

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, PERTAINING TO PERMITTED AND CONDITIONAL USES IN THE TOWN CENTER(TC) ZONING DISTRICT; AMENDING CHAPTER 18, LAND DEVELOPMENT CODE BY AMENDING TABLE 18-1522.3; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC-1123-00001)

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**WHEREAS**, the City Council desires to amend the Town Center (TC) Zoning District to allow the use of "Dwellings, Single-family Detached" as a permitted use; and

**WHEREAS**, the Planning and Zoning Commission, sitting as the Local Planning Agency, and the City Council for the City of Pinellas Park, Florida have reviewed and held public hearings on said proposed ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA:**

**SECTION ONE:** That Table 18-1522.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended as follows:

**Table 18-1522.3: Authorized Land Uses in TC District**

| Land Use  | Approval Type | Conditions   |
|---|---------------|--|
| RESIDENTIAL AND ACCOMMODATION USES                      |               |  |
| Dwellings, Multi-family                                 | P             |  |
| Dwellings, Single-family Attached                       | P             |  |
| <u>Dwellings, Single-family Detached</u>                | <u>P</u>      |  |
| Community Residential Home (six (6) or fewer residents) | C             | Fourteen (14) or fewer residents subject to section 18-1530.19 |
| Bed and Breakfast Establishment                         | C             | Subject to sections 18-1503.16 and section 18-1531             |
| Hotels and Motels                                       | P             | Up to fifty (50) units per net acre                            |
| Live/Work Units   | C             | Subject to section 18-1531                                     |
| Mixed use; residential/office/personal services/retail  | P             |  |
| COMMERCIAL USES   |               |  |
| Art Gallery   | P             |  |
| Bakery Shops  | P             |  |
| Book Stores   | P             |  |
| Brewpubs  | P             |  |
| Catering Establishments                                 | P             |  |
| Clothing and Apparel Sales and Rentals                  | P             |  |
| Department Stores                                       | P             |  |
| Drug Stores   | P             |  |
| Financial Institutions                                  | P             |  |
| Financial Institutions drive-thru                       | C             | Subject to section 18-1531                                     |
| Florists  | P             |  |

|  |   |  |
|--|---|--|
| Light Printing Establishments  | P |  |
| Microbreweries   | P |  |
| Offices  | P |  |
| Outdoor Cafes  | P |  |
| Personal Services  | P |  |
| Restaurants  | P | Except drive-in or drive-thru and including accessory micro-brewery                                      |
| Restaurants; Drive-in/Drive-thru   | C | Subject to section 18-1531   |
| Specialty and Gift Shops   | P |  |
| Supermarkets   | P |  |
| Taverns and Lounges  | C | Subject to section 18-1531   |
| Tobacco and Newsstands   | P |  |
| Veterinary Services  | C | Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens. |
| Video Sales and Rental   | P |  |
| MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES   |   |  |
| Fabrication, Assembly and Repair, limited to twenty-five (25) percent of floor area of a retail or mixed-use establishment | C | Subject to section 18-1531   |
| TRANSPORTATION, COMMUNICATION AND UTILITY USES   |   |  |
| Bus Terminal or other public transportation facility   | C | Subject to section 18-1531   |
| Electric Power Distribution Substations  | P | Subject to section 18-1530.24  |
| Off-street parking lots and parking garages, other than accessory to   | P |  |

|   |   |                            |
|---|---|----------------------------|
| a permitted or conditional use  |   |                            |
| Utilities, public and private   | C | Subject to section 18-1531 |
| ARTS, ENTERTAINMENT AND RECREATION USES                                       |   |                            |
| Recording Studios   | P |                            |
| Recreation and Games Establishments, Indoor                                   | P |                            |
| Recreation/Open Space   | C | Subject to section 18-1531 |
| Studios, Television and Radio Broadcast (excluding towers)                    | P |                            |
| Theaters  | P |                            |
| EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES    |   |                            |
| Clubs and Lodges  | C | Subject to section 18-1531 |
| Colleges, universities, Seminaries and Other Institutions of Higher Education | C | Subject to section 18-1531 |
| Community Facility  | P |                            |
| Day Care Center—Type 1  | P |                            |
| Day Care Center—Type 2  | P |                            |
| Day Care Center—Type 3  | P |                            |
| Educational Institutions  | C | Subject to section 18-1531 |
| Educational Institutions (elementary, middle, senior)                         | P |                            |
| Health Spas   | P |                            |
| Laboratories, Medical and Dental  | C | Subject to section 18-1531 |
| Medical Marijuana Dispensary  | P |                            |
| Place of Worship  | P |                            |
| Public Educational Facilities   | P |                            |

|   |     |   |
|---|-----|---|
| Schools on Non-Academic Curriculum                                  | P   |   |
| Schools, Trade (limited to business, medical and personal services) | P   |   |
| AGRICULTURE AND OTHER USES  |     |   |
| Accessory Uses (section 18-1530)                                    | P/C | Subject to sections 18-1530 and 18-1531 |
| Home Occupations  | C   | Subject to section 18-1531              |

**SECTION TWO:** All other provisions of Chapter 18 of the Code of the City of Pinellas Park not hereby amended shall remain in full force and effect.

**SECTION THREE:** That the City Council does hereby certify that this Ordinance is consistent with the City's Comprehensive Plan and elements thereof adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

**SECTION FOUR:** The provisions of this Ordinance shall become and be made a part of the Land Development Code of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

**SECTION FIVE:** The provisions of this ordinance shall be deemed severable, and should any court of competent jurisdiction declare any part of this ordinance unconstitutional or invalid, the remaining parts hereof shall not, in any way, be affected by such determination as to the invalid part.

**SECTION SIX:** This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

FIRST PUBLIC HEARING THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

SECOND PUBLIC HEARING THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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Sandra L. Bradbury  
MAYOR

ATTEST:

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Diane M. Corna, MMC  
CITY CLERK

City of

# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100



# FLORIDA

PHONE • (727) 369-0700  
FAX • (727) 544-7448

**Please Respond To:**

City Attorney's Office  
Lauren C. Rubenstein  
James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

January 13, 2023

Ms. Megan Montesino  
Development Review Manager  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #22-344**  
**Ordinance for Land Development Code Amendment**

Dear Ms. Montesino:

Our office has received and reviewed the above-referenced Ordinance and would recommend updating the title of the Ordinance to include the following language:

. . . . AMENDING CHAPTER 18, LAND DEVELOPMENT CODE BY  
AMENDING TABLE 18-1522.3; CERTIFYING CONSISTENCY WITH THE  
CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR THE  
INCLUSION . . . .

Our office would also recommend inserting a new Section after Section Two that reads as follows:

**SECTION THREE:** That the City Council does hereby certify that this Ordinance is consistent with the City's Comprehensive Plan and elements thereof adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

Once the abovementioned Section is inserted, the remaining Sections will need to be renumbered.



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Ms. Megan Montesino  
January 13, 2023  
Page 2

Finally, the verbiage at the end of the Ordinance indicating when it was published and the public hearings will need to be updated to reflect two publishing dates, as well as two public hearings.

Once the above changes have been incorporated into the Ordinance, our office would approve of the Ordinance as to form and correctness.

Very truly yours,

A handwritten signature in black ink, reading "Lauren C. Rubenstein". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lauren C. Rubenstein  
City Attorney

cc: Bart Diebold, City Manager  
Diane M. Corna, MMC, City Clerk  
Chief Michael Haworth, Asst. City Manager  
Nick Colonna, Community Development Administrator  
Aaron Petersen, Asst. Community Development Administrator  
Erica Lindquist, Planning & Development Services Director

LCR/dh

22-344.01132022.LMM.Ord for LDC Amendment.wpd





I. APPLICATION DATA

A. **Case Number:** LDC-1123-00001

B. **Request:** Amend Table 18-1522.3 of the City's Land Development Code to add "Dwellings, Single-family Detached" as a permitted use within the Town Center (TC) Zoning District.

C. **Applicant:** City of Pinellas Park

D. **Legal Ad Text:** Amend Table 18-1522.3 of the City's Land Development Code to add "Dwellings, Single-family Detached" as a permitted use within the Town Center (TC) Zoning District.

E. **PARC Meeting:** December 13, 2022

F. **Public Hearings:**

**Planning & Zoning Commission Hearing Date:** March 2, 2023

**Advertising Date:** February 15, 2023

**City Council (1<sup>st</sup> Reading) Date:** April 13, 2023

**City Council Hearing Date:** April 27, 2023

**Advertising Date:** April 12, 2023

II. CASE SUMMARY

In 2010, Ordinance No. 3748 established Section 18-1522.3 of the City's Land Development Code, and omitted the use of "Dwelling, Single-family Detached", even though it states in Section 18-1522.4(G) that the minimum livable floor area for a single-family detached dwelling unit is 1,000 square feet.

Additionally, per code, areas of the City for which TC zoning is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD). The land use designation of CRD allows for residential and it's considered a primary use. Therefore, Staff proposes to add "Dwellings, Single-family Detached" into the Town Center (TC) Zoning District.

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. **Land Development Code Standards:**

**SECTION 18-1522. – "TC" TOWN CENTER DISTRICT**

**Sec. 18-1522.3. – PERMITTED AND CONDITIONAL USES.**

*The "TC" Town Center District is established in order to encourage a mix of residential, commercial, institutional, office and professional uses, located adjacent to major transportation facilities. The development standards are intended to promote developments of an urban scale, and high quality urban design, including significant public space areas. Allowable uses are based upon the Community Redevelopment Plan. Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD).*

**B. Project Application Review Committee (PARC) Comments:**

The application was discussed at the December 13, 2022 PARC meeting by all relevant departments/divisions. No concerns were raised with regard to the proposed amendment.

**IV. SUMMARY**

**A. Findings:**

Refer to the attached Ordinance for proposed amendments to Table 18-1522.3.

**B. Staff Recommendation:**

Consistent with the above findings, staff recommends **APPROVAL** of case number LDC-1123-00001.

  
\_\_\_\_\_  
Erica Lindquist, AICP, CFM  
Planning & Development Services Director

1/24/23  
Date

  
\_\_\_\_\_  
Nick A. Colonna, AICP, Community Development Administrator  
or Aaron Petersen, Asst. Community Development Administrator

1/24/23  
Date

**V. ACTION**

**PLANNING AND ZONING COMMISSION – MOVE TO:**

**A. RECOMMEND APPROVAL**

**B. RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):**

**C. RECOMMEND DENIAL**

....of a Land Development Code amendment to add "Dwellings, Single-family Detached" as a permitted use within the Town Center (TC) Zoning District.

**VI. ATTACHMENTS**

**Exhibit A:** Ordinance

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|   |     |   |
|---|-----|---|
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**SECTION SIX:** This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

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SECOND PUBLIC HEARING THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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Sandra L. Bradbury  
MAYOR

ATTEST:

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Diane M. Corna, MMC  
CITY CLERK