

BOARD OF COUNTY COMMISSIONERS

DATE: October 12, 2010

AGENDA ITEM NO. 34

Consent Agenda

Regular Agenda

Public Hearing

County Administrator's Signature

34

Subject:

Proposed amendments to the Downtown Redevelopment Plan for the Clearwater Downtown Redevelopment District.

Department:

Planning Department

Staff Member Responsible:

Brian Smith, Director

Recommended Action:

I RECOMMEND THAT THE BOARD ADOPT THE ATTACHED RESOLUTION APPROVING AMENDMENTS TO THE DOWNTOWN CLEARWATER REDEVELOPMENT PLAN.

Summary Explanation/Background:

REDEVELOPMENT DISTRICT BACKGROUND: The Board of County Commissioners approved the creation of a 247-acre community redevelopment district in Clearwater's downtown in 1981. A redevelopment trust fund and the appropriation of increment revenues from County ad valorem taxes were established in October 1982.

In October 2002, the Board approved the designation of the 202-acre eastern expansion to the Downtown Redevelopment District as a slum or blighted area and authorized the City Commission to create a redevelopment agency (for the expansion area) and to prepare a redevelopment plan. The boundaries of the expanded Downtown Redevelopment District are generally Jones and Drew Streets on the north, Highland Avenue on the east, Court and Turner Streets on the south, and Clearwater Harbor on the west. (see Attachment 1)

The Board reviewed and approved the new Downtown Redevelopment Plan for the expanded Redevelopment District on December 16, 2003. The new Plan included some provisions from the prior Redevelopment Plan that covered the original community redevelopment district; an analysis and plans covering the expansion area of the redevelopment district; and plans for two periphery areas (known as Northwest Periphery and Southwest Periphery Areas) that are adjacent to, but not part of, the Downtown Redevelopment District. Furthermore, the Board, on February 3, 2004, approved amendments to Clearwater's Redevelopment Trust Fund so that the City could collect both city and county tax increments from the expansion area.

In 2005, the Board approved additional amendments to the Downtown Redevelopment Plan. Among these amendments were: 1) the clarification of transfer of development rights; 2) the increase of the maximum density standard for hotels in the East Gateway district; and 3) the incorporation of Downtown Design Guidelines.

In 2009, the Board approved amendments to the Downtown Redevelopment Plan to create a new strategy to the location of a performing arts theater in the Downtown and to provide for community policing innovations.

CURRENT PROPOSAL: The City of Clearwater proposes two minor amendments to the Clearwater Downtown Redevelopment Plan. First is a new policy regarding the potential outdoor display of bicycles for retail bicycle establishments along the Pinellas Trail within the Downtown. This policy would only be applicable to bicycle displays; no other outdoor display of merchandise is permitted in the Downtown zoning district. The policy does set locational limitations (such as outside the sight triangle at intersections) and time limits for bicycle displays (business hours).

The second amendment expands the variety of permissible uses for those parcels in the vicinity of the Clearwater Gas property on Myrtle Avenue and for those properties east of the Pinellas Trail/CSX rail line in the Myrtle Avenue/Drew Street vicinity. The proposed amendment would allow a variety of uses including governmental uses, medical facilities, retail, office and mixed-uses, as well as support any transit-oriented development in the future (if deemed appropriate).

The proposed amendments to the Downtown Clearwater Redevelopment Plan are consistent with the goals, objectives, and policies of the Pinellas County Comprehensive Plan, and they meet the requirements for redevelopment plans as required by Chapter 163, Part III, of the Florida Statutes. It is recommended that the proposed amendments be approved.

Fiscal Impact/Cost/Revenue Summary:

The proposed amendments do not call for any additional contributions of county ad valorem tax revenues.

Exhibits/Attachments Attached:

- 1) Clearwater Downtown Community Redevelopment District Map
- 2) Proposed Board Resolution Approving Amendments to Redevelopment Plan
- 3) Adopted City Ordinance No. 8192-10

ATS # 34729

PLANNING DEPARTMENT BCC AGENDA ITEMS

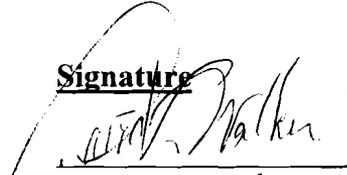
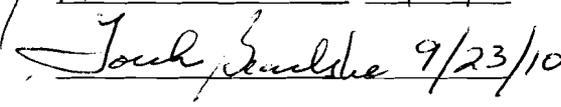
REVIEW/INFORMATION SHEET

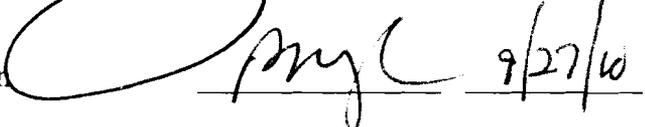
BCC Submittal Subject: City of Clearwater Downtown Redevelopment District – Proposed Amendments to Redevelopment Plan.

Proposed BCC Agenda Date: October 12, 2010

Approval Request Date: September 21, 2010

Division Submitting Agenda Item: General Planning Division

<u>Reviewed by:</u>	<u>Name</u>	<u>Signature</u>	<u>Review Date</u>
Originator(s)	David Walker		9/22/10
Division Head	Gordon Beardslee		9/23/10

<u>Submitted to:</u>	<u>Date Submitted</u>
Brian K. Smith Director of Planning	 9/23/10
Pete Yauch Director of PW and Transportation	 9/27/10
Other Appropriate Assistant County Administrator	_____ (Name)

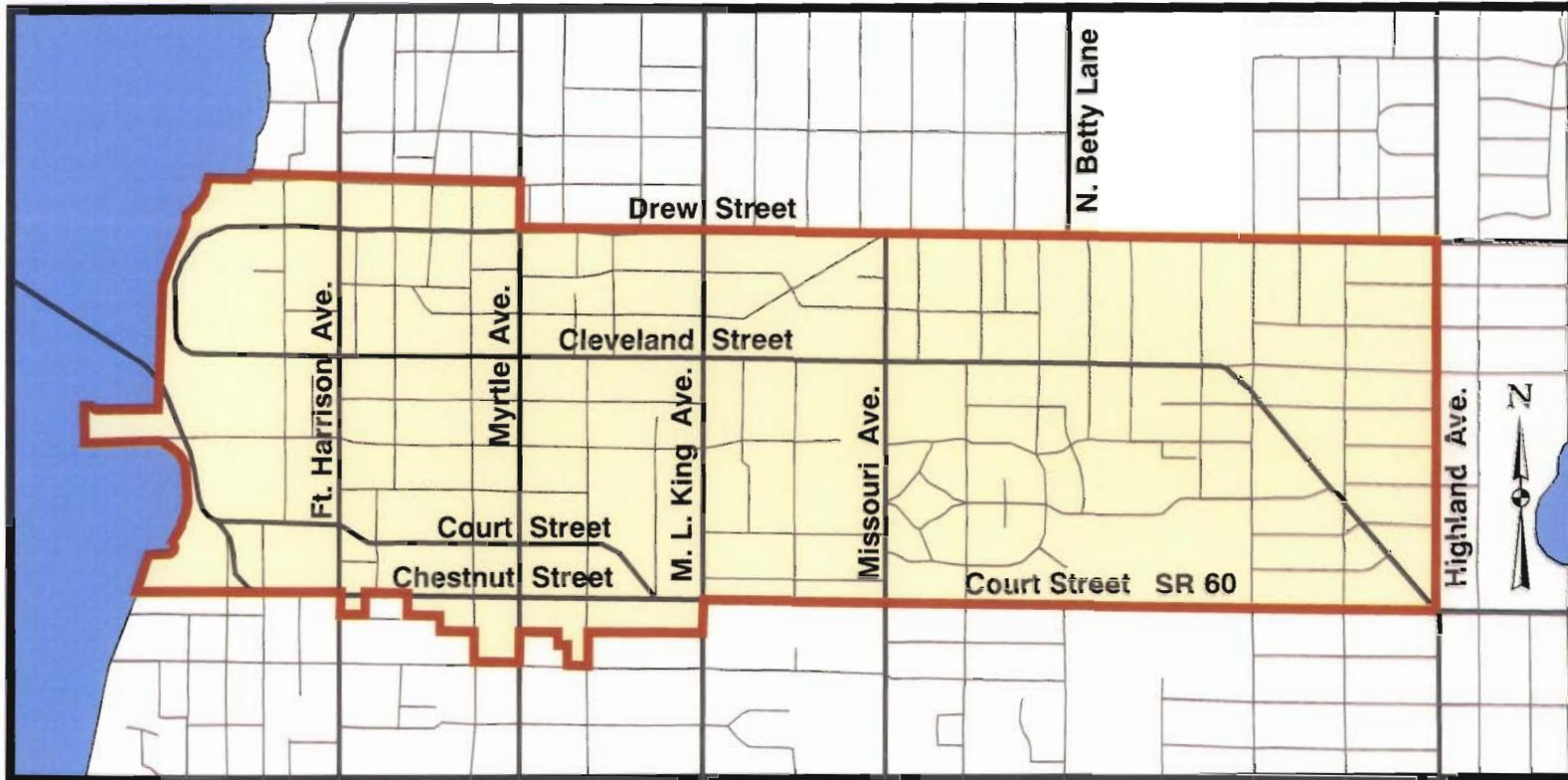
Subject/Issue/Project Facts:

(Answer the following: Who? What? Where? Why? How?, i.e., How Much?, How Many?)

- City of Clearwater is requesting approval of minor amendments to appropriate sections to the Clearwater Downtown Redevelopment (CRA) Plan.
- The amendments pertain to retail bicycle uses along the Pinellas Trail and the redevelopment of certain properties along the Pinellas Trail.

- The first amendment is the addition of a new policy permitting outdoor display of bicycles in conjunction with associated retail uses, and also regulating the location and time of display of the outdoor displays.
- The second proposed amendment deals with the vision of the Old Bay Character District in the northern portion of the CRA. The proposal is that properties located on Myrtle Avenue or on Drew Street east of the Pinellas Trail may retain their current use or transition to a variety of retail, institutional or mixed-use developments. Any redevelopment of these properties should include a connection to the Pinellas Trail, or be supportive of transit, whether rail or bus services, if appropriate.
- These amendments call for no further financial impact to the county contribution of tax increment revenues to the Clearwater Downtown Redevelopment Trust Fund.
- These proposed amendments to the Clearwater Downtown Redevelopment Plan generally meet the requirements of redevelopment plans as required by Chapter 163, FL Statutes, and are consistent with the Pinellas County Comprehensive Plan.

CLEARWATER DOWNTOWN COMMUNITY REDEVELOPMENT AREA



p18/maps/cdcra 1 1/27/09

RESOLUTION NO.

RESOLUTION APPROVING AMENDMENTS TO THE COMMUNITY REDEVELOPMENT PLAN OF THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA OF THE CITY OF CLEARWATER PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, CHAPTER 163, PART III, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 81-67, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Record of Pinellas County, Florida, declared an area of the City described in said Resolution to be a slum or blighted area (the "Redevelopment Area"); and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by Resolution No. 81-466, delegated to the City Commission of the City of Clearwater, Florida, the power and authority to conduct redevelopment activities as defined in Chapter 163, Part III, Florida Statutes (the "Act"); and

WHEREAS, the City Commission of the City of Clearwater, Florida, by Resolution No. 81-68, declared itself to be a redevelopment agency to carry out the redevelopment of the areas determined to slum or blighted; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance No. 2576-81, dated December 17, 1981, adopted a Redevelopment Plan for the Downtown Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution No. 81-795, dated November 17, 1981, approved Clearwater's Redevelopment Plan for the Downtown Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Ordinance No. 82-34, dated October 26, 1982, approved a redevelopment project schedule within Clearwater Downtown Redevelopment District and created a redevelopment trust fund and provided for the appropriation of tax increment revenues of the County to the redevelopment trust fund; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance No. 3021-83, dated February 28, 1983, amended the Redevelopment Plan to add the Community Redevelopment Project Schedule; and

WHEREAS, by Ordinance No. 86-14, dated April 16, 1986, the Board of County Commissioners of Pinellas County, Florida amended Ordinance No. 82-34 to approve a

redevelopment project schedule within the Clearwater Downtown Redevelopment District, create a redevelopment trust fund, and provide for the appropriation of tax increment revenues of the County to the redevelopment trust fund; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 94-26, dated April 7, 1994, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida, has adopted an amended map of the boundaries of the Community Redevelopment Area within the Central Downtown Business District and has confirmed and ratified the area of the City described in said Resolution to be a blighted area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by Resolution No. 94-157, dated June 7, 1994, re-delegated to the City Commission of the City of Clearwater, Florida, the power and authority to conduct redevelopment activities, as defined in Chapter 163, Part III, Florida Statutes, within the amended boundaries of the Redevelopment Area; and

WHEREAS, by Resolution No. 95-65, dated August 17, 1995, the City Commission of the City of Clearwater, Florida, adopted an amended Redevelopment Plan pursuant to the Act, a copy of which plan has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution No. 95-261, approved an amendment to the Downtown Clearwater Redevelopment Plan of the Community Redevelopment Agency of the City of Clearwater; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 96-48, dated July 18, 1996, amended the Downtown Redevelopment Plan pursuant to the Act, a copy of which plan has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution No. 98-42, dated February 24, 1998, approved the amendment to the Clearwater Downtown Redevelopment Plan; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 98-47, dated October 1, 1998, amended the Downtown Redevelopment Plan to change the land use designation for certain property located within the Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution 98-208, dated October 6, 1998, approved the amendment to the Downtown Redevelopment Plan to change the land designation for certain property located within the Redevelopment Area; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 99-35, dated September 2, 1999, amended the Downtown Redevelopment Plan to change the land use designation for certain property located within the Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution 99-186, dated September 14, 1999, approved an amendment to the Downtown Redevelopment Plan to change the land use designation for certain properties located within the Redevelopment Area; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 02-41, dated August 8, 2002, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida, declared an area generally east of the Redevelopment District of the City described in said Resolution, hereinafter referred to as the "Gateway Expansion Area", to be a slum or blighted area; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution No. 02-287, dated October 29, 2002, delegated to the City Commission of the City of Clearwater, Florida, the certain power and authority to conduct redevelopment activities as defined in Chapter 163, Part III, Florida Statutes (the "Act"), within the Gateway Expansion Area; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Resolution No. 03-22, dated May 1, 2003, expanded the boundaries of the Downtown Redevelopment Area; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance 7153-03, dated September 18, 2003, adopted the Clearwater Downtown Redevelopment Plan, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance 7231-03 on December 4, 2003, amended the Clearwater Downtown Redevelopment Plan, a copy of which has been submitted to the Clerk of this Board and made a part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution No. 03-248, adopted on December 16, 2003, approved the amended Clearwater Downtown Redevelopment Plan; and

WHEREAS, the City Commission of the City of Clearwater, Florida, on January 15, 2004 enacted Ordinance No. 7214-03 creating a redevelopment trust fund subject to the approval by the County, pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Ordinance No. 04-10, dated February 3, 2004, approved an amendment to Ordinance No. 82-34, creating the redevelopment trust fund for the expansion area and providing for the appropriation of tax increment revenues of the County to the redevelopment trust fund; and

WHEREAS, the City Commission of the City of Clearwater, Florida, on November 4, 2004 enacted Ordinance No. 7343-04 amending the Clearwater Downtown Redevelopment Plan, pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Ordinance No. 05-14, dated January 11, 2005, adopted amendments to the Clearwater Downtown Redevelopment Plan; and

WHEREAS, the City Commission of the City of Clearwater, FL, by its Ordinance 7367-05, adopted amendments to the Clearwater Downtown Redevelopment Plan, pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution 05-49, dated March 1, 2005, approved amendments to the Clearwater Downtown Redevelopment Plan; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance No. 8041-09, adopted additional amendments to the Clearwater Downtown Redevelopment Plan, pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made part of the Public Records of Pinellas County, Florida; and

WHEREAS, the Board of County Commissioners of Pinellas County, Florida, by its Resolution 09-28, dated February 17, 2009, approved amendments to the Clearwater Downtown Redevelopment Plan; and

WHEREAS, from time to time, changing circumstances require a modification of said community redevelopment plan; and

WHEREAS, the City Commission of the City of Clearwater, Florida, by its Ordinance No. 8192-10, adopted amendments to the Clearwater Downtown Redevelopment Plan, pursuant to the Act, a copy of which has been submitted to the Clerk of this Board and made part of the Public Records of Pinellas County, Florida; and

WHEREAS, Section II of Pinellas County Resolution No. 03-248 requires that any amendments to the Redevelopment Plan adopted by the Clearwater City Commission shall be submitted to the Board of County Commissioners for consideration and approval; and

WHEREAS, the City has requested that the Board of County Commissioners review and act on amendments of said Plan.

NOW, THEREFORE, IN REGULAR SESSION, DULY ASSEMBLED ON THIS 12TH DAY OF OCTOBER, 2010, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

I. That the amendments, provided in Exhibit A, attached herewith, to the Clearwater Downtown Redevelopment Plan of the Community Redevelopment Agency of the City of Clearwater, Florida, are hereby approved.

II. This Resolution shall become effective immediately upon its adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____ and upon roll call the vote was:

AYES:

NAYES:

ABSENT AND NOT VOTING:

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By *J. [Signature]*
Attorney

EXHIBIT A

Chapter 3, Land Use Plan/Redevelopment Plan, Goals, Objectives and Policies is hereby amended by inserting a new Policy 11 and renumber the remaining policies:

Policy 11: The outdoor display of bicycles may be permitted in conjunction with retail bicycle uses abutting the Pinellas Trail. Such display areas shall not be located within the sight visibility triangle, in landscaped areas or in required parking spaces and may only occur during business hours.

* * * * *

Chapter 3, Land Use Plan/Redevelopment Plan. Old Bay Character District, District Vision is hereby amended as follows:

District Vision

Uses

The Old Bay District is envisioned to be a mixed-use neighborhood supporting the Downtown employment base with residential, limited neighborhood commercial and office uses. A variety of densities and housing styles are encouraged throughout the District, as well as renovations of existing older structures.

This District provides an opportunity for higher-density residential uses along Clearwater Harbor west of Osceola Avenue, provided such development is sensitive to the established low-rise historic character of the District. The eastern frontage of Osceola Avenue may retain its residential use, convert existing buildings to offices, redevelop with residential scale offices or combine these two uses on the same site. North Fort Harrison Avenue is envisioned as the main commercial area providing neighborhood commercial uses on properties on both sides of the street. The area between North Fort Harrison Avenue and Garden Avenue should continue to be a mixed-use area permitting commercial and office development and encouraging the incorporation of residential uses in mixed-use projects. Properties located east of Garden Avenue may be redeveloped with residential uses, residential scale office development or a mix of these two uses. ~~The parcel within the District east of the Pinellas Trail through to Myrtle Avenue is envisioned to remain as the City's Gas Department administrative offices and warehouse.~~ Properties located on Myrtle Avenue or Drew Street east of the Pinellas Trail may retain their current functions and/or transition to a variety of uses including offices, retail, medical facilities, governmental uses and mixed-use development. Redevelopment of these properties should include a connection to the Pinellas Trail and if deemed appropriate, be supportive of transit whether it be rail or bus service.

ORDINANCE NO. 8192-10

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, MAKING AMENDMENTS TO THE CLEARWATER DOWNTOWN REDEVELOPMENT PLAN; BY AMENDING CHAPTER 3 LAND USE PLAN/REDEVELOPMENT PLAN, GOALS, OBJECTIVES AND POLICIES, BY ADDING A NEW POLICY SUPPORTING THE OUTDOOR DISPLAY OF BICYCLES ASSOCIATED WITH RETAIL BICYCLE USES ABUTTING THE PINELLAS TRAIL; BY AMENDING CHAPTER 3 LAND USE PLAN/REDEVELOPMENT PLAN, DOWNTOWN CHARACTER DISTRICTS, OLD BAY DISTRICT, BY REVISING THE USES SECTION OF THE DISTRICT VISION BY EXPANDING THE USES ALLOWED EAST OF GARDEN AVENUE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clearwater has the authority pursuant to the Rules Governing the Administration of the Countywide Future Land Use Plan, as amended, Section 2.3.3.9.5, to adopt and enforce a specific plan for redevelopment in an urban center in accordance with the Central Business District plan category, and said Section requires that a special area plan therefore be approved by the local government; and

WHEREAS, the City Council approved the updated 2003 Clearwater Downtown Redevelopment Plan on September 18, 2003 by adopting Ordinance No. 7153-03 and has subsequently amended it; and

WHEREAS, the Pinellas County Board of County Commissioners approved the CRA Plan adopted by Ordinance No. 7231-03 on December 16, 2003 and has subsequently amended it; and

WHEREAS, the City Council approved the creation of a Redevelopment Trust Fund for the expanded CRA by adopting Ordinance No. 7214-03; and

WHEREAS, the Pinellas County Board of County Commissioners approved the creation of a Redevelopment Trust Fund for the expanded CRA adopted by Ordinance No. 7214-03 on February 3, 2004; and

WHEREAS, the Countywide Planning Authority approved the updated 2003 Clearwater Downtown Redevelopment Plan as the Special Area Plan for Downtown Clearwater on February 3, 2004 and subsequently approved amendments thereto; and

WHEREAS, the requirements of Florida Statutes Section 163.360 regarding the adoption of community redevelopment plans have been met regarding that portion of the amendments proposed hereby which affect the Downtown Community Redevelopment Area, and the requirements of Florida Statutes Section 163.346 regarding notice to taxing authorities and other required notice, as well as all other requirements of Florida Statutes Chapter 163, have been met; and

WHEREAS, it is important to accommodate business activities that support the use of the Pinellas Trail as an alternative mode of transportation; and

WHEREAS, it is advisable to revise certain provisions of the Plan regarding the allowable uses east of Garden Avenue and specifically for the City's Gas Department; and

WHEREAS, the proposed amendments were reviewed by the Community Development Board, which is the land planning agency for the City of Clearwater for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act, and the Community Development Board found the proposed amendments to be consistent with the Comprehensive Plan of the City of Clearwater; and

WHEREAS, the Community Redevelopment Agency has reviewed the proposed amendments and recommends them to the City Council, and the amended Plan shall serve as the Community Redevelopment Plan for the downtown Community Redevelopment Area of the City of Clearwater; and

WHEREAS, the proposed amendments conform to the general plan of the City of Clearwater; and

WHEREAS, the proposed amendments will afford maximum opportunity, consistent with the sound needs of the City, for the rehabilitation or redevelopment of the Plan area by private enterprise; now, therefore,

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

Section 1. Chapter 3, Land Use Plan/Redevelopment Plan, Goals, Objectives and Policies is hereby amended by inserting a new Policy 11 and renumber the remaining policies:

Policy 11: The outdoor display of bicycles may be permitted in conjunction with retail bicycle uses abutting the Pinellas Trail. Such display areas shall not be located within the sight visibility triangle, in landscaped areas or in required parking spaces and may only occur during business hours.

Section 2. Chapter 3, Land Use Plan/Redevelopment Plan. Old Bay Character District, District Vision is hereby amended as follows:

District Vision

Uses

The Old Bay District is envisioned to be a mixed-use neighborhood supporting the Downtown employment base with residential, limited neighborhood commercial and office uses. A variety of densities and housing styles are encouraged throughout the District, as well as renovations of existing older structures.

This District provides an opportunity for higher-density residential uses along Clearwater Harbor west of Osceola Avenue, provided such development is sensitive to the established low-rise historic character of the District. The eastern frontage of Osceola Avenue may retain its residential use, convert existing buildings to offices, redevelop with residential scale offices or combine these two uses on the same site. North Fort Harrison Avenue is envisioned as the main commercial area providing neighborhood commercial uses on properties on both sides of the street. The area between North Fort Harrison Avenue and Garden Avenue should continue to be a mixed-use area permitting commercial and office development and encouraging the incorporation of residential uses in mixed-use projects. Properties located east of Garden Avenue may be redeveloped with residential uses, residential scale office development or a mix of these two uses. ~~The parcel within the District east of the Pinellas Trail through to Myrtle Avenue is envisioned to remain as the City's Gas Department administrative offices and warehouse.~~ Properties located on Myrtle Avenue or Drew Street east of the Pinellas Trail may retain their current functions and/or transition to a variety of uses including offices, retail, medical facilities, governmental uses and mixed-use development. Redevelopment of these properties should include a connection to the Pinellas Trail and if deemed appropriate, be supportive of transit whether it be rail or bus service.

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

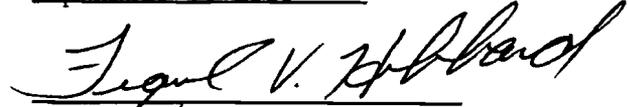
Section 4. This ordinance shall take effect immediately upon adoption, subject to the approval by the Pinellas County Board of County Commissioners and the Countywide Planning Authority.

PASSED ON FIRST READING

August 18, 2010

PASSED ON SECOND AND FINAL READING AND ADOPTED

September 9, 2010



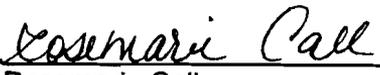
Frank B. Hubbard
Mayor-Commissioner

Approved as to form:

Attest:



Leslie K. Dougall-Sides
Assistant City Attorney



Rosemarie Call
City Clerk



