

ORDINANCE NO. 9161-18

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE APPENDIX B, US 19 ZONING DISTRICT AND DEVELOPMENT STANDARDS, SECTION B-303, TABLE 2 TO ADD REQUIREMENT FOR GROUND FLOOR RETAIL, RESTAURANT, AND/OR OFFICE FOR SELF STORAGE WAREHOUSE USE; MAKING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE APPENDIX B, US 19 ZONING DISTRICT AND DEVELOPMENT STANDARDS, SECTION B-303, TABLE 2 TO ALLOW SELF STORAGE WAREHOUSE USE WITH REQUIRED GROUND FLOOR RETAIL, RESTAURANT, AND/OR OFFICE USES IN REGIONAL CENTER SUBJECT TO FLS APPROVAL; MAKING AN AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE APPENDIX B, US 19 ZONING DISTRICT AND DEVELOPMENT STANDARDS, SECTION B-303, TABLE 2 TO MODIFY PARKING REQUIREMENTS FOR SELF-STORAGE WAREHOUSE USE WITH REQUIRED GROUND FLOOR RETAIL, RESTAURANT, AND/OR OFFICE TO SUPPORT PEDESTRIAN ACTIVITY; CERTIFYING CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the intent and purpose of the US-19 Zoning Districts & Standards Plan to “promote employment and transit forms, patterns, and intensities of development.”

WHEREAS, it is the intent and purpose of the US-19 Zoning Districts & Standards Plan to “encourage development of mixed use destinations at major cross streets.”

WHEREAS, it is the intent and purpose of the US-19 Zoning Districts & Standards Plan to have uses that “provide for the design of safe, attractive, and accessible settings for working, living, and shopping.”

WHEREAS, the vision of the US-19 Regional Center Plan primarily depicts having multi-story buildings as opposed to single story buildings.

WHEREAS, multi-story mixed use buildings with “office” or “attached dwelling” above first floor ground floor Retail, Restaurant, or Office uses are not always feasible to be developed, especially on smaller sized parcels with constraints to meet required parking for multi-story residential or office buildings under the Development Code.

WHEREAS, “Automobile service stations” is an allowed passive use in the Regional Center, as provided on Table 2.

WHEREAS, “Schools” is an allowed passive use in the Regional Center, as provided on Table 2.

WHEREAS, “Parking garages” is an allowed passive use in the Regional Center, as provided on Table 2, that allows for the storage of vehicles.

WHEREAS, “Self-storage warehouse,” is a passive use that allows for the storage of things which is not allowed in the Regional Center per Table 2.

WHEREAS, the City of Clearwater recognizes the active use of ground floor Retail, Restaurant, or Office uses for the Regional Center because Table 2 allows for standalone single story Retail, Restaurant, or Office uses by right.

WHEREAS, “Self-storage warehouse” use, when combined with ground floor Retail, Restaurant, or Office, changes the character of self-storage warehouse’s passive use to an active use that is more active than parking garages, schools, automobile service stations, and some other existing allowed uses in the Regional Center.

WHEREAS, the uses allowed in Regional Center, as provided on Table 2, currently make no distinction between a standalone “Self-storage warehouse” use and a mixed use building with “Self-storage warehouse” and ground floor Retail, Restaurant, or Office uses.

WHEREAS, “Self-storage warehouse” use when combined with ground floor Retail, Restaurant, or Office uses “promotes employment and transit forms, patterns, and intensities of development.”

WHEREAS, “Self-storage warehouse” use when combined with ground floor Retail, Restaurant, or Office uses “encourage development of mixed use destinations at major cross streets” because it can eventually be converted to residential or office above the ground floor.

WHEREAS, “Self-storage warehouse” when combined with ground floor Retail, Restaurant, or Office uses “provides for the safe, attractive, and accessible settings for working, living, and shopping.”

WHEREAS the City of Clearwater adopted US 19 Zoning District and Development uses as provided on Table 2 do not allow for “self-storage warehouse,” in the Regional Center, even when combined with ground floor Retail, Restaurant, or Office uses.

WHEREAS, the City of Clearwater desires for the Community Development Code to function effectively and promote more ground floor Retail, Restaurant, or Office uses in the Regional Center to further the intent and purpose of the US-19 Zoning Districts & Standards Plan; and

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

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

Section 1. That TABLE 2, Appendix B of the Community Development Code be amended to read as follows:

Section B-303. - Permitted uses and parking.

A) Use and Parking Table

Permitted uses and approval levels by Subdistricts, along with parking requirements, are listed in Table 2. Use and Parking. Active uses are required at identified key corners, as defined in Section B-303.B.

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Table 2. Use and Parking					
Use	Regional	Neighborhood	Corridor	Use Specific Standards	Minimum Off-Street Parking Spaces
Self-storage warehouse	<u>FLS</u> X	X	FLS	<p>1. <u>In the Corridor Subdistrict,</u> Access doors to individual storage units are located within a building or are screened from view from adjacent property or public rights-of-way by landscaped walls or fences located no closer to the property lines of the parcel proposed for development than five feet.</p> <p>2. <u>Self-Storage may be permitted in the Regional Center Subdistrict provided the following is met: Such use shall only be located on parcels of .75 acres to .9 acres in size that existed on or before October 17, 2018 with Street Frontage Type C that do not have any other Street Frontage Type; 100% of the ground floor frontage and a minimum of 20% of the total ground floor area shall include fully-enclosed building space, occupied by retail, restaurant, and/or office uses not associated with the self-storage use; access to all storage units shall be from the building interior; and</u></p>	<p><u>1/150 4/20 self-storage units, plus 2 for manager's office</u></p> <p><u>4/1,000 sf of non-storage use as required for Self-storage warehouse in the Regional Center.</u></p>

				<u>outdoor storage shall be prohibited.</u>	
Footnotes: 1. The parcel proposed for development is not contiguous to a parcel of land which is designated as residential in the Zoning Atlas. 2. The parcel proposed for development is not located within 500 feet of a parcel of land used for purposes of a place of worship or a public or private school unless the intervening land uses, structures or context are such that the location of the use is unlikely to have an adverse impact on such school or use as a place of worship.					
Key: BCP = Level 1 Minimum Standard (Building Construction Permit). FLS = Level 1 Flexible Standard Development (Community Development Coordinator approval required). FLD = Level 2 Flexible Development (Community Development Board approval required). X = Not Allowed					

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Section 2. 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 3. 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 4. 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 5. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING AS AMENDED

PASSED ON SECOND READING AND FINAL
READING AS AMENDED AND ADOPTED

George N. Cretekos
Mayor

Approved as to form:

Attest:

Michael P. Fuino
Assistant City Attorney

Rosemarie Call
City Clerk