

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, TO REMOVE MINIMUM BUILDING SEPARATION REQUIREMENTS AND ADD REFERENCES TO THE FLORIDA BUILDING CODE SEPARATION REQUIREMENTS; AMENDING SECTION 18-1506.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1507.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1508.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1509.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1510.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1511.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1512.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1513.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1514.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1515.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1516.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1517.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1518.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1519.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1520.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1521.4. "DIMENSIONAL AND AREA DEVELOPMENT STANDARDS"; AMENDING SECTION 18-1523.4. "DIMENSIONAL REGULATIONS"; AMENDING SECTION 18-1524.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1525.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1528.4. "DIMENSIONAL AND AREA REGULATIONS"; AMENDING SECTION 18-1530.17. "MINIMUM BUILDING SEPARATION"; 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-0724-00011)

WHEREAS, the City of Pinellas Park requests to amend sections of the Land Development Code to remove minimum building separation requirements and add references to the Florida Building Code separation requirements;

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 18-1506.4, of Chapter 18, of the
Land Development Code of the City of Pinellas Park, Florida is
hereby amended to read as follows:

Sec. 18-1506.4. DIMENSIONAL AND AREA REGULATIONS.

(H) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code
separation requirements.

SECTION TWO: That Section 18-1507.4, of Chapter 18, of the
Land Development Code of the City of Pinellas Park, Florida is
hereby amended to read as follows:

Sec. 18-1507.4. DIMENSIONAL AND AREA REGULATIONS.

(H) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code
separation requirements

SECTION THREE: That Section 18-1508.4, of Chapter 18, of the
Land Development Code of the City of Pinellas Park, Florida is
hereby amended to read as follows:

Sec. 18-1508.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code
separation requirements.

SECTION FOUR: That Section 18-1509.4, of Chapter 18, of the
Land Development Code of the City of Pinellas Park, Florida is
hereby amended to read as follows:

Sec. 18-1509.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code
separation requirements.

SECTION FIVE: That Section 18-1510.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1510.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION SIX: That Section 18-1511.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1511.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION SEVEN: That Section 18-1512.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1512.4. DIMENSIONAL AND AREA REGULATIONS.

(D) MINIMUM BUILDING SEPARATION. ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.

SECTION EIGHT: That Section 18-1513.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1513.4. DIMENSIONAL AND AREA REGULATIONS.

(C) BUILDING REQUIREMENTS.

1. Minimum Building Separation: ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.

2. Maximum Building Height: Forty (40) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

SECTION NINE: That Section 18-1514.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1514.4. DIMENSIONAL AND AREA REGULATIONS.

(C) BUILDING REQUIREMENTS.

1. Minimum Building Separation: ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.
2. Maximum Building Height: Forty (40) feet. (See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.)

SECTION TEN: That Section 18-1515.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1515.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION ELEVEN: That Section 18-1516.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1516.4. DIMENSIONAL AND AREA REGULATIONS.

(H) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION TWELVE: That Section 18-1517.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1517.4. DIMENSIONAL AND AREA REGULATIONS.

(C) MINIMUM BUILDING SEPARATION. ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.

SECTION THIRTEEN: That Section 18-1518.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1518.4. DIMENSIONAL AND AREA REGULATIONS.

(F) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION FOURTEEN: That Section 18-1519.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1519.4. DIMENSIONAL AND AREA REGULATIONS.

(F) MINIMUM BUILDING SEPARATION. ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.

SECTION FIFTEEN: That Section 18-1520.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1520.4. DIMENSIONAL AND AREA REGULATIONS.

(F) MINIMUM BUILDING SEPARATION. ~~See Section 18-1530.17, "Minimum Building Separation."~~ Must meet Florida Building Code separation requirements.

SECTION SIXTEEN: That Section 18-1521.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1521.4. DIMENSIONAL AND AREA DEVELOPMENT STANDARDS.

(A) The following are the by-right development standards. Additional intensity is possible through incentives, pursuant to Section 18-1521.6:

TABLE 18-1521-1 DEVELOPMENT STANDARDS.

STANDARD	AREA "A"	AREA "B"
Minimum lot area	Fifteen thousand (15,000) s.f.	Fifteen thousand (15,000) s.f.
Minimum lot width	One hundred (100) ft.	One hundred (100) ft.
Minimum setbacks: ^{(1), (3)}		
Front ^{(2), (4)}	Twenty (20) ft.	Thirty (30) ft.
Secondary Front	Fifteen (15) ft.	Twenty (20) ft.
Side	Five (5) ft.	Ten (10) ft.
Side abutting residential zoning	Ten (10) ft. Ten (10) ft.	Ten (10) ft. Fifteen (15) ft.
Rear	Twenty (20) ft.	Twenty (20) ft.
Maximum height	Four (4) stories	Three (3) stories
	Fifty (50) ft.	Thirty-five (35) ft.
	Additional height, up to six (6) stories and seventy-five (75) ft., requires conditional use approval	Additional height, up to forty-five (45) ft., requires conditional use approval

Maximum lot coverage	Seventy-five (75) percent	Seventy-five (75) percent
Maximum F.A.R. (Without Bonuses)	Forty-five hundredths (0.45)	Forty-five hundredths (0.45)
Minimum Building Separation	See Section 18-1530.17. Minimum Building Separation <u>Must meet Florida Building Code separation requirements.</u>	
Maximum Number of Dwelling Units/Structure	Eight (8) dwelling units per story or two hundred forty (240) linear feet, whichever is less.	

SECTION SEVENTEEN: That Section 18-1523.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1523.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION EIGHTEEN: That Section 18-1524.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1524.4. DIMENSIONAL AND AREA REGULATIONS.

(G) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION NINETEEN: That Section 18-1525.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1525.4. DIMENSIONAL AND AREA REGULATIONS.

(F) MINIMUM BUILDING SEPARATION. Must meet Florida Building Code separation requirements.

SECTION TWENTY: That Section 18-1528.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1528.4. DIMENSIONAL AND AREA REGULATIONS.

Except as provided under the regulations for conditional uses, the City Council shall determine the appropriate lot sizes, building height, building separation, yard setbacks, off-street parking provisions, signage, and other provisions that are adequate to meet the intent and requirements of these regulations, and further that such uses are harmonious to the adjacent uses and to the area. The following maximum intensity standards shall apply:

- (A) MAXIMUM LOT COVERAGE. Fifty (50) percent.
- (B) MAXIMUM FLOOR AREA RATIO. Fifteen hundredths (0.15).

SECTION TWENTY-ONE: That Section 1530.17, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1530.17. ~~MINIMUM BUILDING SEPARATION.~~ RESERVED

~~(A) In order to ensure adequate light, air and privacy, and in order to prevent the perception of crowding, when a lot is developed with multifamily dwellings or multiple buildings on a lot, as determined by the City Manager, or with a mixed-use development, principal buildings shall be separated as required below, based upon building height. If adjacent principal buildings on the same lot are not the same height, the height of the tallest building shall be used to determine the minimum required building separation. This distance shall be measured at the shortest distance between any two (2) buildings.~~

- ~~1. Fifteen (15) feet of separation for buildings up to and including fifteen (15) feet in height.~~
- ~~2. Twenty (20) feet of separation for buildings greater than fifteen (15) feet in height and up to and including twenty-five (25) feet in height.~~

~~3. Twenty-five (25) feet of separation for buildings greater than twenty-five (25) feet in height and up to and including thirty-five (35) feet in height.~~

~~4. Twenty-five (25) feet of separation plus one (1) foot for each one (1) foot of building height above thirty-five (35) feet.~~

~~(B) Roofs, breezeways, and similar features are not considered to structurally connect buildings, and shall not exempt any two (2) or more buildings from compliance with this Section.~~

SECTION TWENTY-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 TWENTY-THREE: 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 TWENTY-FOUR: 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 TWENTY-FIVE: 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 _____, 2024.

FIRST READING THE _____ DAY OF _____, 2024.

SECOND READING & PUBLIC HEARING THE _____ DAY OF _____, 2024.

PASSED THIS _____ DAY OF _____, 2024.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2024.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer R. Carfagno, MMC
CITY CLERK



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

Please Respond To:

City Attorney's Office
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August 28, 2024

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

RE: City Document #24-229
Ordinance Amending LDC, Case No. LDC-0724-00011

Dear Ms. Montesino:

Our office has received and reviewed the above-referenced proposed Ordinance amending the Land Development Code to remove minimum building separation requirements and add references to the Florida Building Code separation requirements. Our office would recommend updating the beginning of the Ordinance title to read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, TO REMOVE MINIMUM BUILDING SEPARATION REQUIREMENTS AND ADD REFERENCES TO THE FLORIDA BUILDING CODE SEPARATION REQUIREMENTS; AMENDING

Similarly, please update the first Whereas clause to specify:

. . . the City of Pinellas Park requests to amend sections of the Land Development Code to remove minimum building separation requirements and add references to the Florida Building Code separation requirements.

Ms. Megan Montesino
August 28, 2024
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Once the above-mentioned changes have been incorporated into the proposed Ordinance, our office would approve of the proposed Ordinance as to form and correctness.

Very truly yours,



Lauren C. Rubenstein
City Attorney

cc: Bart Diebold, City Manager
Jennifer Carfagno, MMC, City Clerk
Dan Hubbard, Asst. City Manager
Nick Colonna, Community Development Administrator
Aaron Petersen, Asst. Community Development Administrator
Erica Lindquist, Planning & Development Services Director

LCR/dh

24-229.20240828.LMM.Ord Amending LDC Case No LDC-0724-00011.wpd