

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, AMENDING SECTION 18-1526.3; 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; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC-0426-00010, CITY OF PINELLAS PARK)

WHEREAS, the City has adopted a Land Development Code (“LDC”) to implement the goals, objectives, and policies of its Comprehensive Plan and to promote the public health, safety, and welfare; and

WHEREAS, Section 18-1526.3 of the LDC establishes permitted and conditional uses within the “P” Public zoning district; and

WHEREAS, the “P” Public zoning district is intended to accommodate public, institutional, and community-serving uses in a manner that is compatible with surrounding land uses and consistent with adopted future land use categories; and

WHEREAS, the City has identified the need to update and clarify the list of permitted and conditional uses within the “P” Public zoning district to ensure consistency with current planning practices, adopted Comprehensive Plan categories, and operational needs; and

WHEREAS, utilities, public and private, are currently permitted as accessory uses only unless located within the Transportation/Utility (“T/U”) future land use category; and

WHEREAS, communications towers are similar in function and impact to other utility infrastructure and should be regulated in a consistent manner; and

WHEREAS, the proposed amendment revises the standards for communications towers to clarify that such uses are permitted as accessory uses only unless located within the T/U future land use category, consistent with the existing regulation of utilities, public and private; and

WHEREAS, the amendment maintains requirements for preliminary site plan review and conditional use approval, ensuring that development of communications towers within the “P” Public zoning district is evaluated for compatibility, intensity, and potential impacts; 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 not more burdensome or restrictive than the previous regulations; 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 18-1526.3 of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1526.3. PERMITTED AND CONDITIONAL USES.

No building or land in the "P" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Planning and Development Services Director, shall be permitted in the same manner (i.e., permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.

Preliminary site plan approval by the City Council, or if located within the Community Redevelopment Area, approval by the Community Redevelopment Agency, shall be required for all lands zoned "P" Public, in accordance with the provisions of Section 18-1540, "Preliminary Site Plan Requirements." Minor amendments to site plans may be approved by the City Manager or his designee and a revised preliminary site plan shall be submitted to the Planning and Development Services Director for addition to the site file. Any amendments that provide for accessory uses such as fences, sheds etc. may be approved by the City Manager or his designee as well.

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1526.3 and other applicable conditions of this district and Article.

Table 18-1526.3: Authorized Uses in P District

Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Multi-family	C	Subject to section 18-1531
Community Residential Home (More than fourteen (14) residents)	C	For more than fourteen (14) residents in the I or CRD land use categories and subject to sections 18-1503.16, 18-1530.19 and 18.1531
Residential Care Facilities	C	In I and subject to sections 18-1503.16 and 18-1531
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Airports, Aircraft Landing Fields and Heliports	C	In T/U land use category only. Subject to section 18-1531
Communications Tower	C	<u>As accessory uses only unless in the T/U land use category.</u> Subject to section 18-1531
Electric Power Distribution	P	Subject to section 18-1530.24

Substations		
Railroad Terminals and Other Rail/Mass Transit Facilities	C	In T/U land use category only. Subject to section 18-1531
Solid Waste Facilities	C	In T/U land use category only. Subject to section 18-1531
Utilities, public and private	C	As accessory uses only unless in the T/U land use category. Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Recreation/Open Space	C	In I or R/OS land use categories. Subject to section 18-1531
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Cemeteries	C	
Day Care Homes and Centers (child) and Adult Family Care Homes and Centers —Type I	P	Allowed in conjunction with multi-family dwellings in the I or CRD land use category
Day Care Homes and Centers (child) and Adult Family Care Homes and Centers —Type II	P	In I or CRD land use categories.
Day Care Homes and Centers (child) and Adult Family Care Homes and Centers —Type III	C	In I or CRD land use categories. Subject to section 18-1531
Colleges, Universities, Seminaries and Other Institutions of Higher Education	C	In the CRD or I land use categories. Subject to section 18-1531
Educational Institutions (elementary, middle, senior)	C	In I or CRD land use categories. Subject to section 18-1531
Hospitals	C	In I land use categories and subject to the rules of section 18-1526.2 and 18-1531
Place of Worship	P	In I or CRD
Public and Semi-Public Buildings and Activities, such as City Hall, auditoriums, government offices, bus terminals and other public transportation facilities, social and cultural facilities, and uses of a similar nature	P	City hall, auditoriums and government offices in I only, Social and cultural facilities and similar uses in I and CRD land use categories
Public and Semi-Public Use, any other type which is in keeping with the purpose of	P	Shall not create conflicts or undue hardships on nearby non-public areas

the district.		
Public Educational Facilities	P	In I or CRD land use categories only.
Public Recreation Facilities	C	Subject to section 18-1531
Special Needs Treatment Facility	C	In I and subject to sections 18-1503.16 and 18-1531
AGRICULTURE AND OTHER USES		
Open Space, Public	P	In R/OS land use category
Accessory Uses (section 18-1530)	P	
Height—buildings and structures over forty (40) feet	C	Subject to section 18-1531
Rural Event Venues	P	Accessory Use Only.

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.

1ST PUBLIC HEARING THE _____, DAY OF _____, 2026.

2ND 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 law 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;
 - 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):

The proposed ordinance amends Section 18-1526.3 of the Land Development Code to clarify that communications towers in the “P” Public zoning district are permitted as accessory uses only unless located within the Transportation/Utility (T/U) future land use category, consistent with the regulation of utilities, public and private. This amendment promotes clarity and consistency in the Code and serves the public health, safety, morals, and welfare by ensuring appropriate siting and review of communications infrastructure and supporting orderly, compatible development.

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