

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE), ARTICLE 6 "SIGNS", BY AMENDING SECTION 18-603 "DEFINITIONS" TO PROVIDE A DEFINITION FOR VISIBILITY TRIANGLES; BY AMENDING SECTION 18-606 "PROHIBITED SIGNS" TO FULLY PROHIBIT SIGNS WITHIN VISIBILITY TRIANGLES; BY AMENDING ARTICLE 15 "ZONING", SECTION 18-1502.2 "DEFINITIONS" TO PROVIDE A DEFINITION FOR VISIBILITY TRIANGLES; BY AMENDING SECTION 18-1503.10 "SPECIAL YARD SETBACKS TO APPLY IN ALL ZONING DISTRICTS FOR ADDITIONS TO BUILDINGS IN EXISTENCE AS OF AUGUST 14, 1997 TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; BY REPEALING SECTION 18-1503.11 "VISIBILITY TRIANGLE" IN ITS ENTIRETY AND CREATING A NEW SECTION 18-1503.11 "VISIBILITY TRIANGLE"; BY AMENDING SECTION 18-1530 "ACCESSORY USE AND SUPPLEMENTARY DISTRICT REGULATIONS"; BY AMENDING SECTION 18-1530.10 "FENCES, WALLS AND HEDGES" TO UPDATE LANGUAGE PERTAINING TO VISIBILITY TRIANGLES; BY AMENDING SECTION 18-1530.20 "DUMPSTERS" TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; BY AMENDING SECTION 18-1533 "LANDSCAPING REGULATIONS", SECTION 18-1533.7 "GENERAL PROVISIONS" TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; AND BY AMENDING SECTION 18-1533.12 "MINIMUM PLANTING AREA REQUIREMENTS FOR TREES" TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES 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 2019-04)

WHEREAS, the City of Pinellas Park desires to provide sufficient view corridors for safe interaction of vehicles and pedestrians at intersections; and

WHEREAS, the City of Pinellas Park desires for the Land Development Code to function effectively and equitably throughout the City; and

WHEREAS, the City of Pinellas Park has determined where the Land Development Code needs clarification and revision.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That Section 18-603, 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 modified definition in its proper alphabetic sequence:

~~Visibility triangle means a triangular area designed to maintain sight lines and cross visibility at the intersection of two (2) street rights of way, public or private, including alleys, or the intersection of a street right of way, public or private, including alleys, and driveways, designed to maintain lateral vision between a height of two (2) feet and eight (8) feet as measured from the property line across triangles, as described in more detail below. Lawful sign structures shall be allowed within the visibility triangle so long as such support structures do not exceed twelve (12) inches in diameter. See Section 18-1502.2 for a graphic illustrating the forgoing visibility triangles.~~

- ~~1. Intersection of two (2) street rights of way. The triangle is formed with a base of twenty five (25) feet and a height of twenty-five (25) feet adjacent to the subject property lines and the hypotenuse of the triangle formed by connecting the terminal points of the base and height.~~
- ~~2. Intersection of an alley and a street right of way, intersection of a street right of way and a driveway, and intersection of an alley and a driveway. The triangle is formed on both sides of the alley and driveway with a base and height of ten (10) feet adjacent to the subject property lines and the hypotenuse of the triangle formed by connecting the terminal points of the base and height.~~
- ~~3. Rounded corners. In the case of rounded corners, the point of which they would meet without such rounding will be used in determining the base and height.~~

Visibility triangle means a triangular-shaped portion of land established at the intersection of two or more rights-of-way, or an intersection of a right-of-way with a driveway or alley which is kept free of visual impairment to allow full view of vehicular, pedestrian and bicycle traffic.

SECTION TWO: That Section 18-606, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

The following signs and sign-types are prohibited within the City of Pinellas Park and shall not be erected, unless otherwise noted. Any lawfully existing permanent sign or sign-type that is among the prohibited signs and sign-types listed in Section 18-606(d), (h) and (i) below shall be deemed a nonconforming sign subject to the provisions of Section 18-607.

- (a) Abandoned or discontinued signs
- (b) Animated signs, flashing light, intermittent signs, revolving signs, and wind signs.
- (c) Beacons, except as required by federal or state law.
- (d) Billboards, other than as allowed in industrial zoning districts and further subject to the limitations, restrictions, and requirements set forth in Section 18-630.1.
- (e) Portable signs.
- (f) Roof signs.
- (g) Signs that (i) emit sound, vapor, smoke, odor, particles or gaseous matter, (ii) obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device, or (iii) are illuminated in such a manner as to cause glare or to impair the vision of motorists or otherwise distract motorists so as to interfere with the motorists' ability to safely operate their vehicles.
- (h) Signs located within a public easement or public right-of-way, other than traffic control device signs, bus stop informational signs, allowed bus bench, allowed bus shelter signs, public warning signs or public safety signs.
- (i) Signs prohibited by state or federal law.
- (j) ~~Signs with a support structure that exceeds one (1) foot in diameter and is~~ located within the visibility triangle.
- (k) Snipe signs, also known as bandit signs, including any

signs nailed, fastened or affixed to any tree.

- (l) Vehicle signs, as defined herein.
- (m) Walking signs.
- (n) Wind signs.
- (o) Wind socks.

SECTION THREE: 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 modified definition in its proper alphabetic sequence:

VISIBILITY TRIANGLE. ~~(See Section 18-1503.11.)~~ A triangular-shaped portion of land established at the intersection of two or more rights-of-way, or an intersection of a right-of-way with a driveway or alley which is kept free of visual impairment to allow full view of vehicular, pedestrian and bicycle traffic.

SECTION FOUR: That Section 18-1503.10, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Any additions directly connected and being made a part of a nonconforming building existing as of August 14, 1997, may be constructed in a manner that will maintain the yard setback requirements in effect at the time such building was originally constructed and as evident at the time of application for such addition, except that no such additions shall encroach upon the "visibility triangle" as defined by Sec. 18-1502.2, "Definitions." as set forth in Section 18-1503.11.

SECTION FIVE: That Chapter 18, Article 15, Section 18-1503.11, of the Land Development Code of the City of Pinellas Park, Florida, is hereby repealed in its entirety.

SECTION SIX: That Chapter 18, Article 15, of the Land Development Code of the City of Pinellas Park, Florida, is hereby

amended to create a new Section 18-1503.11, which shall read as follows:

(A) PURPOSE AND INTENT. The objective of these requirements is to provide sufficient view corridors for safe interaction of vehicles, pedestrians and cyclists at intersections. Visibility triangles are to be measured from the edge of pavement for driveways and the edge of pavement of alleys and streets. The sight visibility areas apply to all potential visual obstructions, such as but not limited to, landscaping, signs, utilities, traffic signal controller cabinets, structures, walls and fences, etc. The following regulations shall apply to all zoning districts.

(B) VISIBILITY TRIANGLE MEASUREMENTS.

1. DRIVEWAY INTERSECTING STREET OR ALLEY. The triangle is formed on both sides of a driveway by the intersection of a driveway with a street or alley with a length of ten (10) feet along the driveway, a length of ten (10) feet along the edge of pavement of the street or alley and the third side being a line connecting the ends of the other two lines.
2. ALLEY INTERSECTING STREET. The triangle is formed by the intersection of an alley and a street with a length of ten (10) feet along the edge of pavement of the alley, a length of twenty (20) feet along the edge of pavement of the street, and the third side being a line connecting the ends of the other two lines.
3. INTERSECTING RIGHTS-OF-WAY. The triangle is formed by the intersection of two or more public rights-of-way with two sides of the triangular area being thirty-five (35) feet in length along the edge of pavement of the street, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.
4. RIGHTS-OF-WAY IN COUNTY OR STATE JURISDICTION. Sight visibility measurements at the intersection of a right-of-way, accessway, or driveway and a right-of-way under County or State jurisdiction are subject to the visibility requirements of those authorities.
5. In the case of rounded corners and driveway flares, the point at which the intersecting elements would meet without such rounding or flares shall be used in order

to perform the above visibility triangle measurements.

(C) INTERSECTIONS. Unobstructed cross-visibility at a level between three (3) feet and eight (8) feet in height above the crown of the lowest adjacent right-of-way shall be maintained within the visibility triangle. Trees or palms having canopy limbs, foliage and fronds shall be maintained in such a manner that cross visibility is provided.

(D) EXCEPTIONS. The Planning and Development Services Director may adjust or waive the requirements for visibility triangles on a case-by-case basis. The review shall take into consideration the following criteria:

1. Right-of-way characteristics such as the pavement width, width of the right-of-way, curvature of the street, one-way directional traffic, presence of on-street parking spaces, amount of traffic, speed limit and other similar elements;
2. Neighborhood characteristics such as locations of schools, parks and other public facilities;
3. Elevation difference between the street and adjacent lots;
4. Life safety concerns;
5. Exceptions to reduce the measurement at an intersection shall only be considered when the intersection is controlled by a four-way stop or electronic traffic signal; and,
6. Exceptions will not be considered for driveways linked to streets functionally classified as an arterial or collector.

SECTION SEVEN: That Section 18-1530.10(A)4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

4. ~~Visibility Triangle.~~ All new fences and walls shall comply with the requirements for visibility triangles as set forth in Section 18-1503.11.

(a) ~~Visibility triangles, including dimensions, are~~

~~defined in Section 18-1503.17, General Provisions.~~

~~(b) The purpose is to maintain sight lines and cross visibility for motorists.~~

~~(c) The visibility triangle must be maintained free from obstructions as provided in Section 18-1503.17.~~

~~(d) Those properties abutting County roads, State Roads or U.S. Highways are subject to the visibility regulations of the appropriate regulating agency.~~

SECTION EIGHT: That Section 18-1530.20(A)2, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

2. No dumpster shall be located within any public or private right-of-way, or visibility triangle, as ~~defined~~ set forth in Section ~~18-1502.2~~ 18-1503.11.

SECTION NINE: That Section 18-1533.7(E), of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

- (E) ~~UNOBSTRUCTED VISIBILITY AT INTERSECTIONS. When a driveway intersects a street right of way, or when the subject property abuts the intersection of two (2) or more street rights of way, shrubs and ground cover shall be maintained so as not to exceed three (3) feet in height within the visibility triangle. For definition of Visibility Triangles, refer to Section 18-1503.11~~ Unobstructed visibility at intersections shall be provided in accordance with the specific visibility triangle provisions set forth in Section 18-1503.11(C).

SECTION TEN: That Section 18-1533.12(E), of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

- (E) Any person planting tree(s) or shrubs within a public right-of-way must first complete a right-of-way landscaping covenant, which covenant shall run with the title of the

abutting lot. Proposed trees within street right-of-way shall be required to meet minimum safe clearance distances from the edge of pavement, as enforced by the agency of jurisdiction, underground and overhead utility clearance requirements, and meet visibility triangle requirements, ~~as defined in Section 18-1502.2~~ set forth in Section 18-1503.11. Plantings within the right-of-way shall not obstruct proper drainage flow.

SECTION ELEVEN: It is the intention of the City Council and it is hereby ordained that 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 may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION TWELVE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION THIRTEEN: 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 FOURTEEN: That this Ordinance shall be in full force and effect immediately upon its passage in the manner provided by law.

PUBLISHED THE _____ & _____ DAY OF _____, 2019.

FIRST READING THE _____ DAY OF _____, 2019.

1ST PUBLIC HEARING THE _____ DAY OF _____, 2019.

2ND PUBLIC HEARING THE _____ DAY OF _____, 2019.

ADOPTED THIS _____ DAY OF _____, 2019.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2019.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK



I. APPLICATION DATA

A. **Case Number:** LDC 2019-2

B. **Request:** Approve amendments to the Land Development Code pertaining to visibility triangles.

C. **Applicant:** City of Pinellas Park, Planning and Development Services Department

D. **Ordinance Title:**

AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-603, TO PROVIDE A DEFINITION FOR VISIBILITY TRIANGLES; AMENDING SECTION 18-606, TO FULLY PROHIBIT SIGNS WITHIN VISIBILITY TRIANGLES; AMENDING SECTION 18-1502.2, TO PROVIDE A DEFINITION FOR VISIBILITY TRIANGLES; AMENDING SECTION 18-1503.10, TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; REPEALING SECTION 18-1503.11 IN ITS ENTIRETY; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1503.11; AMENDING SECTION 18-1530.10, TO UPDATE LANGUAGE PERTAINING TO VISIBILITY TRIANGLES; AMENDING SECTION 18-1530.20, TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; AMENDING SECTION 18-1533.7, TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; AMENDING SECTION 18-1533.12, TO UPDATE A REFERENCE PERTAINING TO VISIBILITY TRIANGLES; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES 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.

E. **Public Hearings:**

Planning and Zoning Commission: October 3, 2019

City Council: November 14, 2019

Deadline to send public hearing notices: September 13, 2019

Advertising deadline (Sent / Published): September 9, 2019 / September 13, 2019

II. BACKGROUND INFORMATION

The Planning and Development Services Division regularly reviews the Land Development Code (LDC) as it applies to certain proposed development. City staff maintains a list of existing LDC provisions that they recommend be amended in order to better reflect City development patterns, improve internal processes, and improve consistency with the Comprehensive Plan, Countywide Rules, and Florida Statutes.

While the proposed ordinance amends several sections of the LDC, each section pertains to visibility triangles. The following is a brief discussion of each section of the proposed ordinance:

A. **Section One** *[Page 2 of Ordinance]*

This section amends the definition of visibility triangle as set forth in Section 18-603. The existing definition is overly regulatory and inconsistent with changes being made elsewhere in the LDC (discussed below). The amended definition will define visibility triangle rather than establish regulations for visibility triangles.

- B. Section Two** *[Pages 2 – 3 of Ordinance]*
This section amends the prohibition on signs within visibility triangles as set forth in Section 18-606 by striking certain text so that all signage within a visibility triangle is included, thereby strengthening the public safety aspect of the prohibition.
- C. Section Three** *[Page 3 of Ordinance]*
This section amends the definition of visibility triangle as set forth in Section 18-1502.2. The existing definition provides only a reference to 18-1503.11, while the amended definition will define visibility triangle.
- D. Section Four** *[Page 4 of Ordinance]*
This section amends the reference within Section 18-1503.10 to refer directly to the visibility triangle regulations rather than to the definition of visibility triangle.
- E. Section Five** *[Page 4 of Ordinance]*
This section repeals the current Section 18-1503.11 (Visibility Triangle) in its entirety.
- F. Section Six** *[Pages 4 – 6 of Ordinance]*
This section creates a new Section 18-1503.11, establishing purpose and intent, visibility triangle measurements, rules on intersections, and provisions for exceptions.
- G. Section Seven** *[Page 6 of Ordinance]*
This section amends the provisions of Section 18-1530.10(A)4 as they apply to fences and walls within a visibility triangle by removing the provisions and replacing them with a reference back to 18-1503.11 where all provisions pertaining to visibility triangles are found.
- H. Section Eight** *[Page 6 of Ordinance]*
This section amends the reference within Section 18-1530.20(A)2 to refer directly to the visibility triangle regulations rather than to the definition of visibility triangle.
- I. Section Nine** *[Page 6 of Ordinance]*
This section amends the provisions within Section 18-1533.7(E) as they apply to unobstructed visibility at intersections by removing the provisions and replacing them with a reference back to 18-1503.11 where all provisions pertaining to visibility triangles are found.
- J. Section Ten** *[Page 7 of Ordinance]*
This section amends the reference within Section 18-1533.12(E) to refer directly to the visibility triangle regulations rather than to the definition of visibility triangle.

III. APPLICABLE CRITERIA / CONSIDERATIONS

A. Comprehensive Plan Policies:

1. Relevant Policies:

<i>GOAL LU.1</i>	<i>Provide for the organization of land uses and development to meet the physical, social, and economic needs of the present and future population in a planned and orderly manner that will maintain or improve the quality of the natural and man-made environment.</i>
<i>POLICY LU.1.15.4</i>	<i>All new commercial facilities shall be located, designed and regulated to benefit from safe vehicular and transit access and to provide proper facilities for pedestrian convenience.</i>
<i>OBJECTIVE T.1.8</i>	<i>Ensure the safe accommodation of motorized and non-motorized traffic while reducing the incidence of vehicular conflicts within the city's major transportation corridors.</i>

2. Staff Analysis:

While the majority of the sections within the proposed ordinance pertain to amending definitions or modifying references within the LDC, the primary purpose of the ordinance is to clarify and update the means by which visibility triangles are measured in order to provide for sufficient view corridors for safe interaction of vehicles and pedestrians and intersections. This purpose furthers the aforementioned Goal, Objective and Policy of the Comprehensive Plan and will not be contrary to any other Goal, Objective or Policy of the Comprehensive Plan.

B. Land Development Code Standards:

1. Key Standards:

Section 18-1539. - AMENDMENTS TO ARTICLE 15, “ZONING CODE” AND OFFICIAL ZONING MAP

Sec. 18-1539.1. - APPLICABILITY.

The regulations, restrictions, and boundaries set forth in this Article 15 "Zoning Code" may from time to time be amended, supplemented, changed, or repealed in accordance with the following regulations.

Sec. 18-1539.2. - PROCEDURE.

(A) *APPLICATION FILING. Petitions for amendment to Article 15 and the Official Zoning Map shall be filed on forms provided by the City and shall be submitted to the Zoning Division.*

1. *An application for amendment to the text of Article 15 may be filed only by the City Council or the City Manager. The CRA, Board of Adjustment and Planning and Zoning Commission may make recommendations to the City Council for amendment to Article 15.*

Sec. 18-1539.3. - REVIEW CRITERIA.

(A) *For amendments to Article 15, the Planning and Zoning Commission and City Council shall be guided by the requirement that the amendment be consistent with the Comprehensive Plan.*

2. Staff Analysis:

As previously discussed, the proposed amendment has been found to be consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan.

C. Visibility Triangle Impacts on Public Health:

Research indicates that while ensuring safe streets “in the automobile age, a real concern with safety has resulted in street tree standards that dictate long setbacks from intersections, [presumably] to achieve unobstructed sight lines for drivers” (Macdonald, 2007). The National Association of City Transportation Officials (National Association of City Transportation Officials, 2013) agrees, claiming that “intersection design should facilitate eye contact between street users, ensuring that motorists, bicyclists, pedestrians, and transit vehicles intuitively read intersections as shared spaces”. More importantly, all road users should be made aware of each other’s presence as it reduces collisions or injury. NACTO mentions that various design strategies can be employed to increase road visibility, such as traffic controls (visibility triangles) that remove trees or amenities that impede standard visibility. Because low street visibility poses a public safety risk, many vision clearance regulations, usually in residential zones, that attempt to not only control fences also seek to control walls, screens, hedges, and shrubberies because these obstructions pose many of the same problems fences do (Bair & Bartley, 1958).

Providing effective street safety regulations for residents is a worthy initiative since counts for traffic crashes that led to passenger deaths in Pinellas County increased by 8 percent from 2017 to 2018 according to Florida Health Charts data (Florida Department of Health Division of Public Health Statistics and Performance Management, 2019). Also, considering the safety needs of more sensitive groups is relative here since street intersections with low visibility of oncoming road or pedestrian traffic can impact some groups more than others, such as the vision impaired or the elderly. According to the Federal Highway Administration: “over 18 percent of the population in



Florida is over age 65 and by the year 2030, this demographic is predicted to increase to 27 percent. Driving presents particular challenges to older people because of changes in their vision, cognition, and physical function" (Holley, 2019). Reduced road safety brought on by reduced street visibility can also impact those who rely on walking or public transportation as a means of travel by decreasing their physical safety and their perception of safety on major streets and intersections. Consequently, a predictor of independent mobility and physical activity is perception of sidewalk and street safety (Santos, Pizarro, & Marques, 2013), meaning that reduced feelings of safety on sidewalks and streets can reduce opportunities of leading a more physically active lifestyle. Considering these findings from the available literature, including the legitimacy of intersection design that increases street visibility, and the negative impacts that reduced street visibility has on the health and safety of pedestrians and cyclists, designating an appropriate visibility triangle setback at any relative intersection is in the interest of both public safety and public health.

D. Essential Services Issues:

This Ordinance was drafted as a collaborative effort involving an ordinance team made up of members of the Community Development Department and Public Works Department.

Planning & Development Services Director:

Community Development Administrator:

 8/20/19
 8/21/19

IV. SUMMARY

A. Findings:

Based on the information and analysis contained in this report, staff finds as follows:

1. That the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan; and,
2. That the proposed amendment is consistent with the applicable Review Criteria per LDC Section 18-1539.3.

B. Staff Recommendation:

Consistent with the above findings, and subject to additional findings of fact as established at a public hearing, if applicable, staff recommends **APPROVAL** of case number LDC 2019-2.

V. ACTION

PLANNING AND ZONING COMMISSION – MOVE TO:

- A. APPROVE
- B. APPROVE WITH THE FOLLOWING CONDITION(S):
- C. DENY

VI. REFERENCES

Bair, F. H., & Bartley, E. R. (1958). *The Text of a Model Zoning Ordinance*. Retrieved from Planning.org: <https://www.planning.org/pas/reports/report113.htm>

Florida Department of Health Division of Public Health Statistics and Performance Management. (2019). *Motor Vehicle Crash Deaths*. Retrieved from Florida Health Charts: <http://www.flhealthcharts.com/charts/DataViewer/DeathViewer/DeathViewer.aspx?indNumber=0110>

Holley, G. (2019). *Florida's Aging Road User Strategic Safety Plan*. Retrieved from U.S. Department of Transportation Federal Highway Administration: https://safety.fhwa.dot.gov/older_users/noteworthy/ch3.cfm

Macdonald, E. (2007). *The Intersection of Trees and Safety*. Retrieved from Access Magazine: <http://accessmagazine.org/fall-2007/intersection-trees-safety/>

National Association of City Transportation Officials. (2013). *Urban Street Design Guide*. Retrieved from NACTO: <https://nacto.org/publication/urban-street-design-guide/intersection-design-elements/visibility-sight-distance/>

Santos, M. P., Pizarro, A. N., & Marques, E. A. (2013). *Parental Physical Activity, Safety Perceptions and Children's Independent Mobility*. Retrieved from BMC Public Health: <https://bmcpublichealth.biomedcentral.com/articles/10.1186/1471-2458-13-584>

VII. ATTACHMENTS

Exhibit A: Proposed Amendment to the Land Development Code



ADDENDUM

Case Number: LDC 2019-4

PLANNING AND ZONING COMMISSION

At its meeting of October 3, 2019, the Planning and Zoning Commission **RECOMMENDED APPROVAL** of Case # LDC 2019-4, subject to the following conditions:

1. That the Ordinance be revised to replace all mentions of “rights-of-way” with “public and private rights-of-way”;
2. That the Ordinance be revised so that all visibility triangle measurement occur from the right-of-way line rather than the edge of pavement; and,
3. That the Ordinance be revised so that “unobstructed cross-visibility at a level between two (2) feet and eight (8) feet in height” rather than between three (3) feet and eight (8) feet.

VI. ACTION

CITY COUNCIL– MOVE TO:

1: APPROVE

2: APPROVE WITH CONDITIONS

3: DENY

case number LDC 2019-4, an amendment to the Land Development Code pertaining to visibility triangles.



ADDENDUM

Case Number: LDC 2019-4

PLANNING AND ZONING COMMISSION

At its meeting of October 3, 2019, the Planning and Zoning Commission **RECOMMENDED APPROVAL** of Case # LDC 2019-4, subject to the following conditions:

1. That the Ordinance be revised to replace all mentions of “rights-of-way” with “public and private rights-of-way”;
2. That the Ordinance be revised so that all visibility triangle measurement occur from the right-of-way line rather than the edge of pavement; and,
3. That the Ordinance be revised so that “unobstructed cross-visibility at a level between two (2) feet and eight (8) feet in height” rather than between three (3) feet and eight (8) feet.

VI. ACTION

CITY COUNCIL– MOVE TO:

1: APPROVE

2: APPROVE WITH CONDITIONS

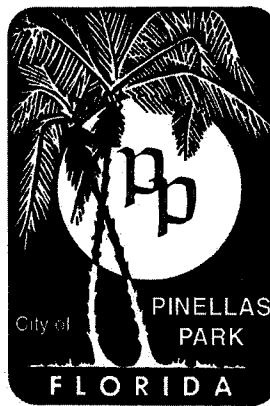
1. That the Ordinance be revised to replace all mentions of “rights-of-way” with “public and private rights-of-way”;
2. That the Ordinance be revised so that all visibility triangle measurement occur from the right-of-way line rather than the edge of pavement; and,
3. That the Ordinance be revised so that “unobstructed cross-visibility at a level between two (2) feet and eight (8) feet in height” rather than between three (3) feet and eight (8) feet.

3: DENY

case number LDC 2019-4, an amendment to the Land Development Code pertaining to visibility triangles.

City of
PINELLAS PARK

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FLORIDA

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Please Respond To:

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October 25, 2019

Ms. Erica Lindquist
Planning & Development Review Manager
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #19-324
Visibility Triangle Ordinance (LDC 2019-4)

Dear Ms. Lindquist:

We have received and reviewed the above-referenced proposed revised Visibility Triangle Ordinance.

We would approve of the Ordinance as to form and correctness. However, we did notice several items in the title which we believe should be corrected as follows:

1. In line 14 of the title, the period after "18-1530" should be deleted.
2. In line 15 of the title, it appears that a semicolon should be added after the word "REGULATIONS."
3. In line 19, there is a typo in the spelling of the word "REGULATIONS."

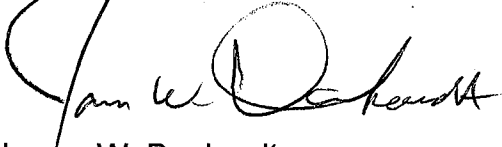


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Ms. Erica Lindquist
October 25, 2019
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I assume that this title has already been advertised for first public hearing. These changes in the title would be considered to be very minor and non-substantive, and these changes to the title would not require a re-advertising of the Ordinance.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Denhardt". The signature is fluid and cursive, with a large loop at the beginning and a distinct end.

James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Susan Walker, Community Development Administrator
Benjamin Ziskal, Planning & Development Services Director

JWD/dh

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