

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, PERTAINING TO DUMPSTERS; AMENDING SECTION 18-1530.20. "DUMPSTERS"; 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-0724-00012)

WHEREAS, the City of Pinellas Park requests to amend Section 18-1530.20. of the Land Development Code to amend dumpster regulations;

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 18-1530.20, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1530.20. DUMPSTERS.

The purpose of these provisions is to prescribe standards for dumpsters for the enhancement and improvement of the visual environment. All new site development shall provide facilities for dumpsters, provided this Section shall not apply to single-family detached and duplex dwellings, except at the owner's/developer's option to provide such dumpsters, wherein the following regulations shall apply. These provisions shall also apply to sites under redevelopment.

(A) LOCATION.

1. All dumpsters shall be located on the lot that the dumpster(s) serves.
2. No dumpster shall be located within any public or private right-of-way, or visibility triangle, as set forth in Section 18-1503.11.
3. All dumpsters and their enclosures shall only be located in the secondary front yard, side yard and/or rear yard, and set back a minimum of five (5) feet from any property ~~or street~~ line, unless a buffer of greater dimension is required elsewhere in this Code, in which case the dumpster(s) shall not encroach into the buffer.
4. All dumpsters shall be located for ease of direct pickup by the collection vehicle, as determined by the City Manager. The factors to be used in this determination shall include, but not be limited to: Abutting uses; direction of traffic flow; width of drive aisles; location of dumpsters in relation to driveway(s); size of collection vehicle; size of dumpsters; physical constraints of the site; and the existence of overhead electric or communication lines, or overhead tree limbs.
5. The City Manager may allow the use of dumpsters on rollers. In such case, the rolling dumpster does not have to comply with Subsection (A)4. above, but shall be located so as to have clear, unobstructed access from its enclosure to the collection vehicle.
6. When abutting a residential zoning district, no dumpster or trash enclosure shall be located within ten (10) feet of such abutting residential zoning district.

(B) STANDARDS.

1. All dumpsters and enclosures shall be located on a concrete pad and be in compliance with the requirements of the

City's bona fide trash collection contractor for of adequate thickness and size.

2. All dumpsters shall be screened from view from public rights-of-way and from abutting or functionally abutting residential or mixed-use zoning districts by a six (6) feet foot high opaque enclosure of wood, masonry or other suitable materials.

The use of chain link fencing with any form of shielding inserts (plastic, wood, fiberglass metal, etc.) shall not be allowed.

The City Manager may waive this screening requirement when there is an intervening building or structure that provides an equal or greater measure of screening or when buffering requirements of this Code require a solid, six (6) feet foot high wall or fence along a property line.

3. Gates shall be required for the dumpster enclosure, and shall be solid, and be in compliance with the requirements of the City's bona fide trash collection contractor. The City Manager may waive the requirement for solid gates if, by the direction or angle of the dumpster enclosure, the dumpster will not be viewed from any public right-of-way or from any abutting or functionally abutting residential or mixed-use zoning district. ~~Gates shall have a minimum opening width of ten (10) feet, unless a rolling dumpster has been approved in Subsection (A)5. above.~~
4. It shall be the property owner's responsibility to repair and maintain dumpster enclosures in accordance with the requirements of this Section.
5. Dumpsters and their enclosures shall be situated on a lot for ease of pickup by sanitation collection vehicles.

6. Dumpster enclosures on lots abutting a residentially zoned lot shall be set back at least ten (10) feet from the residentially zoned lot line(s).

(C) SITES UNDER REDEVELOPMENT.

1. Any lot that is under redevelopment and has a dumpster(s) that does not meet the standards of this Section shall be brought into compliance with all requirements of this Section with the issuance of a building permit for any non-maintenance construction, excluding interior construction, or the issuance of an engineering permit., ~~when the construction exceeds either of:~~

~~(a) Twenty (20) percent of the total square footage of the existing gross floor area and/or vehicular use area (or combination thereof); or~~

~~(b) Thirty (30) percent of the total square footage of the existing gross floor area and/or vehicular use area (or combination thereof), when the lot upon which the construction is proposed does not meet minimum lot requirements for the zoning district in which it is located.~~

In meeting this requirement, a violation of another Code requirement cannot be created.

(D) ALTERNATIVE PRACTICE.

1. The use of ~~individual garbage cans~~ alternative collection practices may be allowed by the City Manager when it can be demonstrated there is no need for a dumpster. This shall be handled and approved on a case-by-case basis. Should individual garbage cans be allowed, the cans shall be kept in a location approved by the City Manager. The can location shall be screened by a minimum forty-two (42) inches high solid fence or wall when the approved location will be visible from a public right-of-way or from an

abutting or functionally abutting residential or mixed-use zoning district.

2. Any change from ~~individual garbage cans~~ alternative collection practices to a dumpster shall be submitted and reviewed as an amendment to the approved site plan and the dumpster shall meet the requirements of this Section.

(E) WAIVERS.

1. In any case where the strict application of the requirements of this Section presents an undue hardship, the City Manager may waive one (1) or more of the requirements. The City Manager may, in his discretion, refer an application for waiver of dumpster requirements to the City Council, or if a subject parcel is located in the Community Redevelopment District, the Community Redevelopment Agency.
2. In determining whether to waive any requirements, the deciding authority shall consider the following criteria: character of the immediately surrounding development; size, configuration, and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; and nature of the proposed development.

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: 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 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 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 _____, 2025.

FIRST READING THE _____ DAY OF _____, 2025.

SECOND READING & PUBLIC HEARING THE _____ DAY OF _____, 2025.

PASSED THIS _____ DAY OF _____, 2025.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2025.

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 26, 2024

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

RE: City Document #24-230
Ordinance Amending Section 18-1530.20 Land Development Code

Dear Ms. Montesino:

Our office has received and reviewed the above-referenced Ordinance amending the Land Development Code pertaining to dumpsters. 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

24-230.20240861.LMM.Ord Amending LDC Case No LDC-0724-00012.wpd