

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 16-116(D), TO UPDATE THE ENGINEERING PERMIT NAME; AND AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-102, TO MODIFY AN EXISTING DEFINITION; AMENDING SECTION 18-105.7, TO MODIFY THE MINIMUM WIDTH FOR SIDEWALKS AND LOCATIONS WHERE REQUIRED; AMENDING SECTION 18-105.8(B), TO PROVIDE REFERENCE TO THE CITY ENGINEERING MANUAL OF MINIMUM DESIGN AND CONSTRUCTION STANDARDS; AMENDING CHAPTER 18, ARTICLE 5, TO REORGANIZE, MODIFY AND UPDATE EXISTING REGULATIONS; AMENDING SECTION 18-702.4, TO MODIFY THE MINIMUM WIDTH FOR SIDEWALKS AND LOCATIONS WHERE REQUIRED, AND TO UPDATE THE ENGINEERING PERMIT NAME; AMENDING SECTION 18-1502.2, TO MODIFY OR REMOVE EXISTING DEFINITIONS AND TO ADD NEW DEFINITIONS; AMENDING SECTION 18-1503.9(A)7, TO UPDATE THE PROVISION TO BE CONSISTENT WITH DEFINITION CHANGES AND TO PROVIDE DISTINCTION BETWEEN SIDEWALKS AND WALKWAYS; AMENDING SECTION 18-1503.9(C)2, TO PROVIDE A DISTINCTION BETWEEN SIDEWALKS AND WALKWAYS; AMENDING SECTION 18-1530.25(A)2, TO UPDATE THE PROVISION TO BE CONSISTENT WITH DEFINITION CHANGES; AMENDING SECTION 18-1532.9(A), TO DELETE EXISTING GRAPHICS AND TO MAKE UPDATES FOR CONSISTENCY WITH THE BALANCE OF THIS ORDINANCE; 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 2019-06)

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**WHEREAS**, THE CITY OF PINELLAS PARK DESIRES FOR THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE TO FUNCTION EFFECTIVELY AND EQUITABLY THROUGHOUT THE CITY; AND

**WHEREAS**, THE CITY OF PINELLAS PARK HAS DETERMINED WHERE THE CODE OF ORDINANCES AND 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 16-116(D), of Chapter 16, of the Code of Ordinances of the City of Pinellas Park, Florida, is hereby amended to read as follows:

- (D) *Exemptions.* The requirements of this Section shall not apply to the operation of construction or other similar equipment if a valid Building permit, Soil Removal permit, or ~~Public Works~~ Engineering permit has been issued, provided that such equipment is engaged in the work authorized by such permit.

**SECTION TWO:** That Section 18-102, 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:

CITY STANDARDS. The minimum specifications, design standards and construction details as established in the City Engineering Manual of Minimum Design and Construction Standards, or as needed by the City Engineer City Engineer for technical matters, or Public Works Administrator for all other matters.

**SECTION THREE:** That Section 18-105.7, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

**Sec. 18-105.7. - SIDEWALKS.**

- (A) APPLICABILITY. Sidewalks shall be constructed on both sides of all streets within and adjacent to the subdivision unless a variance is granted pursuant to Section 18-108.1. The sidewalk shall be constructed within the right-of-way. ~~Sidewalks are not required on internal streets within industrial subdivisions or along limited access highway/expressways.~~

- (B) CONSTRUCTION REQUIREMENTS. All sidewalks shall be constructed in accordance with the current City standards and shall have ~~the following minimum widths:~~ a minimum width of five (5) feet.

<del>STREET TYPE</del>	<del>MINIMUM SIDEWALK WIDTH</del>
Arterial	5 feet
Collector	5 feet
Neighborhood distributor	4 feet
Local	4 feet

The sidewalk shall extend across the right-of-way to connect to all existing streets. In addition, where an unimproved alley abuts a subdivision, the sidewalk shall extend across the alley right-of-way to the centerline of the alley.

**SECTION FOUR:** That Section 18-105.8(B), of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

- (B) DRAINAGE EASEMENTS. An easement shall be provided for any drainage way which is within the subdivision. The drainage easement shall conform substantially with the water lines of the drainage way and shall be sufficiently wide to allow adequate ingress and egress of maintenance equipment. Easement requirements in the City Engineering Manual of Minimum Design and Construction Standards shall be followed.

The City will not accept the responsibility for maintenance of any drainage areas; nor will the City provide mosquito control of drainage areas. All private drainage facilities shall be privately maintained and there shall be appropriate legal documents which outline the method of maintenance and mosquito control for drainage areas. Any pond which serves as a part of the City drainage control system shall be connected to a public right-of-way by a minimum of a twenty-foot wide easement and the City Engineer may require an additional easement.

**SECTION FIVE:** That Chapter 18, Article 5, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

**Article 5. Driveways**

~~Sec. 18-501. - GENERAL REGULATIONS.~~

~~The following regulations shall apply to the development of driveways within all zoning districts:~~

~~(A) MINIMUM DISTANCE FROM INTERSECTIONS.~~

- ~~1. Driveways shall not intersect a street corner radius.~~
  - ~~2. The following regulations shall apply to the development of driveways affecting public rights of way.~~
- ~~(a) SINGLE FAMILY AND DUPLEX RESIDENTIAL DEVELOPMENTS.~~

<del>Highest Classification of Intersecting Streets</del>	<del>Minimum Required Distance From Corner (feet)</del>
<del>Arterial</del>	<del>60</del>
<del>Collector</del>	<del>40</del>
<del>Neighborhood distributor</del>	<del>30</del>
<del>Local</del>	<del>30</del>

~~Note: Lots with a width of less than fifty (50) feet shall be permitted one (1) driveway only, provided such driveway is located the maximum possible distance from the curb radius if it exists.~~

~~(b) MULTIFAMILY, COMMERCIAL, AND INDUSTRIAL DEVELOPMENTS.~~

<del>Highest Classification of Intersecting Streets</del>	<del>Minimum Required Distance From Corner (feet)</del>
<del>Arterial</del>	<del>75</del>
<del>Collector</del>	<del>60</del>
<del>Neighborhood distributor</del>	<del>40</del>
<del>Local</del>	<del>40</del>

~~(B) MAXIMUM WIDTH (EXCLUDING FLARES/RADII).~~

- ~~1. Single family development, feet ..... 20~~
- ~~2. Duplex development, feet ..... 24~~
- ~~3. Multifamily, commercial and industrial development, feet ..... 48~~

~~(C) MAXIMUM NUMBER OF DRIVEWAYS.~~

- ~~1. Lots or parcels with a width of seventy five (75) feet~~

- ~~or more shall be permitted two (2) driveways.~~
- ~~2. Lots or parcels with a width of less than seventy five (75) feet shall be permitted one (1) driveway (see Section 18-504 for Circular Driveways).~~
- ~~3. In no case shall any property have more than two (2) driveways intersecting any single right of way.~~

~~(D) MINIMUM DISTANCE BETWEEN DRIVEWAYS. No driveway shall be located closer to another driveway, whether on the same or adjoining lots, except as provided below:~~

~~1. SINGLE FAMILY AND DUPLEX RESIDENTIAL DEVELOPMENTS.~~

<del>Abutting Street Classification</del>	<del>Minimum Distance Between Driveways (feet)</del>
<del>Arterial</del>	<del>30</del>
<del>Collector</del>	<del>20</del>
<del>All others</del>	<del>10</del>

~~2. MULTIFAMILY, COMMERCIAL, AND INDUSTRIAL DEVELOPMENTS.~~

<del>Abutting Street Classification</del>	<del>Minimum Distance Between Driveways (feet)</del>
<del>Arterial</del>	<del>50</del>
<del>Collector</del>	<del>40</del>
<del>All others</del>	<del>30</del>

~~(E) MINIMUM DISTANCE TO PROPERTY LINES. Unless serving an adjoining lot, no driveway shall be located closer to a lot line, as measured along the street line, then as follows:~~

~~1. SINGLE FAMILY AND DUPLEX RESIDENTIAL DEVELOPMENTS.~~

<del>Abutting Street Classification</del>	<del>Minimum Distance to Property Lines (feet)</del>
<del>Arterial</del>	<del>15</del>
<del>Collector</del>	<del>10</del>
<del>All others</del>	<del>5</del>

~~2. MULTIFAMILY, COMMERCIAL, AND INDUSTRIAL DEVELOPMENTS.~~

<del>Abutting Street Classification</del>	<del>Minimum Distance to Property Lines (feet)</del>
<del>Arterial</del>	<del>25</del>
<del>Collector</del>	<del>20</del>
<del>All others</del>	<del>15</del>

**~~Sec. 18-502. -- ALIGNMENT.~~**

- ~~(A) Driveways shall be designed at right angles to the abutting street and existing median openings, except when the City Engineer determines that a variation to this rule would result in an improved traffic pattern.~~
- ~~(B) Revisions to existing median openings will be discouraged.~~
- ~~(C) In such cases where a request to move the median opening is in process, no driveway permit shall be issued until the median revision has been approved by the authorized agency.~~

**~~Sec. 18-503. -- MEASUREMENT.~~**

~~Measurement of driveway width or spacing shall not include any necessary corner radii or flares, for turning movements.~~

**~~Sec. 18-504. -- CIRCULAR DRIVEWAYS.~~**

- ~~(A) Circular driveways shall only be permitted on lots or parcels of a minimum width of seventy five (75) feet.~~
- ~~(B) Lots or parcels with a width of less than one hundred ten (110) feet shall only be permitted to develop one way circular driveways.~~
- ~~(C) Circular driveways on corner lots or parcels shall meet the minimum standards for individual driveways for each of the abutting rights of way as contained in this Article 5 of the Land Development Code.~~
- ~~(D) All minimum dimensional requirements for driveway development shall be adhered to.~~
- ~~(E) Widths:~~
  - ~~1. One-Way: 12 feet~~
  - ~~2. Two-Way: 24 feet~~

**~~Sec. 18-505. -- CONSTRUCTION STANDARDS AND SPECIFICATIONS.~~**

~~Driveways shall be constructed in accordance with the standards of the City of Pinellas Park.~~

**~~Sec. 18-506. -- PERMITS.~~**

~~No driveway permit shall be issued except in conformance with the~~

~~requirements contained herein.~~

**~~Sec. 18-507. - VARIANCES.~~**

~~The City Engineer may grant a variance to the requirements of this Article 5 of the Land Development Code to the extent necessary to assure safe and efficient ingress and egress to a lot or parcel.~~

**Sec. 18-501. - PURPOSE.**

Regulation of the configuration of driveways and limitations on the points of access from private property onto street systems are necessary to provide for safe and efficient control of vehicular movement.

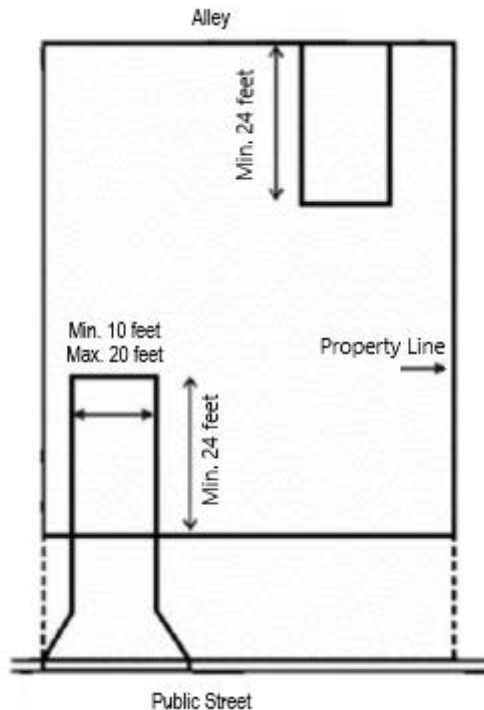
**Sec. 18-502. - GENERAL REGULATIONS.**

- (A) DEFINITIONS. For purposes of this Article, the definitions set forth in Article 15 shall be observed and applied.
- (B) PERMITS. No driveway permit shall be issued unless in conformance with the requirements of this Article.
- (C) CONSTRUCTION STANDARDS AND SPECIFICATIONS. Driveways shall be constructed in accordance with the City Engineering Manual of Minimum Design and Construction Standards, or as may be permitted by the City Engineer, but shall generally be constructed of impervious materials such as asphalt or concrete. Paver bricks shall also be considered as an acceptable material type, but only when associated with single-family residential uses, and only when the property owner provides for a Covenant Running with the Land (CRL) at time of building permit.
- (D) MEASUREMENT. Measurement of driveway dimensions, separation and setback shall not include any necessary corner radii or flares for turning movements.
- (E) ALIGNMENT. Driveways shall be designed at right angles to the abutting street and existing median openings, except when the City Engineer determines that a variation to this rule would result in an improved traffic pattern.
- (F) MEDIAN OPENINGS. While revisions to existing median openings shall be discouraged, in such cases where a request for a revision to an existing median opening is in process, no driveway permit shall be issued until the median revision has been approved by the authorized agency.

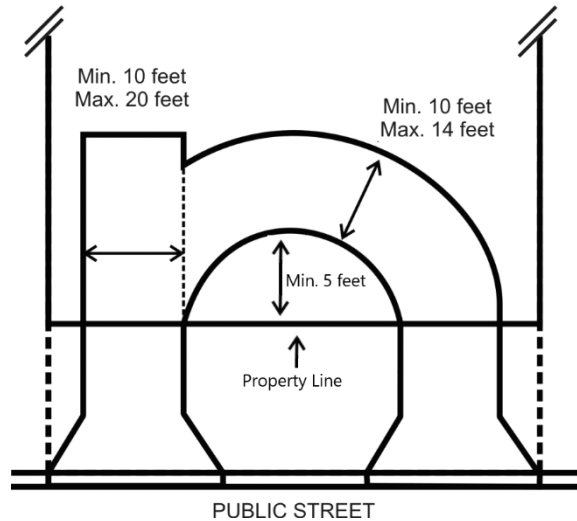
**Sec. 18-503. - DESIGN STANDARDS FOR SINGLE-FAMILY DETACHED AND DUPLEX DWELLING PROPERTIES.**

- (A) Driveways shall be designed in a manner that minimizes disruption of pedestrian corridors and the streetscape.
- (B) DRIVEWAY DIMENSIONS.

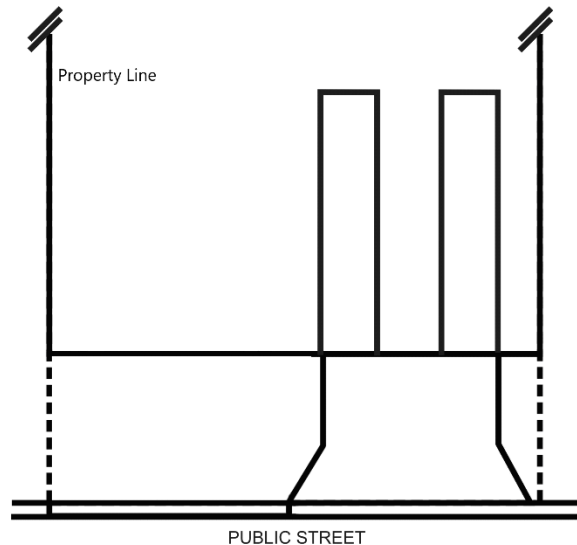
1. STANDARD DRIVEWAY. Driveways shall measure no less than ten (10) feet in width and no more than twenty (20) feet in width, no more than twenty (20) feet as the driveway crosses the property line and no more than thirty (30) feet at the curb, inclusive of the driveway apron. The required minimum length for the portion of the driveway on the private property shall be twenty-four (24) feet, as measured from the property line.



2. CIRCULAR DRIVEWAY. The circular portion of a driveway shall measure no less than ten (10) feet in width and no more than fourteen (14) feet in width, no more than fourteen (14) feet as the driveway crosses the property line and no more than twenty (20) feet at the curb. Circular driveways shall not be allowed on lots less than seventy-five (75) feet wide.



3. RIBBON DRIVEWAY. Ribbon driveways are an acceptable alternative to standard driveways as they reduce the overall impervious surface coverage. While there is no overall minimum dimension required for a ribbon driveway, they are subject to the same maximum dimensional standards as standard driveways. Individual "ribbons" shall only be permitted within the property (not the right-of-way) and shall measure between one and one-half ( $1\frac{1}{2}$ ) feet and two and one-half ( $2\frac{1}{2}$ ) feet in width.



(C) MAXIMUM NUMBER OF DRIVEWAYS.

1. Lots with a width of one hundred (100) feet or greater that are zoned either "F" Farm or "RE" Residential Estate District shall be permitted a maximum of two (2) driveways on each street right-of-way upon which the lot has frontage, provided that compliance is achieved with all other applicable provisions of this Article.
2. For all zoning districts other than the "F" Farm or "RE"

Residential Estate Districts, lots shall be permitted a maximum of one (1) driveway on each street right-of-way upon which the lot has frontage, provided compliance is achieved with all other applicable provisions of this Article.

3. Exceptions to paragraph 2 above may be granted pursuant to Section 18-505.
4. For the purposes of this subsection, a circular driveway shall be considered to be one (1) driveway.

(D) MINIMUM DRIVEWAY SEPARATION AND SETBACK. Driveways, whether on the same or adjoining lot, shall be separated from other driveways and shall be set back from lot lines as provided below:

<u>ABUTTING STREET CLASSIFICATION</u>	<u>MINIMUM DISTANCE (FEET)</u>	
	<u>FROM LOT LINES</u>	<u>BETWEEN DRIVEWAYS</u>
<u>Arterial</u>	<u>15</u>	<u>30</u>
<u>Collector</u>	<u>10</u>	<u>20</u>
<u>Local</u>	<u>5</u>	<u>10</u>

(E) MINIMUM DISTANCE FROM INTERSECTIONS. Driveways shall not intersect a corner radius of, and shall be set back from, intersections of rights-of-way as follows:

<u>HIGHEST CLASSIFICATION OF INTERSECTING STREETS</u>	<u>MINIMUM REQUIRED DISTANCE FROM CORNER</u>
<u>Arterial</u>	<u>60</u>
<u>Collector</u>	<u>40</u>
<u>Local</u>	<u>30</u>

#### **Sec. 18-504. - DESIGN STANDARDS FOR ALL OTHER USES.**

(A) ACCESS.

1. The Public Works Administrator, or designee, shall approve the location of ingress and egress points. Acceleration-deceleration lanes may be required if, based upon review of on-street traffic volumes, posted speed limits, pedestrian safety, sight distance, and traffic control medians, they are determined to be necessary for vehicular safety.
2. Ingress and egress points are discouraged from being located directly across from single-family detached and duplex dwellings. Where an ingress or egress point is located directly across from a single-family detached or duplex dwelling, mitigation of the vehicular impacts including, but not limited to, automated gates, restricted access times and landscape enhancements may be required.
3. Direct access to an arterial right-of-way shall be discouraged if the opportunity to develop a joint or

shared access agreement with abutting property owners exist, and/or should access be available via an abutting collector or local right-of-way.

- (B) MINIMUM DRIVEWAY SEPARATION AND SETBACK. Driveways, whether on the same or adjoining lot, shall be separated from other driveways and shall be set back from lot lines as provided below:

<u>ABUTTING STREET CLASSIFICATION</u>	<u>MINIMUM DISTANCE (FEET)</u>	
	<u>FROM LOT LINES</u>	<u>BETWEEN DRIVEWAYS</u>
<u>Arterial</u>	<u>25</u>	<u>50</u>
<u>Collector</u>	<u>20</u>	<u>40</u>
<u>Local</u>	<u>15</u>	<u>30</u>

- (C) MINIMUM DISTANCE FROM INTERSECTIONS. Driveways shall not intersect a corner radius of, and shall be set back from, intersections of rights-of-way as follows:

<u>HIGHEST CLASSIFICATION OF INTERSECTING STREETS</u>	<u>MINIMUM REQUIRED DISTANCE FROM CORNER</u>
<u>Arterial</u>	<u>75</u>
<u>Collector</u>	<u>60</u>
<u>Local</u>	<u>40</u>

- (D) DIMENSIONS. In addition to the requirements of this section, those provisions set forth in Section 18-1532 shall be used in determining compliance with driveway dimensions for uses other than single-family detached and duplex dwellings.

**Sec. 18-505. - EXEMPTIONS.**

The Public Works Administrator may adjust or waive the requirements of this Article to the extent determined to be necessary to assure safe and efficient ingress and egress to a lot when there are circumstances or conditions that are out of the control of the property owner. The reason shall be specific to the property and not a personal reason.

**SECTION SIX:** That Section 18-702.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

**Sec. 18-702.4. - MANDATORY REQUIREMENTS FOR CONSTRUCTION OF SIDEWALKS.**

- (A) Any building construction within the corporate limits of the City of Pinellas Park requiring ~~a Public Works~~ an Engineering permit and not subject to the sidewalk requirements of Article 1 (Subdivision Code) of the Land Development Code, shall

require the installation of sidewalk at the developer's, builder's or property owner's expense as follows: within the City rights-of-way, private right-of-way, ingress/egress easement, or private property (when adequate right-of-way is unavailable), as applicable, in a manner consistent with the City Engineering Manual of Minimum Design and Construction Standards. The sidewalk shall be compatible with existing sidewalk, if any, however in no event shall the sidewalk be less than five (5) feet in width.

~~1. Industrial areas. No sidewalks shall be required internally in industrial areas or along limited access highways/expressways; and~~

~~2. All other areas. Sidewalks shall be installed in all other areas along all lot lines abutting streets or roads. The sidewalks shall be installed on the City rights-of-way. Sidewalks in all these other areas shall be compatible with existing sidewalks, if any, but in no event less than four (4) feet wide.~~

(B) If installation of a sidewalk at the time of construction does not comply with sound engineering principles, including pedestrian safety and drainage factors, and a determination is made that pedestrian traffic will not be generated in the area, then the City Engineer Public Works Administrator or designee, and Community Development Administrator or designee in consultation with the City Engineer may waive the requirement. In order to be valid, waiver must be specifically endorsed upon the Public Works Engineering Permit.

(C) In the event that an applicant does not agree with the decision of the City Engineer requiring installation of a sidewalk, then the applicant shall have the right of appeal of that decision to City Council. City Council will decide the appeal on the basis of sound engineering principles, and their decision is final.

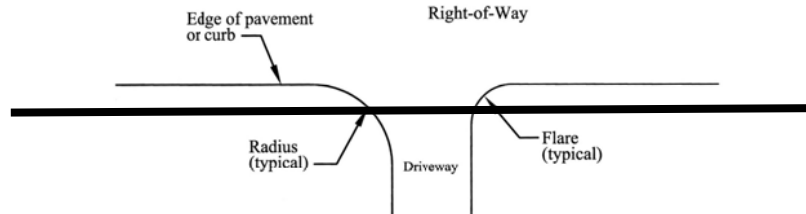
**SECTION SEVEN:** That Section 18-1502.2, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended so that said section shall include the following modified definitions in their proper alphabetic sequence:

DRIVEWAY. A paved surface which provides vehicular access between a ~~public or private~~ street right-of-way or alley and off-street vehicular use areas. ~~The following graphic illustrates a typical driveway. For the purposes of Article 5, Driveways, of this Land Development Code, the term driveway is limited to that area lying between a private property line and the edge of pavement~~

~~within a private or public right of way.~~

~~DRIVEWAY EXTENSION. That part of a driveway that lies wholly within the bounds of private property. In single-family and duplex residential development, it is essentially the parking pad. In multi-family and commercial/industrial development, it is the vehicular access from the property line to the first intersecting parking stall or drive aisle providing access to parking stalls.~~

**FIGURE 18-1502-3 DRIVEWAY**



SIDEWALK. An area intended primarily for pedestrians to walk or stand, and typically located within either a public or private street right-of-way.

WALKWAY. An area intended primarily for pedestrians to walk or stand and located on private property.

**SECTION EIGHT:** That Section 18-1503.9(A)7, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

7. Driveways extensions, decks, patios, ~~sidewalks~~ walkways or other impervious surfaces less than six (6) inches above finished grade and open to the sky may project to within five (5) feet of the property line.

**SECTION NINE:** That Section 18-1530.25(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. Carports shall be constructed over an existing driveway ~~extension~~ or a driveway ~~extension~~ constructed for the purpose of situating the carport on the lot.

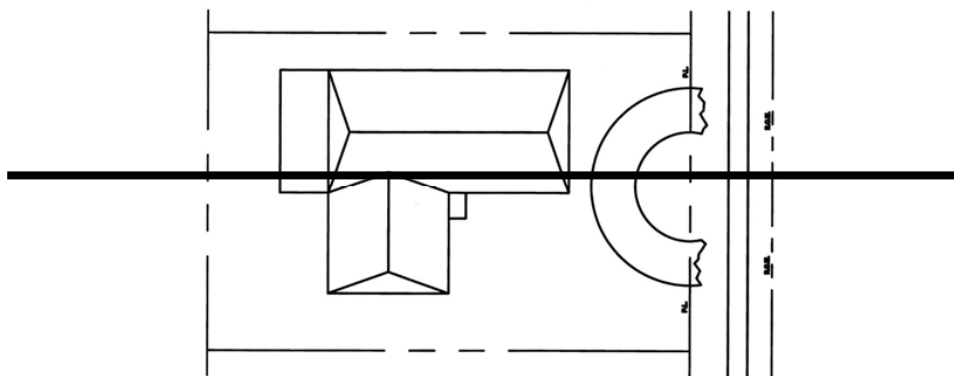
**SECTION TEN:** That Chapter 18, Article 15, Section 18-1532.9(A), of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows.

~~(A) RESIDENTIAL.~~

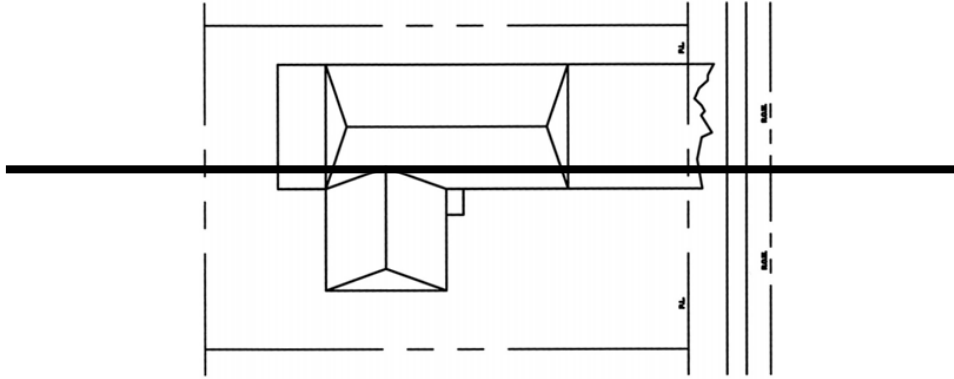
- ~~1. Single-family Dwellings. All detached single-family dwellings which are permitted for construction after November 13, 1986 shall be required to provide a minimum of two (2) spaces for each dwelling unit. Such off-street parking spaces shall adhere to the following:~~
  - ~~(a) Be paved with either asphalt or concrete. (In the "F" and "RE" Districts, the use of other suitable material may be approved by the City Engineer, based upon sound engineering practices).~~
  - ~~(b) Where the single-family dwelling has a driveway to an arterial or collector street, an on-site vehicular turn around area or circular drive shall be required.~~
  - ~~(c) The following illustrations portray various designs which can be used in fulfillment of this Section. (NOTE: The use of any particular design shall be subject to the applicable provisions of Article 5 "Driveways" of the Land Development Code).~~

**FIGURE 18-1532-3 RESIDENTIAL DRIVEWAY CONFIGURATIONS**

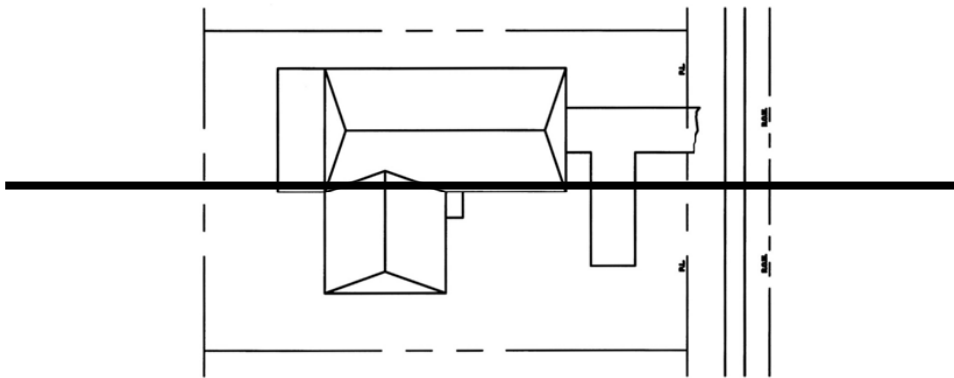
~~**FIGURE 18-1532-3 A.** Circular driveways may be permitted on lot lines greater than 75 feet with a radius to accommodate two (2) vehicles for parking.~~



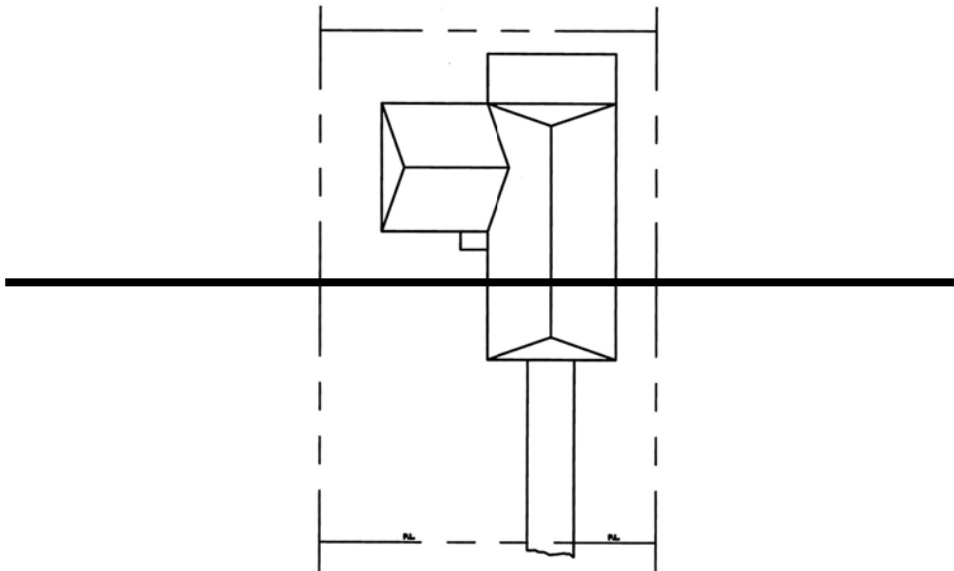
~~**FIGURE 18-1532-3 B.** Two spaces are provided with an 18'x18' slab.~~



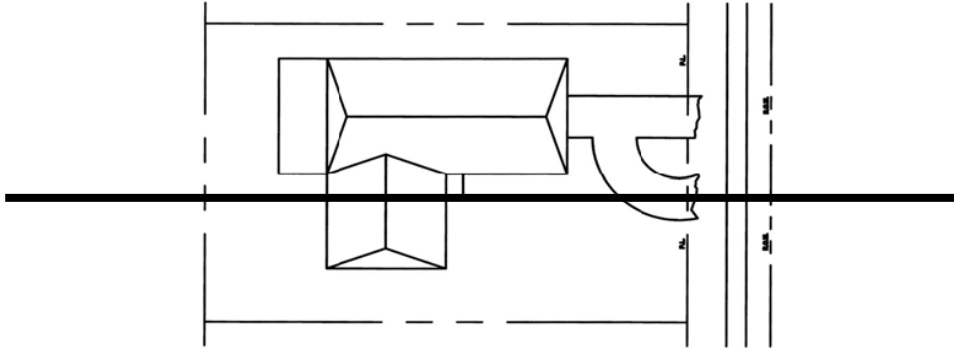
~~FIGURE 18-1532-3 C. Two 9' x 18' spaces in the form of a T.~~



~~FIGURE 18-1532-3 D. Two spaces with 9' x 36' driveway extension.~~



~~FIGURE 18-1532-3 E. A hybrid design with a 9' x 18' straight in space with a 9' x 18' radius space.~~



- ~~2. Duplex and Single Family Attached Dwellings: Two (2) per dwelling unit.~~
- ~~3. Multifamily Dwellings:~~
  - ~~a. Efficiency units: One (1) per dwelling unit~~
  - ~~b. Studio and one bedroom units: One and one half (1.5) per dwelling unit~~
  - ~~c. Two or three bedroom units: Two (2) per dwelling unit~~
  - ~~d. Four or more bedroom units: Three (3) per dwelling unit~~
- ~~4. Residential PUD. For purposes of this Section, all residential units within a residential planned unit development, the Master Plan for which was approved by City Council prior to November 13, 1986, shall be deemed to have been permitted for construction prior to November 13, 1986.~~
- ~~5. Manufactured Home Parks: Two (2) per manufactured home approved on the applicable site plan, unless otherwise provided on the approved site plan, provided that within the T 2 District there shall be three (3) off street parking spaces designated in the manufactured home park for each two (2) manufactured home dwellings. Off-street parking may be provided in common parking areas or on individual manufactured home lots.~~

(A) RESIDENTIAL.

1. SINGLE-FAMILY DWELLINGS. All single-family detached dwellings which are permitted for construction after November 13, 1986 shall be required to provide two (2) off-street parking spaces for each dwelling unit. Such off-street parking spaces shall adhere to the following:
  - (a) Be paved with either asphalt, concrete or other suitable material as may be approved by the City Engineer, based upon sound engineering practices.

- (b) Notwithstanding the provisions of Section 18-504(A), where a single-family detached dwelling has a driveway to an arterial or collector street, an on-site vehicular turn around area or circular drive shall be required.
- 2. DUPLEX AND SINGLE-FAMILY ATTACHED DWELLINGS. Two (2) per dwelling unit.
- 3. MULTI-FAMILY DWELLINGS.
  - a. Efficiency units: One (1) per dwelling unit.
  - b. Studio and one-bedroom units: One and one-half (1.5) per dwelling unit.
  - c. Two or three-bedroom units: Two (2) per dwelling unit.
  - d. Four or more-bedroom units: Three (3) per dwelling unit.
- 4. RESIDENTIAL PUD. For purposes of this Section, all residential units within a Residential Planned Unit Development, the Master Plan for which was approved by City Council prior to November 13, 1986, shall be deemed to have been permitted for construction prior to November 13, 1986.
- 5. MANUFACTURED HOMES. Two (2) per dwelling unit.
- 6. MANUFACTURED HOME PARKS. One and one-half (1.5) per dwelling unit. Off-street parking may be provided in common parking areas or on individual home lots.

**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 \_\_\_\_\_, 2020.

FIRST READING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

1<sup>ST</sup> PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

2<sup>ND</sup> PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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Sandra L. Bradbury  
MAYOR

ATTEST:

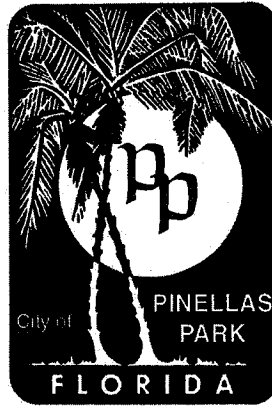
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Diane M. Corna, MMC  
CITY CLERK

City of

# PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100



# FLORIDA

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**Please Respond To:**

James W. Denhardt, City Attorney  
Lauren Christ Rubenstein, Assistant City Attorney  
Denhardt and Rubenstein, Attorneys at Law  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

January 9, 2020

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

**RE: City Document #19-399**  
**LDC 2019-06 Sidewalks and Driveways Ordinance**

Dear Ms. Lindquist:

I have received and reviewed the above-referenced Ordinance pertaining to sidewalks and driveways. I would approve of the Ordinance as to form and correctness.

Very truly yours,

James W. Denhardt  
City Attorney

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

JWD/dh

19-399.01092020.LEL.LDC 2019-06 Ord.wpd



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Community Development Department  
Planning & Development Services Division

I. APPLICATION DATA

- A. **Case Number:** LDC 2019-6
- B. **Request:** Approve amendments to the Land Development Code pertaining to engineering standards, sidewalks and driveways.
- C. **Applicant:** City of Pinellas Park, Planning and Development Services Department
- D. **Ordinance Title:**

AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 16-116(D), TO UPDATE THE ENGINEERING PERMIT NAME; AND AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-102, TO MODIFY AN EXISTING DEFINITION; AMENDING SECTION 18-105.7, TO MODIFY THE MINIMUM WIDTH FOR SIDEWALKS AND LOCATIONS WHERE REQUIRED; AMENDING SECTION 18-105.8(B), TO PROVIDE REFERENCE TO THE CITY ENGINEERING MANUAL OF MINIMUM DESIGN AND CONSTRUCTION STANDARDS; AMENDING CHAPTER 18, ARTICLE 5, TO REORGANIZE, MODIFY AND UPDATE EXISTING REGULATIONS; AMENDING SECTION 18-702.4, TO MODIFY THE MINIMUM WIDTH FOR SIDEWALKS AND LOCATIONS WHERE REQUIRED, AND TO UPDATE THE ENGINEERING PERMIT NAME; AMENDING SECTION 18-1502.2, TO MODIFY OR REMOVE EXISTING DEFINITIONS AND TO ADD NEW DEFINITIONS; AMENDING SECTION 18-1503.9(A)7, TO UPDATE THE PROVISION TO BE CONSISTENT WITH DEFINITION CHANGES AND TO PROVIDE DISTINCTION BETWEEN SIDEWALKS AND WALKWAYS; AMENDING SECTION 18-1503.9(C)2, TO PROVIDE A DISTINCTION BETWEEN SIDEWALKS AND WALKWAYS; AMENDING SECTION 18-1530.25(A)2, TO UPDATE THE PROVISION TO BE CONSISTENT WITH DEFINITION CHANGES; AMENDING SECTION 18-1532.9(A), TO DELETE EXISTING GRAPHICS AND TO MAKE UPDATES FOR CONSISTENCY WITH THE BALANCE OF THIS ORDINANCE; 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:	December 5, 2019
Advertising Deadline:	November 20, 2019
First City Council Hearing Date:	January 9, 2020
Advertising Deadline:	December 27, 2019
Second City Council Hearing Date:	February 13, 2020
Advertising Deadline:	January 24, 2020

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 Public Works, sidewalks and driveways. The following is a brief discussion of each section of the proposed ordinance:

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

This section corrects the name of the Engineering permit.

**Section Two [Page 2 of Ordinance]**

This section amends the definition for City Standards.

**Section Three [Pages 2 – 3 of Ordinance]**

This section amends the subdivision design standards as they pertain to sidewalks. Specifically, the applicability provisions no longer exclude industrial subdivisions from providing sidewalks, and a uniform sidewalk width of five feet is now required for all street types.

**Section Four [Page 3 of Ordinance]**

This section amends the subdivision design standards as they pertain to drainage easements to add language regarding the City Engineering Manual of Minimum Design and Construction Standards (CEMMDCS).

**Section Five [Pages 3 – 11 of Ordinance]**

This section amends the provisions of the LDC regarding driveways. All of the existing language shall be struck and replaced with updated and reorganized regulations.

**Section Six [Pages 11 – 12 of Ordinance]**

This section amends those provisions of the LDC pertaining to the construction of sidewalks bringing it into consistency with other amendments being made within the ordinance, as well as with the CEMMDCS.

**Section Seven [Pages 12 – 13 of Ordinance]**

This section amends the definition of Driveway and strikes the definition for Driveway Extension so that there is no longer an unnecessary distinction between the two. The section also adds definitions for Sidewalk and Walkway.

**Section Eight [Page 13 of Ordinance]**

This section amends the provisions regulating Permitted Obstructions in Required Setbacks to replace driveway extensions and sidewalks with driveways and walkways, respectively.

**Section Nine [Page 13 of Ordinance]**

This section amends the provisions regulating Carports to replace driveway extensions with driveways.

**Section Ten [Pages 13 – 17 of Ordinance]**

This section amends a portion of the minimum off-street parking space requirements for Residential uses. The primary change within the section is the striking of the graphics included within the current LDC as the graphics have led to some confusion on dimensions and setbacks. This section also amends the provisions pertaining to parking for single-family dwellings, manufactured homes and manufactured home parks, but not their respective parking ratios.

**III. APPLICABLE CRITERIA / CONSIDERATIONS**

**A. Comprehensive Plan Policies:**

**1. Relevant Policies:**

*GOAL LU.1*

*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.*

**2. Staff Analysis:**

The proposed ordinance is consistent with the adopted Comprehensive Plan, specifically the Goal noted above, and will not be contrary to any other Goal, Objective or Policy of the adopted 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. 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.

**IV. SUMMARY**

**A. Findings:**

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

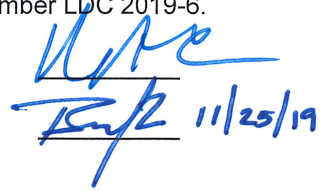
1. That the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan; and,
2. That the proposed amendment is consistent with the applicable Review Criteria per LDC Section 18-1539.3.

**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 2019-6.

Planning & Development Services Director:

Community Development Administrator:



Handwritten signatures and date: 11/25/19

**V. ACTION**

**PLANNING AND ZONING COMMISSION – MOVE TO:**

RECOMMEND APPROVAL

RECOMMEND APPROVAL WITH THE FOLLOWING CONDITION(S):

RECOMMEND DENIAL

of a request to approve amendments to the Land Development Code pertaining to engineering standards, sidewalks and driveways.

**VI. ATTACHMENTS**

**Exhibit A: Proposed Amendment to the Land Development Code**



**ADDENDUM**

**Case Number:** LDC 2019-6

**PLANNING AND ZONING COMMISSION**

At its meeting of December 5, 2019, the Planning and Zoning Commission **RECOMMENDED APPROVAL** of Case # LDC 2019-6, subject to the following conditions:

1. That the Ordinance be revised so that the definition of City Standards shall read as follows: "The minimum specifications, design standards and construction details as established in the City Engineering Manual of Minimum Design and Construction Standards, or as needed by the City Engineer for technical matters, or Public Works Administrator for all other matters".
2. That the Ordinance be revised so that Section 18-105.7(A) shall read as follows: "APPLICABILITY. Sidewalks shall be constructed on both sides of all streets within and adjacent to the subdivision unless a variance is granted pursuant to Section 18-108.1. The sidewalk shall be constructed within the right-of-way."

**VI. ACTION**

**CITY COUNCIL– MOVE TO:**

**1: APPROVE**

**2: APPROVE WITH CONDITIONS**

**3: DENY**

...case number LDC 2019-6, an amendment to the Land Development Code pertaining to engineering standards, sidewalks, and driveways.