

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, AMENDING SECTION 18-1502.2 "DEFINITIONS" OF ARTICLE 15, ZONING; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC-1026-00005, CITY OF PINELLAS PARK)

WHEREAS, effective January 1, 2025, Florida legislation prohibits persons under 21 years of age from working in adult use establishments; and

WHEREAS, the City of Pinellas Park desires to amend sections of the Land Development Code to amend its definitions to align with recent changes to Florida law regarding adult entertainment establishments and the minimum age requirement for individuals working in such establishments under Article 15, Zoning; and

WHEREAS, the proposed amendment maintains the City's longstanding regulatory approach and imposes no additional obligations upon the City's landowners and residents, and is intended solely to bring the City's minimum age requirements into conformity with revised state law; 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, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That Section 18-1502.2 of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1502.2. DEFINITIONS.

(A) Words or terms beginning with the letter's "A" through "E":

ADULT ENTERTAINMENT ESTABLISHMENTS. The following definitions shall constitute adult entertainment establishments:

- ~~1. LIVE ADULT ENTERTAINMENT ESTABLISHMENT. Any premises on which is offered to members of the public, or any person, entertainment distinguished or characterized by an emphasis on specified anatomical areas, or specified sexual conduct, of live human male or female performers. Such entertainment shall be designed for commercial purposes, whereby specified anatomical areas or specified sexual conduct shall be exhibited for a consideration, and such entertainment shall not include~~

~~performances whose sexual aspect is presented only as an element of an expression of social or political ideas.~~

~~(a) Specified Anatomical Areas, defined.~~

~~Less than completely and opaquely covered:~~

~~(1) Human genitals or pubic region;~~

~~(2) Buttock;~~

~~(3) Female breast below a point immediately above the top of the areola.~~

~~(4) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.~~

~~(b) Specified Sexual Conduct, defined.~~

~~(1) Human genitals in a state of sexual stimulation or arousal.~~

~~(2) Acts of human masturbation, sexual intercourse or sodomy, whether actual or simulated.~~

12. ADULT BOOKSTORES. An establishment having a substantial or significant portion of its stock in trade, books, magazines, films, newspapers, photographs, paintings, drawings, or other publications or graphic media, which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified anatomical areas or specified sexual conduct or an establishment with a segment or section devoted to the sale or display of such material. Any corporation, partnership, or business of any kind which restricts admission only to adults twenty-one (21) years of age or older, which stocks books, magazines, other periodicals, videos, discs, or other graphic media and which offers, sells, provides, or rents for a fee any sexually oriented material.

23. ADULT THEATRES. Any premises used primarily for presenting films, slides or other materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual conduct, or specified anatomical areas or for observation by patrons of the theater. An enclosed building or an enclosed space within a building used for presenting either films, live plays, dances, or other performances that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specific sexual activities for observation by patrons, and which restricts admission only to adults twenty-one (21) years of age or older, or any business that features a person who engages in specific sexual activities for observation by a patron, and which restricts admission to only adults.

3. SPECIAL CABARET. Any business that features persons who engage in specific sexual activities for observation by patrons, and which restricts or purports to restrict admission only to adults twenty-one (21) years of age or older.

4. UNLICENSED MASSAGE ESTABLISHMENT. Any business or enterprise that offers, sells, or provides to adults twenty-one (21) years of age or older massages that include bathing, physical massage, rubbing, kneading, anointing, stroking, manipulating, or other tactile stimulation of the human body by either male or female employees or attendants, by hand or by any electrical or mechanical device, on or off the premises. The term "unlicensed massage establishment" does not include licensed establishments that

routinely provide medical services by state-licensed health care practitioners and massage therapists.

SECTION 2: 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 3: 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 4: If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 5: 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 _____, 2026.

FIRST READING _____, DAY OF _____, 2026.

PUBLIC HEARING THE _____, DAY OF _____, 2026.

PASSED THIS _____, DAY OF _____, 2026.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____, DAY OF _____, 2026.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer R. Carfagno, MMC
CITY CLERK

Business Impact Estimate

This form must be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **Ordinance 2026-XX**

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This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is ***not*** required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;

¹ See Section 166.041(4)(c), Florida Statutes.

- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): Effective January 1st, 2025, Florida law prohibits individuals under the age of twenty-one (21) from working in adult entertainment establishments. This ordinance updates the City's Land Development Code by amending definitions pertaining to adult entertainment establishment to reflect the new minimum age requirement. In addition, the ordinance revises the definitions of specific adult-use establishments to be consistent with the updated statutory language and maintain alignment with state law.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

N/A

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

N/A

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

N/A

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

N/A

4. Additional information the governing body deems useful (if any):

N/A