

ORDINANCE NO. _____

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, TO ADD DEFINITIONS FOR BARS, DANCE HALLS, AND NIGHTCLUBS, AND MODIFY THE DEFINITION FOR TAVERNS AND LOUNGES; AMENDING SECTION 18-1502.2 "DEFINITIONS"; 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-0323-00004)

WHEREAS, the City Council wishes to add definitions for Bars, Dance Halls, and Nightclubs;

WHEREAS, the City Council wishes to modify the definition of "Taverns and Lounges" to include bars, dance halls, and nightclubs, add retail and restaurants as accessory uses, and provide the ability to host food trucks; 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 Section 18-1502.2., of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended so that said section shall include the following new and/or modified definitions in their proper alphabetic sequence:

SECTION 18-1502. DEFINITIONS

Sec. 18-1502.2. - DEFINITIONS.

(A) *Words or terms beginning with the letters "A" through "E":*

BARS. See "TAVERNS AND LOUNGES"

DANCE HALLS. See "TAVERNS AND LOUNGES"

(C) *Words or terms beginning with the letters "L" through "O":*

NIGHTCLUBS. See "TAVERNS AND LOUNGES"

(E) *Words or terms beginning with the letters "T" through "Z":*

TAVERNS AND LOUNGES. Any establishment (including bars, dance halls, and nightclubs) used primarily for the sale or dispensing of ~~place of business that sells or dispenses~~ alcoholic beverages for consumption on-premises ~~and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages.~~ This use may include retail and restaurants as an accessory use, and may host food trucks.

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.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer Carfagno, MMC
CITY CLERK



CITY HALL - P.O.Box 1100
PINELLAS PARK, FL 33780-1100

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

March 28, 2023

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

RE: City Document #23-068
Ordinance to Amend Section 18-1502.2 of the LDC

Dear Ms. Montesino:

Our office has received and reviewed the abovementioned Ordinance to add Definitions for Bars, Dance Halls and Nightclubs, and to modify the definition of Taverns and Lounges. Please update the title of the Ordinance to make the words "BAR, DANCE HALL, AND NIGHTCLUB" plural (i.e., updating them to read "BARS, DANCE HALLS, AND NIGHTCLUBS"). Once this change is incorporated into the title of the Ordinance, our office would approve of the Ordinance as to form and correctness.

Very truly yours,

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

23-068.03282023.LMM.Ordinance to Amend Sec 18-1502.2 of LDC.wpd



Prepared by: Megan Montesino
Development Review Manager

I. APPLICATION DATA

A. **Case Number:** LDC-0323-00004

B. **Request:** Amend Section 18-1502.2. of the City's Land Development Code to add definitions for "Bars", "Dance Halls", and "Nightclubs", and modify the definition of "Taverns and Lounges" to include bars, dance halls, and nightclubs, add retail and restaurants as accessory uses, and provide the ability to host food trucks.

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

D. **Legal Ad Text:** Amend Section 18-1502.2.(E) of the City's Land Development Code add definitions for "Bars", "Dance Halls", and "Nightclubs", and modify the definition of "Taverns and Lounges".

E. **PARC Meeting:** March 21, 2023

F. **Public Hearings:**

Planning & Zoning Commission Hearing Date: May 4, 2023

Advertising Date: April 19, 2023

City Council (1st) Hearing Date: June 8, 2023

Advertising Date: May 24, 2023

City Council (2nd) Hearing Date: June 22, 2023

Advertising Date: June 7, 2023

II. CASE SUMMARY

The proposed change to the Land Development Code would add "Bars", "Dance Halls", and "Nightclubs" to the list of definitions in Section 18-1502.2. In addition, the definition of "Taverns and Lounges" would be modified to include bars, dance halls, and nightclubs, add retail and restaurants as accessory uses, and provide the ability to host food trucks.

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. **Land Development Code Standards:**

Current Definition of Taverns and Lounges per Section 18-1502 (Definitions):

TAVERNS AND LOUNGES. Any place of business that sells or dispenses alcoholic beverages for consumption on-premises and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages.

Proposed Additions and Changes to Section 18-1502 (Definitions):

TAVERNS AND LOUNGES. Any establishment (including bars, dance halls, and nightclubs) used primarily for the sale or dispensing of alcoholic beverages for consumption on-premises. The use may include retail and restaurants as an accessory use, and may host food trucks.

BARS. See "TAVERNS AND LOUNGES"

DANCE HALLS. See "TAVERNS AND LOUNGES"

NIGHTCLUBS. See "TAVERNS AND LOUNGES"

B. Project Application Review Committee (PARC) Comments:

The application was discussed at the March 21, 2023 PARC meeting by all relevant departments/divisions. No concerns were raised with regard to the proposed amendment.

IV. SUMMARY

Consistent with the above findings, staff recommends **APPROVAL** of case number LDC-0323-00004.



Erica Lindquist, AICP, CFM
Planning & Development Services Director

4/17/23
Date



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

4/17/23
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 definitions for "Bars", "Dance Halls", and "Nightclubs", and modify the definition of "Taverns and Lounges".

VI. ATTACHMENTS

Exhibit A: Ordinance (DRAFT)



ADDENDUM

Case Number: LDC-0323-00004

PLANNING AND ZONING COMMISSION

On May 4, 2023, the Planning & Zoning Commission **RECOMMENDED APPROVAL** of case number LDC-0323-00004.

V. ACTION

CITY COUNCIL– MOVE TO:

A. APPROVE.

B. APPROVE WITH CONDITIONS:

C. DENY.

...of a Land Development Code amendment to add definitions for “Bars”, “Dance Halls”, and “Nightclubs”, and modify the definition of “Taverns and Lounges”.

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Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer Carfagno, MMC
CITY CLERK