

ORDINANCE NO. 6917-01

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA ADOPTING AMENDMENTS TO BEACH BY DESIGN: A PRELIMINARY DESIGN FOR CLEARWATER BEACH AND DESIGN GUIDELINES; BY ADOPTING AMENDMENTS TO THE MARINA RESIDENTIAL DISTRICT PROVISIONS INCLUDING, BUT NOT LIMITED TO, LAND CONSOLIDATION, HEIGHT AND CITY INCENTIVE OPTIONS; BY ADOPTING AMENDMENTS TO THE HEIGHT PROVISIONS OF THE DESIGN GUIDELINES AS THEY RELATE TO THE MARINA RESIDENTIAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the economic vitality of Clearwater Beach is a major contributor to the economic health of the City overall; and

WHEREAS, the public infrastructure and private improvements of Clearwater Beach are a critical part contributing to the economic vitality of the Beach; and

WHEREAS, substantial improvements and upgrades to both the public infrastructure and private improvements are necessary to improve the tourist appeal and citizen enjoyment of the Beach; and

WHEREAS, the City of Clearwater has invested significant time and resources in studying Clearwater Beach; and

WHEREAS, *Beach by Design*, the special area plan governing Clearwater Beach, contains specific development standards and design guidelines for areas of Clearwater Beach that need to be improved and/or redeveloped; and

WHEREAS, the City of Clearwater has the authority pursuant to Rules Governing the Administration of the Countywide Future Land Use Plan, as amended, Section 2.3.3.8.4, to adopt and enforce a specific plan for redevelopment in accordance with the Community Redevelopment District plan category, and said Section requires that a special area plan therefore be approved by the local government; and

WHEREAS, the proposed amendment to *Beach by Design* has been submitted to the Community Development Board acting as the Local Planning Authority (LPA) for the City of Clearwater; and

WHEREAS, the Local Planning Agency (LPA) for the City of Clearwater held a duly noticed public hearing and found that amendment to *Beach by Design* are consistent with the Clearwater Comprehensive Plan; and

WHEREAS, on November 15, 2001 and December 13, 2001 the City Commission of the City of Clearwater reviewed and approved *Beach by Design*; now therefore,

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

Section 1. *Beach by Design*: A Preliminary Design for Clearwater Beach and Design guidelines is amended pursuant to the attached "Exhibit "A" is hereby adopted.

Section 2. *Beach by Design*, as amended, contains specific development standards and design guidelines for areas of Clearwater Beach that are in addition to and supplement the Community Development Code; and

Section 3. The City Manager or designee shall forward said plan to any agency required by law or rule to review or approve same.

Section 4. It is the intention of the City Commission that this ordinance and plan and every provision thereof, shall be considered separable; and the invalidity of any section or provision of this ordinance shall not affect the validity of any other provision of this ordinance and plan.

Section 5. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

November 15, 2001

PASSED ON SECOND AND FINAL
READING AND ADOPTED

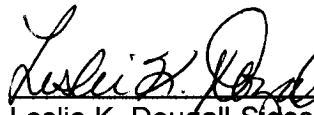
December 13, 2001



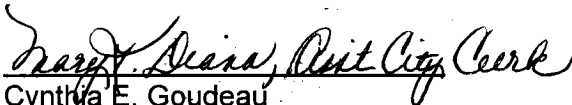
Brian J. Augst
Mayor-Commissioner

Approved as to form:

Attest:



Leslie K. Dougall-Sides
Assistant City Attorney



Cynthia E. Goudeau
City Clerk



BEACH BY DESIGN/Marina District Amendments/Map
Exhibit for Ord. 6917-01

EXHIBIT "A" for
ORDINANCE NO. 6917-01

C. Marina Residential District

The area to the east of Poinsettia and North Mandalay to the north of Baymont is primarily a residential district with a few motel and restaurant uses. The parcels of land to the east of East Shore front on Clearwater Bay. However, those parcels are relatively shallow, limiting the utility of the existing parcelization. Beach by Design anticipates the redevelopment of the Marina District as a waterfront residential neighborhood with parcels to the east of Poinsettia consolidated with parcels to the east of East Shore in favor of land assembly. Four distinct blocks should be created from this consolidated land between the Causeway and Baymont Street consistent with existing area street patterns. Pedestrian access should be provided through each block to the Intracoastal Waterway and terminate at a public boardwalk located along the shoreline from the Causeway to Mandalay Avenue. Retail and restaurant uses are appropriate in the north and south block only and residential uses located between. The Yacht Basin Apartment site, which is located on the north side of Baymont, should be considered an integral part of this neighborhood. It must be included in any consolidation effort and is an appropriate site for a marina based hotel and other residential uses.

If all of this land is consolidated under single ownership and developed according to the Marina Residential District framework as a unified plan, the City should do the following: vacate East Shore; create an assessment district to finance the boardwalk construction; participate in a garage at Pelican Walk; and make available the density pool for a marina-based hotel meeting the requirements of Beach by Design on the Yacht Basin Apartment site, including the potential allowance of 150 feet in building height. All other building heights within this district would be permitted between 2-4 stories above parking.

If the "single" property consolidation described above does not occur, intermediate strategies should be employed. These strategies should result in smaller, but significant, lot consolidation in the East Shore area consistent with the four "distinct blocks" identified previously between the Causeway and Baymont Street. This area should also value two larger consolidations of approximately five acres each as an incentive for redevelopment. The goal of marina based development in conjunction with a public "Bayside Boardwalk" should also be pursued. Additionally, the Yacht Basin site should be redeveloped in its current configuration without further subdivision. In order to implement these strategies the following incentives are available:

Height.

In addition to the requirements of the Design Guidelines the following requirements shall apply in the Marina Residential District between Baymont Street and the Causeway.

1. Projects that consolidate a minimum of five acres will be eligible for approval of height up to 100 feet, subject to meeting the standards of the Community Development Code, Beach By Design and approval by the Community Development Board.
2. Projects that consolidate a minimum of 2.5 acres will be eligible for approval of height up to 70 feet, subject to meeting the standards of the Community Development Code, Beach By Design and approval by the Community Development Board.
3. Structures located between the Causeway and Baymont Street exceeding 35 feet in height, shall occupy no more than fifty (50) percent of the property frontage along the Intra-coastal Waterway

In the event that lot consolidation under one owner does not occur, Beach by Design contemplates the City working with the District property owners to issue a request for proposals to redevelop the District in the consolidated manner identified above. If this approach does not generate the desired consolidation and redevelopment, Beach by Design calls for the City to initiate a City Marina DRI in order to facilitate development of a marina based neighborhood subject to property owner support. If lot consolidation does not occur within the entire District, the maximum permitted height of development east of East Shore will be restricted to two (2) stories above parking and between Poinsettia and East Shore could extend to four (4) stories above parking. An additional story could be gained in this area if the property was developed as a live/work product. ~~The maximum permitted height of development on the Yacht Basin Apartment site will be restricted to mid-rise development consistent with the height limitations imposed by the Community Development Code.~~

Yacht Basin Property

1. The Yacht Basin property will be redeveloped without further subdivision and subject to the design guidelines. The property will feature lower building heights around the perimeter of the property with higher buildings located on the interior of the site with stepped back design.
 - a. The project will provide streetscape improvements on the Mandalay and Baymont sides either on the project property or on the existing rights-of-way. These improvements are intended to link pedestrians with the Mandalay and Bayside Boardwalk areas.

- b. The project will contribute to Pelican Walk parking garage project on terms to be determined by the City Commission.

East Shore Vacation

Any vacation of East Shore Drive would be subject to a traffic analysis prior to the vacation. The City may conduct this evaluation prior to a proposal for street vacation.

Bayside Boardwalk/Pedestrian Linkages

Development utilizing the lot consolidation incentives will dedicate a ten-foot easement along the Bayside that will link to a pedestrian streetscape improvement along Baymont. The Yacht Basin redevelopment will provide the streetscape improvement from the proposed Boardwalk to Mandalay Street along the Baymont frontage. The Bayside Boardwalk can be either on the landside of the seawall and or a component of marina development on the waterside on the seawall.

Marina Development

Development utilizing the lot consolidation incentives should include a marina component, subject to applicable permitting requirements.

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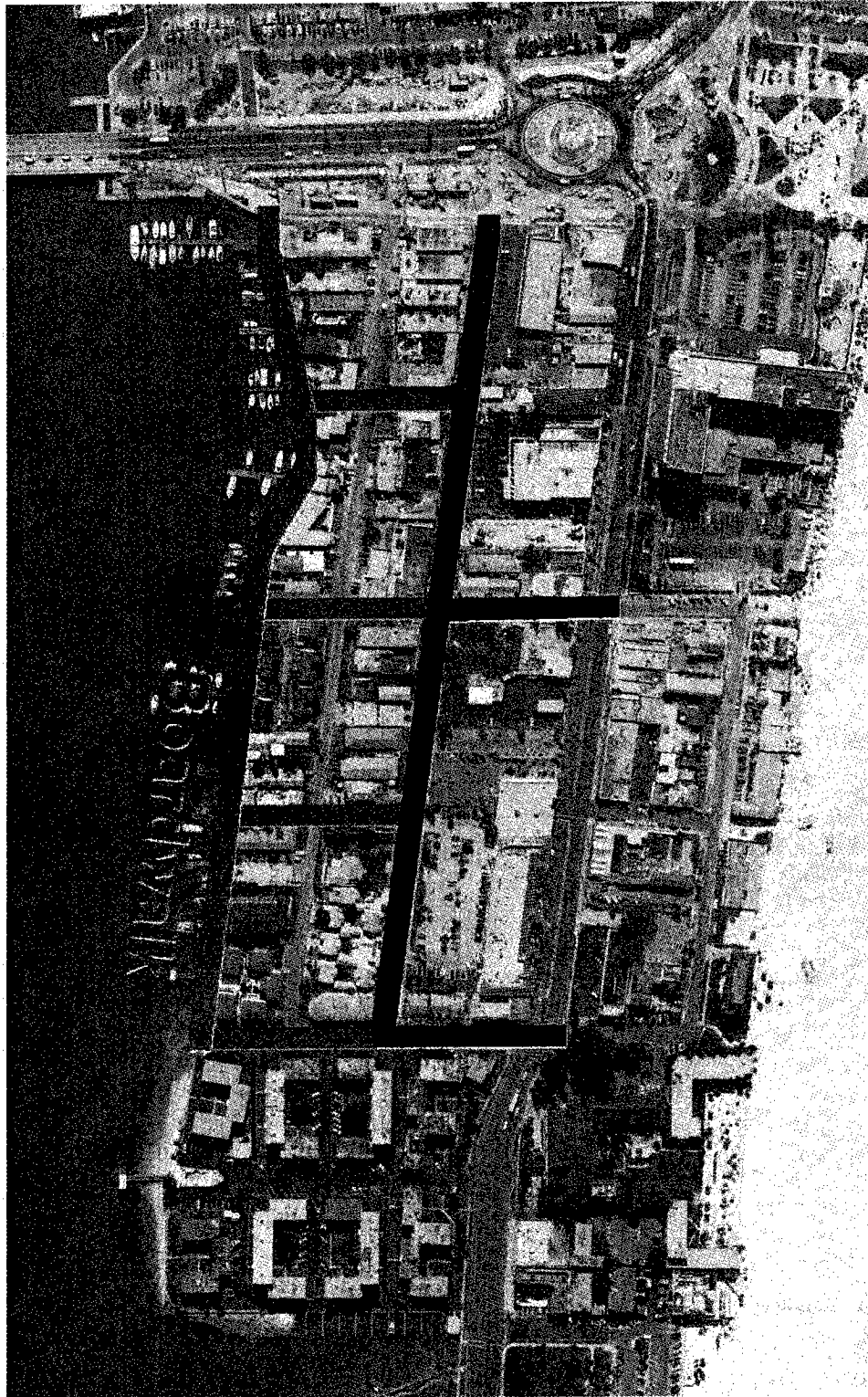
VII. Design Guidelines

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B. Height

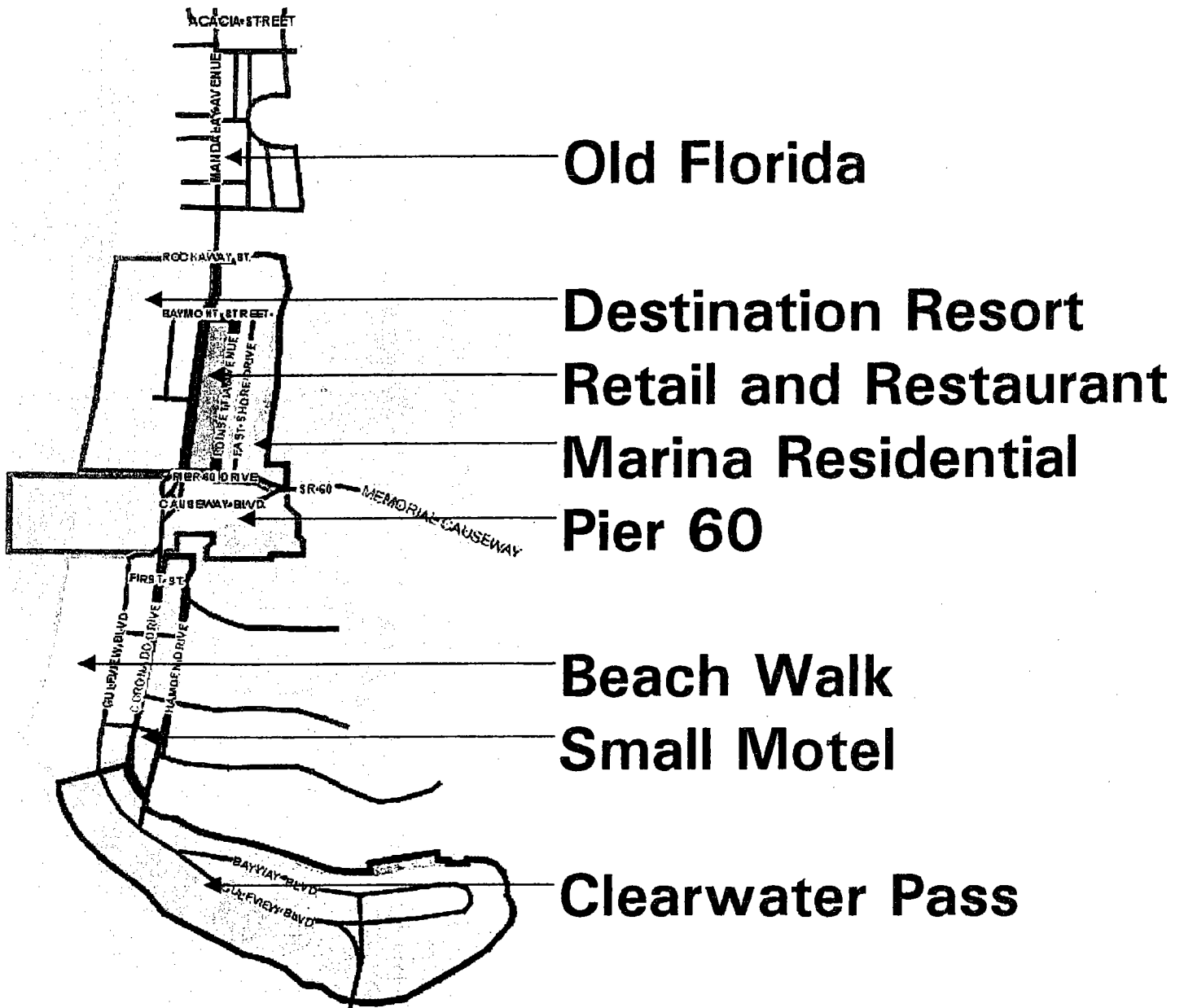
One hundred feet (100') Maximum height is prescribed by the respective zoning districts in the Community Development Code are the maximum permissible building height unless otherwise restricted by Beach by Design, except that the height limitation. The height may be increased, however, to one hundred fifty feet (150') if:

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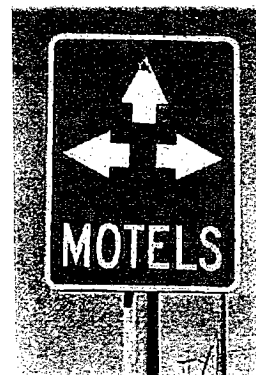
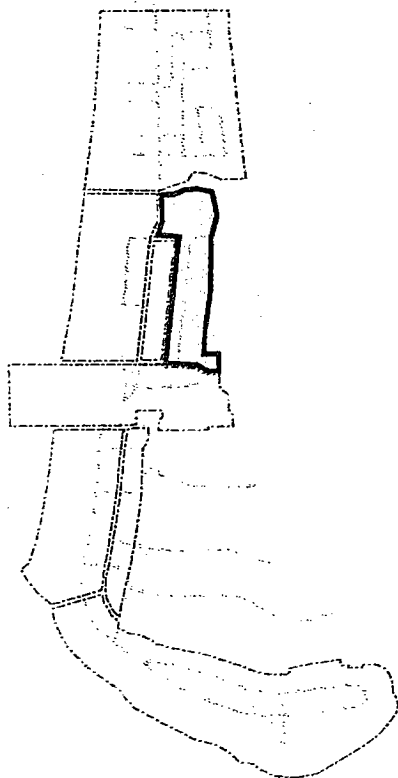
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LAND USE DISTRICTS



C. Marina Residential District

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Beach by Design

VII. DESIGN GUIDELINES

Implementation of Beach by Design involves more than community redevelopment initiatives, it also involves private development and redevelopment that conforms to design objectives and principles established in Beach by Design. These objectives and principles will help the City promote safety, encourage cleanliness, and provide a comfortable environment. Any issue not addressed in these Design Guidelines shall be governed by the requirements of the Community Development Code.

Beach by Design: Design Objectives

The design guidelines are intended to address and promote the following principles and are intended to be administered in a flexible manner to achieve the highest quality built environment for Clearwater Beach. They are not intended to serve as regulations requiring specific relief except with regard to building height and spacing between buildings exceeding 100 feet in height.

Bulk

1. To promote development and redevelopment which is in scale with the character and function of Clearwater Beach
2. To ensure that the gross density and intensity of development on Clearwater Beach does not exceed the capacity of public infrastructure
3. To ensure that new development is compatible with existing buildings
4. To maintain a distinct character on Clearwater Beach
5. To avoid further "walling off" of the Gulf of Mexico and the Intracoastal Waterway with "rows" of high rise buildings
6. To promote diversity in the scale, mass and height of buildings
7. To ensure that sidewalks are sufficiently wide to allow groups of pedestrians to pass without having to walk in the street
8. To ensure that the height of buildings is relative to and in scale with the width of public places

Design

1. To ensure aesthetically pleasing architecture in a tropical vernacular
2. To create inviting, human scale "places" at the street level of all buildings
3. To promote an integration of form and function
4. To create a sense of a "beach community neighborhood" throughout Clearwater Beach
5. To use landscape material to differentiate Clearwater Beach from other beach areas and intensely developed places in Pinellas County
6. To landscape all surface parking areas so that the view of such parking facilities from public roads, sidewalks and other places is determined by landscape material instead of asphalt
7. To ensure that the street level of all buildings is pedestrian friendly

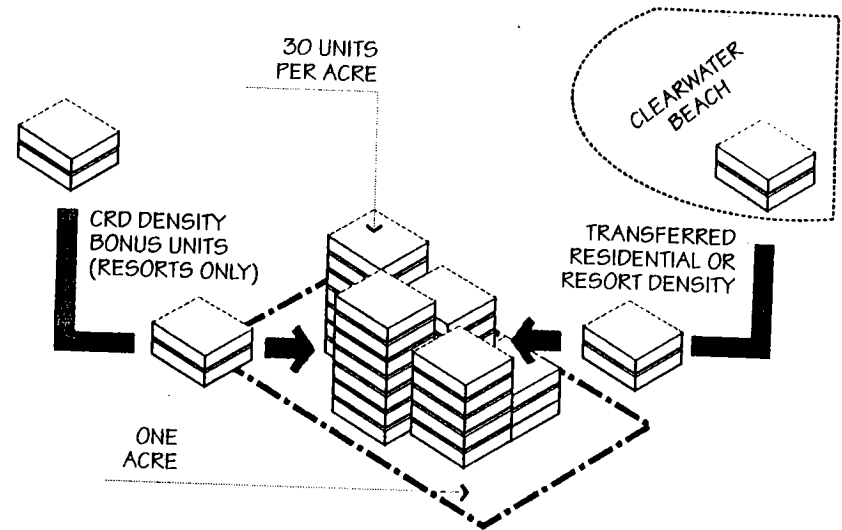
A. Density

The gross density of residential development shall not exceed 30 dwelling units per acre, unless additional density is transferred from other locations on Clearwater Beach. Ordinarily, resort density will be limited to 40 units per acre. However, additional density can be added to a resort either by transferred development rights or if by way of the provisions of the community redevelopment district (CRD) designation. Nonresidential density is limited by Pinellas County Planning Council intensity standards.

B. Height

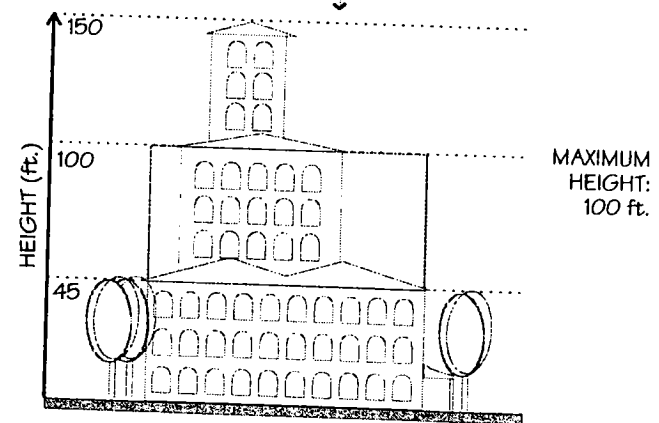
One hundred feet (100') is the maximum permissible building height, except that the height limitation may be increased to one hundred fifty feet (150') if:

1. additional density is allocated to the development either by transferred development rights or with bonus hotel units pursuant to the CRD designation;
2. portions of any structures which exceed one hundred feet (100') are spaced at least one hundred feet (100') apart (with no more than two (2) structures which exceed one hundred feet (100') within five hundred feet (500'); or four (4) structures which exceed one hundred feet (100') within eight hundred feet (800') so long as the elevations of all structures which exceed one hundred feet (100') when such structures are viewed from the east do not occupy a total of forty percent (40%) of a north south vertical plane which is parallel to the alignment of Coronado and North Mandalay of the building envelope above one hundred feet (100'); and



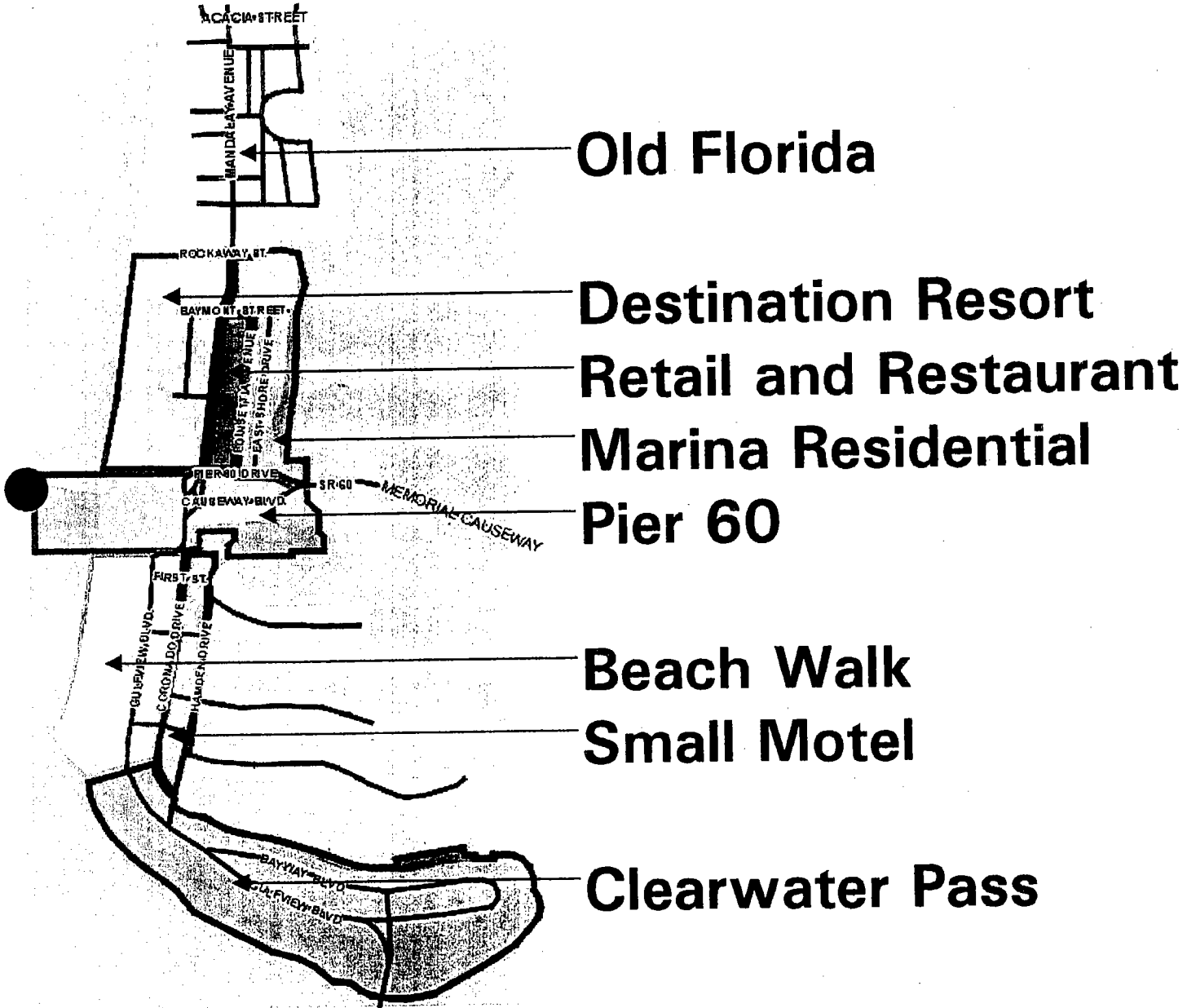
Tools for Increasing Residential and Hotel Development Densities

MAXIMUM HEIGHT MAY BE INCREASED TO 150 ft. (SEE REQUIREMENTS)



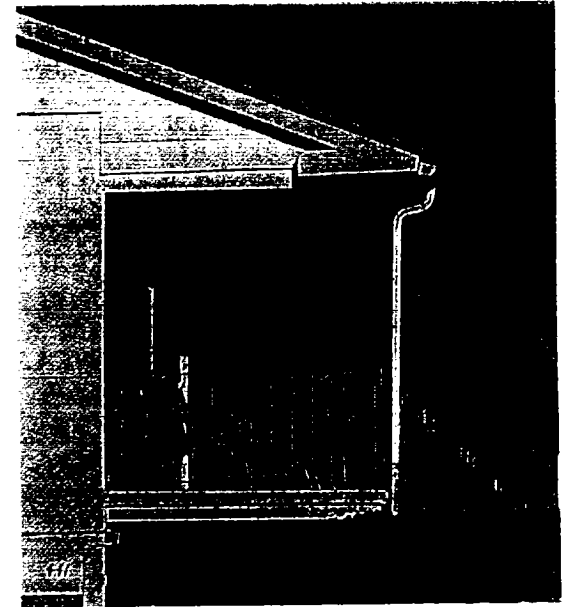
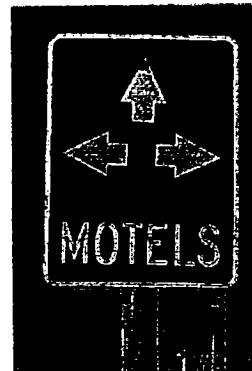
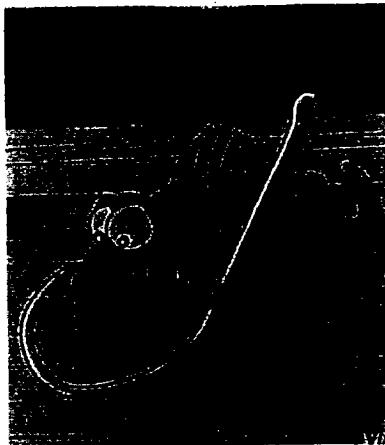
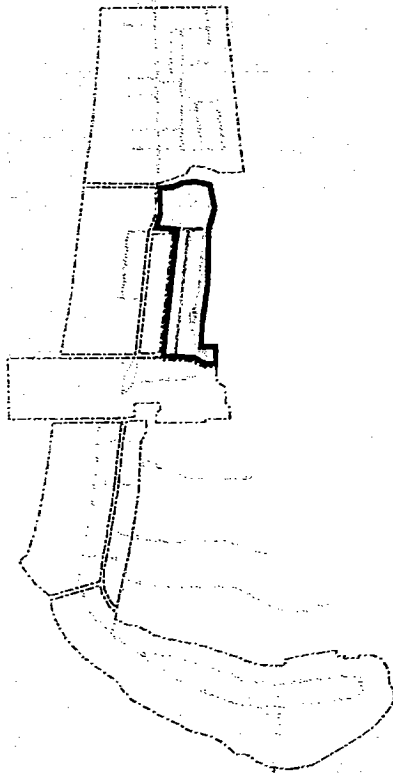
Application of Building Height Standards

LAND USE DISTRICTS



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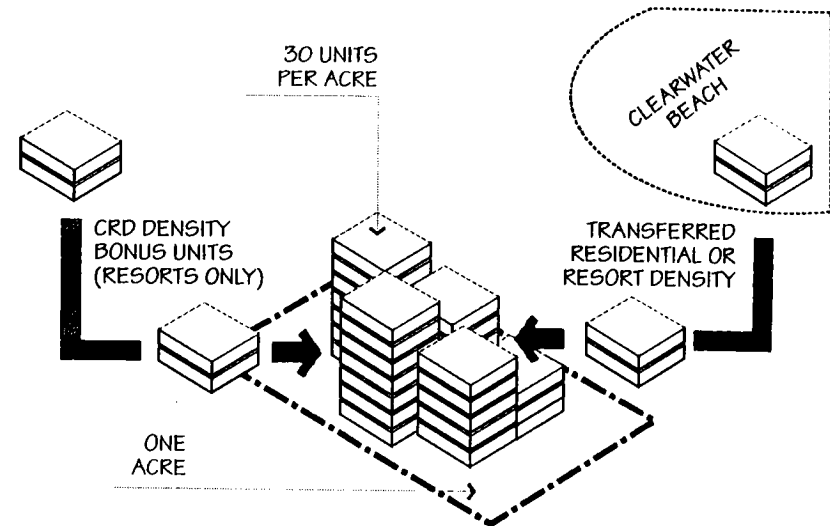
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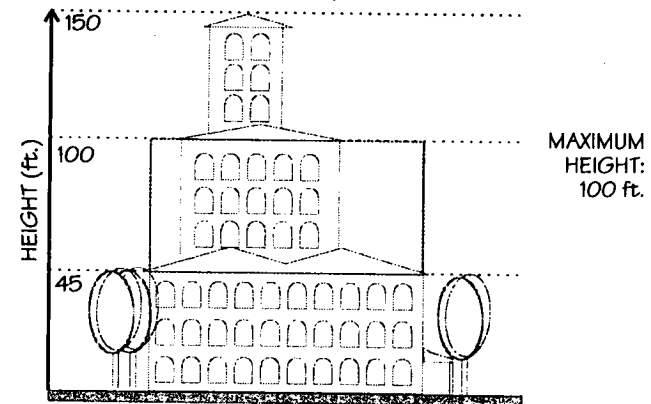
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Tools for Increasing Residential and Hotel Development Densities

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Application of Building Height Standards