

ORDINANCE NO. 18- 29

29AN ORDINANCE AMENDING THE COUNTYWIDE PLAN MAP OF PINELLAS COUNTY, FLORIDA, BY ACTION ON CASE NUMBER CW 18-16 INITIATED BY THE CITY OF CLEARWATER AND TRANSMITTED TO THE BOARD OF COUNTY COMMISSIONERS IN ITS CAPACITY AS THE COUNTYWIDE PLANNING AUTHORITY IN ACCORDANCE WITH THE SPECIAL ACT; PROVIDING FOR AMENDMENT TO THE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a proposed amendment to the Countywide Plan Map, which is an element of the Countywide Plan of Pinellas County, Florida, has been presented at a public hearing to the Board of County Commissioners in its capacity as the Countywide Planning Authority; and

WHEREAS, notices of public hearings have been accomplished as required by Chapter 2012-245, Laws of Florida; and

WHEREAS, procedures of the Special Act and County Charter have been followed concerning Forward Pinellas, in its role as the Pinellas Planning Council, and the Countywide Planning Authority, for the proposed amendment to the Countywide Plan; and

WHEREAS, the City of Clearwater initiated a proposed amendment which was considered at a public hearing by Forward Pinellas, in its role as the Pinellas Planning Council, on July 11, 2018 with recommendations made by Forward Pinellas that are documented in the reports referred to as Exhibit A; and

WHEREAS, the Board of County Commissioners in its capacity as the Countywide Planning Authority has conducted a public hearing and taken action that is documented by ordinance for approvals or partial approvals and partial denials and by resolution for denials, with both documents including the relevant Board reports as attached.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, in its capacity as the Countywide Planning Authority, in regular meeting duly assembled on August 7, 2018 as follows:

Section 1. Amending the Countywide Plan Map

The Countywide Plan Map for Pinellas County adopted in Section 2 of Ordinance 15-30, as amended, is amended to reflect the changes adopted as follows:

#CW 18-16

- 172.5 acres m.o.l., generally located south of Drew Street, east of Prospect Avenue, north of Court Street, and west of Highland Avenue, from Activity Center (AC) and Recreation/Open Space (R/OS) to Activity Center (AC).
- Amending the Prospect Lake Character District to:
 - Increase the maximum permitted density to 75 dwelling units per acre for properties west of Prospect Avenue and Knights Alley;
 - Increase the maximum permitted density to 50 dwelling units per acre for the remaining properties in the district;
 - Increase the maximum permitted density for temporary lodging (overnight accommodation) uses to 40 units per acre;
 - Increase the maximum permitted density for temporary lodging (bed & breakfast) uses to 35 rooms per acre, not to exceed 10 rooms;
 - Increase the maximum permitted intensity to a 2.5 floor area ratio (FAR) for properties west of Prospect Avenue and Knights Alley; and
 - Increase the maximum permitted intensity to a 1.5 FAR for the remaining properties in the district.
- Amending the Downtown Gateway Character District to:
 - Increase the maximum permitted density to 35 dwelling units per acre;
 - Increase the maximum permitted density for temporary lodging (overnight accommodations) uses to 40 units per acre;
 - Increase the maximum permitted intensity to a 1.5 FAR for properties fronting on Cleveland Street between Missouri and Hillcrest Avenues or fronting on Gulf to Bay Boulevard; and
 - Increase the maximum permitted intensity to a 0.55 FAR for the remaining properties in the district.

Section 2. Severability. If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by a Court of Competent Jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. Filing of Ordinance; Effective Date. A certified copy of this ordinance shall be filed with the Secretary of State with the Ordinance and Exhibit A to be filed with the Clerk of the Circuit Court. This Ordinance shall take effect upon filing with the Department of State.

APPROVED AS TO FORM

By: 

Office of the County Attorney