]*

The regulating plan maps for the US 19 District are in Division 2. Updated maps are proposed which reflect the designations for seven parcels or portions of parcels that have been annexed.

### *Division 3. Subdistrict Standards [pages 30-31]*

This Division includes the Use and Off-Street Parking Table (as proposed to be renamed), with related references updated throughout the Ordinance. A minimum parking standard is added for nightclubs, and schools are proposed to require an FLS application with updated parking language consistent with state statutes.

The Ordinance proposes to change the minimum approval process for projects on parcels 10 acres or more to an FLS process unless a Level Two (Flexible Development) (FLD) approval is required for the use. Projects of this size must integrate a new development block pattern which also affects frontage requirements such as setbacks, parking location, and other standards. These details are more appropriately worked out through a formal site plan review process prior to application for building permit, and the goal is to limit revisions needed by the time of building permit.

Bicycle parking requirements are proposed to be relocated from Division 5 and updated to provide use-specific standards for short-term bicycle parking where previously all uses were required to use the same ratio. Long-term bicycle parking requirements are also established. These are based upon recommended parking standards developed by the Association of Pedestrian and Bicycle Professionals but are adjusted for local context.

### *Division 4. Frontage Standards [pages 31-33]*

Several of the street frontage types in this Division are proposed to be modified to update window transparency requirements by incorporating terminology utilized by industry professionals. The requirement to provide clear, transparent windows is not changed.

### *Division 5. Site Design Standards [pages 33-34]*

Proposed amendments in this Division are limited, with minor changes to the requirement for cross-parcel connections so it applies more broadly. Currently, stubouts are required to abutting undeveloped sites, where this proposal would require them to all abutting sites.

### *Division 6. Building Design Standards [pages 34-35]*

This Division addresses standards that apply to all buildings within the District. The Ordinance proposes to require upper floors of buildings facing streets to incorporate a minimum percentage



of transparent windows, where currently this requirement only applies to the first floor. Additionally, required screening for mechanical equipment is amended to provide acceptable options for equipment on rooftops which must still be screened.

*Division 7. Flexibility [pages 35-39]*

Where flexibility to US 19 District standards is permitted, it is defined within Division 7. The establishment of flexibility was deliberate and limited because this is a form-based code designed to create a predictable and consistent pattern of development as properties redevelop. In addition to some organizational changes and additional descriptions, this Ordinance proposes the following:

- Incorporate new figures to illustrate flexibility for building entries and transparency, as reorganized (no substantive changes proposed)
- Establish new flexibility for residential projects on sloping sites to allow finished floor elevations of up to four feet as well as nonresidential portions of a residential project to be less than 18 inches above grade
- Expand flexibility for cross-parcel connections to allow the Community Development Coordinator the ability to waive the requirement where the applicant demonstrates that they have taken steps to secure a cross access easement, but it wasn't possible
- Modify existing flexibility for projects providing employment-intensive land uses meeting the city's economic development goals to reduce the current acreage threshold to 2.5 acres, down from a 5-acre requirement

*Division 8. Administration [page 39]*

This Division addresses various administrative processes for the US 19 District. Certain amendments described above are administrative in nature and are incorporated within this Division as well.

**13. Downtown District and Development Standards [pages 40-64 of Ordinance]**

*Division 1. General Provisions [pages 40-41]*

As with the corresponding section in the US 19 District, Section C-104 establishes certain situations in which development projects may be exempt from all or portions of the Downtown District standards. Most of the proposed amendments are to incorporate additional code references or descriptions, or to provide that standards shall be met to the greatest extent practicable. A new exemption is proposed for parks and recreation facilities which would provide that they must comply with standards to the greatest extent practicable but through this exemption acknowledges that parks are not intended to be developed with buildings along all streets or public walkways.

*Division 2. Regulating Plan [pages 41-43]*

The regulating plan maps for the Downtown District are updated to add or remove Street Type designations for certain streets and a vacated alley. Clarification is proposed regarding hierarchy of Street Types and that Community Development Coordinator shall determine which Street Type

is consistent with the Clearwater Downtown Redevelopment Plan and should be used for landlocked parcels.

*Division 3. Character District Standards [pages 43-48]*

This Division establishes maximum building height and step backs for buildings exceeding 75 feet in height. Amendments to Subsection B would allow buildings on corner or multi-frontage lots to provide step backs on the primary front of a building only. As previously mentioned, Figure 6 is updated to incorporate the proposed vertical mixed-use exemption. Proposed changes to Table 1. Use and Off-Street Parking address community gardens and correct a scrivener's error where overnight accommodations are not permitted in the South Gateway Character District. Changes to self-storage warehouses are proposed to allow them within the Downtown Gateway Character District and to update the use-specific criteria for all Character Districts. Long-term bicycle parking standards amendments would require expansion projects to provide an incremental amount of such parking and incorporate references to all bike parking design standards in Section 3-1411.

*Division 4. Frontage Standards [pages 48-55]*

The Downtown District provides for the establishment of primary and secondary frontages based on a hierarchy which is proposed to be clarified. Proposed amendments to Section C-402 address various scenarios for properties with two or more frontages, providing options for applicants and clarity regarding setback application. Consistent with proposed amendments to the US 19 District, several of the street frontage types in this Division are proposed to be modified to update window transparency requirements. Additionally, new language is proposed in the Storefront 1 frontage, which is applied to areas where buildings must have active ground floor uses, to require each frontage have an entry. Building spacing requirements for certain frontage types are proposed to include allowances for "U"-shaped buildings. And, lastly, the Neighborhood Conservation Frontage, which is applied to certain streets that are predominantly single-family residential with larger front yard setbacks, would allow up to three units on collector streets where currently only two units would be permitted.

*Division 5. Site Design Standards [pages 55-57]*

The same proposed language pertaining to cross-parcel connections in the US 19 District is proposed for the Downtown District. Additionally, pedestrian access and circulation standards are proposed to be modified to exclude duplexes and detached dwellings from the need to provide pedestrian connections between adjacent properties. This does not exclude them from meeting sidewalk provisions in the CDC. A new Section C-510 is proposed to establish that swimming pools for attached dwellings, except duplexes, shall be located on roofs or within a fully enclosed courtyard, which is appropriate in a Downtown setting.

*Division 6. Building Design Standards [pages 57-58]*

The same amendments as proposed in the US 19 District regarding upper floor fenestration and mechanical equipment screening are proposed in Downtown, to ensure consistency between Districts.



*Division 8. Flexibility [pages 58-64]*

This Ordinance proposes the following amendments to flexibility provided in the Downtown District, several of which are consistent with amendments to the US 19 District described above:

- Establish new flexibility for building step backs for alternative designs and parking garages
- Modify existing flexibility for front setbacks to allow applicants to request reduced setbacks as well, and to allow greater building spacing between the wings of a “U”-shaped building in certain situations
- Add new flexibility for the application of landscaping standards in building setbacks for certain frontage types
- Modify existing flexibility for residential projects on sloping sites to allow finished floor elevations of up to four feet, where currently there is no maximum, as well as nonresidential portions of a residential project to be less than 18 inches above grade
- Establish new flexibility to allow limited expansion of surface parking for existing office buildings outside of the Downtown Core Character District and provide standards for such parking
- Establish new flexibility for access and circulation standards to allow for reductions in required pedestrian walkway widths and the provision of cross-parcel connections
- Provide new flexibility for service areas which allows the city to determine where they should be provided if access to the rear of the property is not possible
- Provide flexibility for the newly established swimming pool standards to address corner and multi-frontage lots
- Modify general flexibility provisions to allow public transportation facilities flexibility from the development standards, and to add that where flexibility is granted through the provision it should be consistent with the Clearwater Downtown Redevelopment Plan and meet the standards to the greatest extent practicable
- Add flexibility to the frontage standards for buildings within the flood zone and for historic properties

*Division 9. Administration [page 64]*

Amendments to this division address the proposed requirement for pre-application meetings.

**CRITERIA FOR TEXT AMENDMENTS:**

CDC Section 4-601 sets forth the procedures and criteria for reviewing text amendments. All text amendments must comply with the following:

**1. The proposed amendment is consistent with and furthers the goals, policies, and objectives of the Comprehensive Plan.**

A review of the Clearwater Comprehensive Plan identified the following goals, objectives and policies which will be furthered by the proposed Code amendments:

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- Goal A.3 The City of Clearwater shall ensure that all development or redevelopment initiatives meet the safety, environmental, and aesthetic needs of the City through consistent implementation of the Community Development Code.
- Objective A.3.1 All signage within the City of Clearwater shall be consistent with the Clearwater sign code, as found within the Community Development Code, and all proposed signs shall be evaluated to determine their effectiveness in reducing visual clutter and in enhancing the safety and attractiveness of the streetscape.
- Objective A.5.5 Promote high quality design standards that support Clearwater's image and contribute to its identity.
- Policy A.5.5.1 Development should be designed to maintain and support the existing or envisioned character of the neighborhood.
- Policy A.5.5.6 Implement design standards for US Highway 19, which has transitioned from a roadway providing land access to a controlled access highway with ramps that are located less than two miles apart. Such standards should allow for higher intensities and a mix of land uses to allow for greater employment opportunities along the corridor, while improving accessibility and safety for cars, people and bicycles.
- Goal A.6 The City of Clearwater shall utilize innovative and flexible planning and engineering practices, and urban design standards in order to protect historic resources, ensure neighborhood preservation, redevelop blighted areas, and encourage infill development.
- Policy A.6.1.6 Land use decisions in Clearwater shall support the expansion of economic opportunity, the creation of jobs and training opportunities as well as the maintenance of existing industries through establishment of enterprise zones, activity centers and redevelopment areas and by coordination with the Chamber of Commerce, Tourist Development Council and other economic development organizations and agencies.
- Policy A.6.1.8 The City shall continue to support and implement approved community redevelopment area plans, such as the Clearwater Downtown Redevelopment Plan (2004), Beach by Design (2001), and the US 19 Corridor Redevelopment Plan (2012).
- Objective A.6.2 The City of Clearwater shall continue to support innovative planned development and mixed land use development techniques in order to promote infill development that is consistent and compatible with the surrounding environment.
- Policy A.6.2.1 On a continuing basis, the Community Development Code and the site plan approval process shall be utilized in promoting infill development and/or planned developments that are compatible.
- Policy A.6.8.2 Encourage mixed-use development that includes a combination of compatible land uses having functional interrelationships and aesthetic features. Commercial and mixed-use buildings shall be sited to maximize pedestrian

- connections from the building to adjacent streets. Buildings should be sited and parking arranged to minimize the off-site impacts to residential areas.
- Objective C.1.1 Assure an adequate supply of housing in Clearwater by providing for additional new dwelling units in a variety of types, costs, and locations to meet the needs of the residents of the City of Clearwater.
- Policy C.1.1.2 Residential Infill Projects, as defined in the Community Development Code, shall be utilized in order to accommodate innovative project designs, which provide for a mix of dwelling types at varying costs. Opportunities and conditions for the provision of accessory dwelling units (ADUs) may be considered for inclusion within infill development and redevelopment projects, provided that strict compliance standards be established within the Community Development Code.

The City's Comprehensive Plan emphasizes the need for development and redevelopment to also ensure that the safety, environmental, and aesthetic needs are met through the implementation of the Community Development Code (CDC), as shown in Goal A.3 and other objectives and policies in the Plan. Many of the proposed amendments address these needs, including the expansion of and support for community gardens, modified provisions for fences and walls, and certain provisions in the proposed amendments to the sign code. Similarly, many of the proposed amendments continue to require a higher quality of design, especially within the US 19 and Downtown Districts. The requirement for pre-application meetings and the change for larger redevelopment sites in US 19 to require a site plan approval also further several of the policies and objectives above ensuring additional collaboration between the development team and staff and allowing additional review time for compliance with the CDC. The proposed changes to the MDR District will further the city's broader housing goals, simplifying the process for new units in this District, including the option to utilize the residential infill projects use in the District. The allowance for the city to enter into 30-year development agreements further supports the implementation of the city's community redevelopment plans, where development agreements are more often used for catalytic projects. Additionally, many of these amendments are intended to simplify or clarify certain development review processes and facilitate development activities. As such, the above referenced policy of the Comprehensive Plan will be furthered.

## **2. The proposed amendments furthers the purposes of the Community Development Code and other City ordinances and actions designed to implement the Plan.**

The proposed text amendment will further the purposes of the CDC in that it will be consistent with the following purposes set forth in CDC Section 1-103:

- It is the purpose of this Development Code to implement the Comprehensive Plan of the city; to promote the health, safety, general welfare and quality of life in the city; to guide the orderly growth and development of the city; to establish rules of procedure for land development approvals; to enhance the character of the city and the preservation of neighborhoods; and to enhance the quality of life of all residents and property owners of the city (*Section 1-103.A., CDC*).

- It is the purpose of the Community Development Code to create value for the citizens of the City of Clearwater by allowing property owners to enhance the value of their property through innovative and creative redevelopment (*Section 1-103.B.1., CDC*).
- It is the further purpose of this Development Code to protect the character and the social and economic stability of all parts of the city through the establishment of reasonable standards which encourage the orderly and beneficial development of land within the city. (*Section 1-103.E.2., CDC*)
- It is the further purpose of this Development Code to coordinate the provisions of this Development code with corollary provisions related to parking, fences and walls, signs, minimum habitable area and like supplementary requirements designed to establish an integrated and complete regulatory framework for the use of land and water within the city. (*Section 1-103.E.12, CDC*)

The amendments proposed by this Ordinance will further the above referenced purposes of the Community Development Code by providing for more readily attainable, more appropriate, and more internally consistent development standards. Through the various topics covered by this Ordinance, the city is encouraging the continued investment in properties. The proposed amendments support community gardens, addresses housing in the MDR District, provides options for fences and walls but maintains standards for placement, height, and landscaping, encourages more mixed-use development in the city's Downtown, and expands parking restrictions in residential and nonresidential areas for safety. Within the US 19 and Downtown Districts, there is additional flexibility and clarity for property owners wanting to enhance their values through redevelopment. And throughout the Ordinance, amendments are proposed that clarify and establish reasonable standards which encourage orderly development. As such, proposed Ordinance No. 9643-23 furthers the purposes in the CDC.

## SUMMARY AND RECOMMENDATION:

The proposed amendment to the Community Development Code is consistent with and will further the goals of the Clearwater Comprehensive Plan and the purposes of the Community Development Code.

Based upon the above, the Planning and Development Department recommends **APPROVAL** of Ordinance No. 9643-23 that amends the Community Development Code.



Prepared by Planning and Development Department Staff:

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ATTACHMENTS: Ordinance No. 9643-23  
Resume