

ORDINANCE NO. xxxx-18

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE BY AMENDING ARTICLE 3, SECTIONS 3-804 AND 3-805, TO ALTER WHEN LANDSCAPING IS REQUIRED FOR FENCES; 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 3, Development Standards, Section 3-804, Height requirements, Community Development Code, be amended to read as follows:

Section 3-804. - Height requirements.

* * * * *

- C. *Landscaping requirements.* ~~Any fence or wall that exceeds three feet in height and is located between a principal structure and any right-of-way shall provide a three foot wide landscaped strip on the right-of-way side of the fence.~~ All fences and walls shall be required to be planted with hedges, shrubs, groundcover or a combination thereof, in the area between the right-of-way line and the fence or wall.

* * * * *

Section 2. That Article 3, Development Standards, Section 3-805, Chainlink fences, Community Development Code, be amended to read as follows:

Section 3-805. - Chainlink fences.

The following requirements shall apply to chainlink fences.

* * * * *

- D. *Landscaping requirements.* ~~Chainlink fences shall be landscaped with a continuous hedge or a nondeciduous robust growing vine at frequent intervals. Such landscaping may be located on the external or internal side of the fence along the entire length of the fence.~~ All chainlink fences shall be required to be planted with hedges, shrubs, groundcover or a combination thereof, in the area between the right-of-way line and the chainlink fence.

* * * * *

Section 3. 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 4. 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 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. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 7. 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:

Pamela Akin
City Attorney

Rosemarie Call
City Clerk