

ORDINANCE NO. 2025-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 18-1518 ““CN” NEIGHBORHOOD COMMERCIAL DISTRICT”; 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-0625-00012, CITY OF PINELLAS PARK)

WHEREAS, the City of Pinellas Park requests to amend sections and tables of the Land Development Code to update the CN Commercial Neighborhood district regulations and allowable uses; and

WHEREAS, the Planning and Zoning Commission, sitting as the Local Planning Agency, has reviewed and held at least one public hearing 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 18-1518, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-1518.1. STATEMENT OF INTENT.

The "CN" Neighborhood Commercial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a neighborhood-serving commercial environment. This district is intended primarily for limited commercial establishments of a convenience nature and accessory residential uses located in proximity to existing residential areas, together with accessory uses and public facilities customary to or required for such an environment. In keeping with the integration of the CN District with residential neighborhoods, operating hours are limited in order to ensure a peaceful and quiet neighborhood environment (see Section 18-1518.5(A)). ~~It is the intent of the City to strictly limit rezonings of land into this zoning category.~~ Criteria for acceptance of rezoning petitions are stated in Section 18-1518.5(D) below.

This district is appropriate for areas designated on the Official Land Use Plan Map as Commercial Neighborhood (CN) or Community Redevelopment District (CRD) ~~Residential/Office/Retail (R/O/R) on lots of forty three thousand five hundred sixty (43,560) square feet or more.~~

Sec. 18-1518.2. DENSITY REGULATIONS.

Public/semi-public uses (except Public Educational Facilities) or Transportation/Utility uses shall not exceed a maximum of five (5) acres. Any such use, alone or when added to existing

abutting or functionally abutting like uses, which exceeds the threshold stated above, shall require a Land Use Plan Map amendment to Institutional (I) or Transportation/Utility (T/U) as appropriate, which shall include such use and all abutting or functionally abutting like uses.

Sec. 18-1518.3. PERMITTED AND CONDITIONAL USES.

No building or land in the "CN" 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. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1518.3 and other applicable conditions of this district and Article.

Table 18-1518.3 Authorized Uses in CN District

Use	Approval Type	Conditions
COMMERCIAL USES		
<u>Art Gallery</u>	<u>P</u>	
<u>Art Studio</u>	<u>P</u>	
Convenience sStores	P	<u>Gas pumps shall not be permitted in this district.</u>
Fitness Classes	C	Subject to section 18-1531
<u>Health Clubs</u>	<u>P</u>	<u>Subject to section 18-1530.32</u>
Light Printing Establishments	P	
Offices	P	
Personal Services	P	
Repair Services	P	
Retail Sales	P	
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Recreation/Open Space	<u>CP</u>	<u>Subject to section 18-1531</u>
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Clinic, Veterinary	C	Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.
Community Facility	C	Subject to section 18-1531
Day Care Homes and Centers	C	Subject to section 18-1531

(child) and Adult Family Care Homes and Centers — Type III		
Medical Marijuana Dispensary	P	
AGRICULTURE AND OTHER USES		
Accessory Uses	P/C	Subject to sections 18-1530 and 18-1531
Community Association	P	
Security Guard/Caretaker dwelling unit	P	Allowed as an accessory use

Sec. 18-1518.4. DIMENSIONAL AND AREA REGULATIONS.

(A) MINIMUM LOT REQUIREMENTS.

1. Lot Area: ~~Twelve thousand (12,000)~~ Eight-thousand (8,000) square feet.
2. Lot Width: One hundred twenty (120) feet on a corner.
3. Lot Depth: One hundred (100) feet.
4. Lots of record not meeting the lot area, width or depth requirements of this section and having been of record prior to August 25, 1977 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

(B) MINIMUM YARD SETBACK REQUIREMENTS.

1. Front Yard Setback: Ten (10) feet.
2. Secondary Front Yard Setback: Ten (10) feet.
3. Side Yard Setback: Eight (8) feet.
4. Rear Yard Setback: Fifteen (15) feet.
51. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."
62. Any yard directly abutting a single-family zoning district shall have an additional five-foot setback added to the basic requirements of this Section.
73. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
84. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

- (C) MAXIMUM LOT COVERAGE. Seventy (70) percent.
- (D) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.
- (E) FLOOR AREA RATIO.
 1. ~~Four tenths (0.40)~~ Forty-five hundredths (0.45).

Sec. 18-1518.5. ADDITIONAL REGULATIONS.

- (A) All businesses in this zoning district are limited to the operating hours of 7:00 a.m. to ~~12:00 a.m~~ 10:00p.m. in order to insure a peaceful and quiet neighborhood environment.
- (B) FENCES. See Section 18-1530.10, "Fences, Walls and Hedges" for fence regulations and setbacks.
- (C) DUMPSTER ENCLOSURES (See Section 18-1530.20, "Dumpsters" and Section 18-1530, "Accessory Use and Supplementary District Regulations").
- (D) OFF-STREET PARKING AND LOADING. See Section 18-1532, "Parking and Loading Regulations."
- (E) VISIBILITY TRIANGLE. See Section 18-1503.11 "Visibility Triangle."
- ~~(E)~~(F) CRITERIA FOR APPROVAL OF REZONING PETITIONS TO "CN." The following conditions must be met before a petition to rezone to "CN" can be approved:
 1. The maximum size of the lot is limited to thirty thousand (30,000) square feet.
 2. Such lot must be located at the terminus of a block, with direct access to the lot by at least one (1) collector street. Said parcel shall not be located within the interior of a residential block.

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: That all Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5: 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 6: 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 _____, DAY OF _____, 2025.

1st PUBLIC HEARING THE _____, DAY OF _____, 2025.

2nd PUBLIC HEARING THE _____, DAY OF _____, 2025.

PASSED THIS _____, DAY OF _____, 2025.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____, DAY OF _____, 2025.

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 2025-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;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

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

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): **This ordinance is cleaning up errors made in case no LDC 2010-1, which mistakenly removed setback requirements and appropriate land use designations. Maximum FAR is proposed to be increased. This amendment is not intended to be burdensome or restrictive.**

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:

There are only 5 properties with this zoning classification. One objective of this update is to make it easier to rezone to this zoning district.

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

N/A