

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 4-102, TO CORRECT ERRORS AND UPDATE REFERENCES; AND BY AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-1502.2, TO ADD, MODIFY OR REMOVE DEFINITIONS; AMENDING TABLE 18-1517.3, TO REMOVE DELICATESSENS AS A PERMITTED USE AND TO REMOVE CLUBS AND LODGES AS A CONDITIONAL USE IN THE ROR DISTRICT; AMENDING TABLE 18-1518.3, TO ADD A CONDITION ON RECREATION/OPEN SPACE, TO REMOVE THE CONDITIONS ON CONVENIENCE STORES AND RETAIL SALES, AND TO REMOVE DELICATESSENS AS A PERMITTED USE IN THE CN DISTRICT; AMENDING TABLE 18-1519.3, TO ADD A CONDITION ON OFFICE SUPPLY STORES, TO MODIFY A CONDITION ON DRIVE-IN/DRIVE-THRU BUSINESSES, AND TO REMOVE CLUBS AND LODGES AS A PERMITTED USE AND TAVERNS AND LOUNGES, RESTAURANTS AND DRIVE-IN/DRIVE-THRU RESTAURANTS AS CONDITIONAL USES IN THE GO DISTRICT; AMENDING TABLE 18-1520.3, TO MODIFY CONDITIONS ON RETAIL SALES, TO ADD CONDITIONS ON DRIVE-IN THEATERS, DAY CARE CENTER - TYPE 2 AND TYPE 3, AND RESIDENTIAL TREATMENT FACILITIES, TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES, AND PACKAGE SALES AS A CONDITIONAL USE, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO CHANGE CLUBS AND LODGES FROM A PERMITTED USE TO A CONDITIONAL USE IN THE B-1 DISTRICT; AMENDING TABLE 18-1521.3, TO MODIFY CONDITIONS ON BED AND BREAKFAST ESTABLISHMENTS, TO ADD CONDITIONS ON PLACE OF WORSHIP, ACCESSORY USES, AND HEIGHT - BUILDINGS AND STRUCTURES OVER 50 FEET IN AREA "A" OR 35 FEET IN AREA "B," TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES IN THE MXD DISTRICT; AMENDING TABLE 18-1522.3, TO MODIFY CONDITIONS ON BED AND BREAKFAST ESTABLISHMENTS, TO REMOVE THE CONDITION ON HEALTH SPAS, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES IN THE TC DISTRICT; AMENDING TABLE 18-1523.3, TO MODIFY THE CONDITION ON HOTELS AND MOTELS AND RESTAURANTS, TO REMOVE DELICATESSENS AS A PERMITTED USE, TO ADD BREWERIES, BREWPUBS AND MICROBREWERIES AS PERMITTED USES, AND PACKAGE SALES AS A CONDITIONAL USE, AND TO CHANGE CLUBS AND LOUNGES FROM A PERMITTED USE TO A CONDITIONAL USE IN THE CH DISTRICT; AMENDING TABLE 18-1524.3, TO ADD BREWERIES AND MICROBREWERIES AS PERMITTED USES, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO REMOVE TAVERNS AND LOUNGES AS A CONDITIONAL USE IN THE M-1

DISTRICT; AMENDING TABLE 18-1525.3, TO ADD BREWERIES AS A PERMITTED USE, AND TO REMOVE RESIDENTIAL TREATMENT FACILITIES, SCHOOLS ON NON-ACADEMIC CURRICULUM, TRADE SCHOOLS (LIMITED TO BUSINESS, MEDICAL AND PERSONAL SERVICES) AS USES IN THE IH DISTRICT; REPEALING SECTION 18-1530.13 IN ITS ENTIRETY; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.13; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.26; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.27; AMENDING SECTION 18-1531.10(A), TO ADD OR MODIFY SUBSECTIONS PERTAINING TO CONDITIONAL USE REQUIREMENTS FOR CLUBS AND LODGES, PACKAGE SALES, AND TAVERNS AND LOUNGES; REPEALING SUBSECTION 18-1531.10(A)69 IN ITS ENTIRETY; AMENDING SECTION 18-1532.9(B), TO ADD OR MODIFY SUBSECTIONS PERTAINING TO OFF-STREET PARKING SPACE REQUIREMENTS FOR TAVERNS AND LOUNGES, BREWERIES, BREWPUBS, MICROBREWERIES AND PACKAGE SALES; 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 2019-05)

WHEREAS, BREWPUBS, MICROBREWERIES AND MICRO-DISTILLERIES HAVE BECOME VIABLE BUSINESS ENTITIES THAT ENHANCE THE COMMUNITIES IN WHICH THEY ARE LOCATED BY PROVIDING JOBS AND ECONOMIC GROWTH; AND,

WHEREAS, BREWPUBS, MICROBREWERIES AND MICRO-DISTILLERIES OFTEN USE LOCAL INGREDIENTS IN THE PRODUCTION OF BEERS AND SPIRITS FURTHER ENHANCING THE ECONOMIC IMPACT ON THE REGION; AND,

WHEREAS, THE FOOD TRUCK INDUSTRY HAS EXPANDED OVER THE PAST SEVERAL YEARS AS CONSUMERS HAVE INCREASINGLY FAVORED UNIQUE, GOURMET CUISINE AT BUDGET-CONSCIOUS PRICES; AND,

WHEREAS, THE PEOPLE HAVE A RIGHT TO AND SHOULD BE ENSURED THAT FOOD PURCHASED FROM A MOBILE FOOD TRUCK IS SAFE FOR CONSUMPTION; AND,

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT IT IS IN THE INTEREST OF THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF PINELLAS PARK THAT MINIMUM REGULATORY STANDARDS OF CONDUCT BE ENACTED TO PERMIT MOBILE FOOD TRUCKS TO CONTINUE OPERATING WITH THE CITY OF PINELLAS PARK; 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, FLORIDA, AS FOLLOWS:

SECTION ONE: That Section 4-102, of Chapter 4, of the Code of Ordinances of the City of Pinellas Park, Florida, is hereby amended to read as follows:

The City Council shall have the power and authority to establish Zoning Ordinances restricting the locations wherein the sale, dispensing and consumption of alcoholic beverages may be permitted. No license shall be granted for the sale, dispensing or consumption of alcoholic beverages in a location where such sale, dispensing or consumption of alcoholic beverages is prohibited by Ordinance. This ~~Section~~ Chapter shall not apply to the sale of beer and malt beverages containing alcohol of five-tenths (0.5) percent or ~~more~~ less by volume ~~sold only for consumption off-premises.~~

All business establishments engaged in the sale, dispensing or consumption of alcoholic beverages shall do so in accordance with City zoning regulations which permit same and shall also comply with the provisions of this Chapter and,

where applicable, Sections 16-110, 16-112, ~~18-1507~~ and ~~18-1509.6~~ 18-1531 of the Code of Ordinances.

SECTION TWO: 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 new and/or modified definitions in their proper alphabetic sequence:

BOTTLE CLUB. A place of business where no alcoholic beverages are sold, but where patrons may keep or bring their own alcoholic beverages for consumption on premises, whether or not nonalcoholic mixers are provided by the Bottle Club. For purposes of this Article, "Bottle Club" shall be deemed a "Tavern or Lounge." A commercial establishment operated for a profit wherein patrons consume alcoholic beverages which are brought onto the premises and not sold or supplied to the patrons by the establishment. Licensee may not hold any other alcoholic beverage license for the premises while licensed as a bottle club. Purchases of alcoholic beverages for resale are not permitted.

BREWERY. An establishment which produces more than fifteen thousand (15,000) barrels (465,000 US gallons/17,602.16 hectoliters) of beer per year. A regional (small) brewery typically has an annual beer production of between fifteen thousand (15,000) and six million (6,000,000) barrels. A large brewery typically has an annual beer production of more than six million (6,000,000) barrels. A brewery may include a taproom as an accessory use, and may host food trucks.

BREW PUB. An establishment that is primarily a restaurant, but which includes the brewing of beer as an accessory use. A brewpub produces only enough beer for consumption on the premises or for retail carryout sale in containers commonly referred to as growlers.

CONVENIENCE STORE. A building used primarily for the retail sale of packaged and pre-prepared foods, beverages, beer, wine, tobacco products, household products, and sundry items. As distinguished from a supermarket and larger retailers, the convenience store carries limited lines and quantities of food and sundries intended to meet minimal and most basic daily and stop-gap needs of nearby or passing consumers, and generally does not carry fresh meats, vegetables, and other perishable items. In many, the sale of self-

service gasoline is included. The sale of alcoholic beverages for off-premises consumption is permissible provided that the sale of alcoholic beverages occupies less than twenty-five (25) percent of the floor area of the use. Should the sale of alcoholic beverages occupy twenty-five (25) percent of the floor area of the use or greater, then the use shall be considered a package store.

~~DELICATESSENS. A retail sales establishment that sells cooked, baked, or prepared foods, ready for consumption on or off premises and such establishment has no more than six (6) seats at three (3) tables or less or six (6) seats at a bar (continuous surface functioning as a table.) This term shall include bakery shops or other specialty foods and carry-out type businesses.~~

~~LODGE. See "Clubs and Lodges."~~

MICROBREWERY. An establishment that is primarily a brewery, which produces no more than fifteen thousand (15,000) barrels (465,000 US gallons/17,602.16 hectoliters) of beer per year, and includes a lounge, restaurant, taproom or tavern as an accessory use and may host food trucks. Microbreweries sell to the general public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer for consumption on the premises or for retail carryout sale. For the purposes of this Code a micro-distillery or micro-winery shall constitute a microbrewery.

MICRO-DISTILLERY. An establishment that is primarily a distillery, which produces no more than seventy-five thousand (75,000) US gallons of distilled spirits per year, and includes a lounge, restaurant, tasting room or tavern as an accessory use and may host food trucks. For the purposes of this Code, a micro-distillery shall constitute a microbrewery.

MICRO-WINERY. A facility that uses fruit from outside sources instead of its own vineyard to produce wine in quantities not to exceed two thousand (2,000) barrels per year, and includes a lounge, restaurant, tasting room or tavern as an accessory use and may host food trucks. For the purposes of this Code, a micro-winery shall constitute a microbrewery.

MOBILE FOOD TRUCK. A vehicle which is used to vend food and beverage products and is classified as one of the following:

1. CLASS I – MOBILE KITCHENS. These vehicles may cook, prepare and assemble food items on or in the unit and serve a full menu. These vehicles may also vend the products permitted for Class II Mobile Food Trucks.

2. CLASS II – CANTEEN TRUCKS. These vehicles vend pre-cooked foods, pre-packaged foods, pre-packaged drinks and incidental sales of pre-packaged frozen dairy or frozen water-based food products, fruits and vegetables. No preparation or assembly of food or beverage may take place on or in the vehicle; however, the heating of pre-cooked food is permitted.

MOBILE FOOD VENDOR. A person who prepares, dispenses or otherwise sells food from a mobile food truck.

PACKAGE STORE. Any place of business that sells or dispenses alcoholic beverages for off-premises consumption and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages. ~~Solely for purposes of this Article, "Package Store" shall not be deemed to include a "Bottle Club" or "Tavern or Lounge" but shall be deemed a "Retail Sales" establishment.~~

RESTAURANT. Any establishment which provides food or drinks for consumption by patrons primarily on the premises (i.e.: seating provided), including the subordinate sale of alcoholic beverages for consumption on premises. The term shall include outdoor cafes but shall not be deemed to include facilities with prepared food service within grocery stores and delicatessens, or a "Restaurant, Drive-in/Drive-thru" or a "Tavern or Lounge."

RESTAURANT, DRIVE-IN/DRIVE-THRU. A restaurant, as defined hereinabove, which includes a pick-up or drive-thru window, or where food or drink are consumed by patrons while remaining in their vehicles in designated off-street parking or holding areas, but not including the sale of alcoholic beverages through the drive-thru for on- or off-premises consumption.

RETAIL SALES. ~~Establishments whose principal use is the sale of merchandise in relatively small quantities, not in bulk, for the use or consumption by the immediate purchaser, or for use as gifts.~~ A building, property, or activity the principle use or purpose of which is the sale or lease of goods, products, materials, or services directly to the consumer, including the sale of alcoholic beverages for off-premises consumption provided that the sale of alcoholic beverages is subordinate to the principal use and display of alcoholic beverages occupies less than twenty-five (25) percent of the floor area of the use.

TAPROOM. A room that is ancillary to the production of beer at a brewery, microbrewery or brewpub where the public can purchase and/or consume alcoholic beverages.

TASTING ROOM. A room that is ancillary to the production of spirits at a micro-distillery where the public can purchase and/or consume the spirits.

TAVERNS AND LOUNGES. Any place of business that sells or dispenses alcoholic beverages for consumption on-premises and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages, ~~whether for consumption off-premises or on-premises. For purposes of this Article, "Taverns and Lounges" shall include the term "Bottle Club."~~

SECTION THREE: That Table 18-1517.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1517.3: Authorized Land Uses in ROR District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Multi-family	P	
Dwellings, Single-family Attached	P	
Community Residential Home	P/C	Permitted for 14 or fewer residents, subject to sections 18-1530.19. Conditional use for 14 or more residents, subject to sections 18-1503.14, 18-1530 and 18-1531)
Bed and Breakfast Establishment	C	Subject to sections 18-1503.16 and 18-1531
Fraternity and Sorority Houses	C	Subject to sections 19-1503.16 and 18-1531
Hotels and Motels	C	Not to exceed 30 units per acre and subject to section 18-1531
Residential Care Facilities	C	Subject to sections 18-1503.16 and 18-1531
Rooming and Boarding Houses	C	Subject to sections 18-1503.16 and 18-1531
Shelter Home	C	Subject to sections 18-1503.16, 1530.19, and 18-1531
Mixed Use Multi-family/Office/Personal Services/Retail	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
COMMERCIAL USES		
Delicatessens	P	Beer and wine for off-premises consumption only
Drive-in/drive-thru businesses (all types unless otherwise listed)	C	Subject to section 18-1531
Financial Institutions	P	
Financial Institutions drive-thru	C	Subject to section 18-1531
Light Printing Establishments	P	
Medical Marijuana Dispensary	P	
Offices	P	
Personal Services	P	
Restaurants	P	Excluding drive-in and drive-thru restaurants
Restaurants; Drive-in/Drive-thru	C	Subject to section 18-1531
Retail Sales	P	
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Off-street parking lots	C	Other than accessory to a permitted or conditional use. Limited to three acres and subject to section 18-1531
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Indoor Recreation and Games Establishments, Indoor	P	
Recreation/Open Space	C	Subject to section 18-1531
Theaters	P	
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Clubs and Lodges	C	Subject to section 18-1531
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Community Facility	C	Subject to section 18-1531
Day Care Center - Type 1	P	
Day Care Center - Type 2	C	Subject to section 18-1531
Day Care Center - Type 3	C	Subject to section 18-1531
Educational Institutions (elementary, middle, senior)	C	Subject to section 18-1531
Home Health Care Service	P	
Hospitals	C	Subject to section 18-1531
Place of Worship	P	
Public Educational Facilities	P	
Special Needs Treatment Facility	C	Subject to sections 18-1503.16 and 18-1531
AGRICULTURE AND OTHER USES		
Accessory Uses	P/C	Subject to sections 18-1530 and 18-1531
Community Association	P	

SECTION FOUR: That Table 18-1518.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1518.3: Authorized Land Uses in CN District

Land Use	Approval Type	Conditions
COMMERCIAL USES		
Convenience stores	P	Alcoholic beverage sales limited to beer and wine for off-premises consumption only — excludes gasoline sales.
Delicatessens	P	Beer and wine for off-premises consumption only
Light Printing Establishments	P	
Offices	P	
Personal Services	P	

Land Use	Approval Type	Conditions
Repair Services	P	
Retail Sales	P	Alcoholic beverage sales limited to beer and wine for off-premises consumption only
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	C	<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 Center - Type 3	C	Subject to section 18-1531
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

SECTION FIVE: That Table 18-1519.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1519.3: Authorized Land Uses in GO District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Multi-family	C	In the R/O/R, R/OG or CRD land use categories only. Subject to section 18-1531
Dwellings, Single-family Attached	C	Subject to section 18-1531
Dwellings, Single-family Detached	P	
Community Residential Home	P/C	Permitted with up to 6 residents in R/OG, R/O/R or CRD subject to 18-1530.19. Conditional use for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531
Fraternity and Sorority Houses	C	Subject to sections 18-1503.16 and 18-1531
Hotels and Motels	C	In R/O/R, CG or CRD categories only. Not to exceed 30 units per net acre. See section 18-1503.17.
Residential Care Facilities	C	Subject to sections 18-1503.16 and 18-1531
Shelter Home	C	Subject to sections 18-1503.16, 18-1530.19 and 18-1531
Mixed use; residential/office	C	In the R/OG, R/O/R or CRD land use categories
COMMERCIAL USES		
Drive-in/drive-thru businesses (-)	C	All types, <u>excluding restaurant</u> , unless otherwise listed subject to <u>to</u> section 18-1531
Financial Institutions	P	
Financial Institutions drive-thru	C	Subject to section 18-1531
Office Supply Stores	C	<u>Subject to section 18-1531</u>
Offices	P	
Personal Services	P	
Restaurants, except drive thru	e	In the R/O/R, CG or CRD land use categories only.
Restaurants; Drive-in/Drive-thru	C	In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531

Land Use	Approval Type	Conditions
Taverns and Lounges	C	In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Research and Development	C	Subject to section 18-1531
Secure Climate Controlled Storage Facility	C	Subject to section 18-1531
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Off-street parking lots as part of a contiguous non-residential use	C	Subject to section 18-1531
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Recreation/Open Space	C	Subject to section 18-1531
Theaters	C	In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Clubs and Lodges	P	
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	Subject to section 18-1531
Community Facility	C	Subject to section 18-1531
Day Care Center - Type 2	C	Subject to section 18-1531
Day Care Center - Type 3	C	Subject to section 18-1531
Educational Institutions (elementary, middle, senior)	C	Subject to section 18-1531
Hospitals	C	Subject to section 18-1531
Laboratories, Medical and Dental	P	
Mortuaries and Funeral Homes (excluding crematories)	C	Subject to section 18-1531
Place of Worship	P	

Land Use	Approval Type	Conditions
Public Educational Facilities	P	In R/OG or CRD land use categories only
Residential Treatment Facilities	C	Subject to section 18-1531
Special Needs Treatment Facility	C	Subject to section 18-1531
AGRICULTURE AND OTHER USES		
Accessory Uses	P/C	Subject to sections 18-1530 and 18-1531
Height - buildings and structures over 40 feet	C	
Security Guard/Caretaker dwelling unit	P	Allowed as an accessory use

SECTION SIX: That Table 18-1520.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1520.3: Authorized Land Uses in B-1 District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Multi-family	P	Subject to density limitations in section 18-1520.2
Dwellings, Single-family Attached	P	Subject to density limitations in section 18-1520.2
Dwellings, Single-family Detached	P	
Community Residential Home (6 or fewer residents)	P/C	Permitted with up to 6 residents in the R/OG, R/O/R, or CRD land use categories subject to section 18-1530.19. Conditional use in R/OG, RM, R/O/R or CRD land use category only for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531
Fraternity and Sorority Houses	C	Subject to sections 18-1503.16 and 18-1531
Hotels and Motels	P	Limited to 30 units per net acre in R/O/R, 40 units per net acre in CG or CRD and fifty units per net acre in RFH land use categories. See 18-1503.17.
Live/Work Units	P	In the CRD land use category only

Land Use	Approval Type	Conditions
Residential Care Facilities	C	CG or CRD land use categories only subject to section 18-1531
Shelter Home	C	All land use categories except RFH subject to sections 18-1503.16, 18-1530.19 and 18-1531
Mixed use; residential/office	C	R/OG, R/O/R, or CRD land use categories only subject to section 18-1531
Mixed use; residential/office/personal services/retail	C	R/O/R, or CRD land use categories only subject to section 18-1531
COMMERCIAL USES		
Art Gallery	P	CRD land use category only
Art Studio	P	CRD land use category only
Auction Rooms	P	CG and CRD land use categories only
Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)	C	CG land use categories only subject to section 18-1531
Automobile Dealer - Used Cars	C	CG or CRD land use categories only subject to section 18-1531
Automobile Service Station	P	CG or CRD land use categories only
Automotive Repair Facility (major), as an accessory use with an Automobile Dealer - New Cars	C	CG land use categories only as and accessory use with an Automobile Dealer - New Cars and subject to section 18-1531
Automotive Repair Facility (minor)	P	CG or CRD land use categories only
Boat Showrooms, excluding outdoor sales or storage	P	CG or CRD land use categories only
<u>Brewpubs</u>	<u>P</u>	
Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building	P	CG or CRD land use categories only
Building Material and Home Improvement Establishments, where storage of materials is outdoors	C	CG or CRD land use categories only subject to section 18-1531

Land Use	Approval Type	Conditions
Car Washes	P	CG or CRD land use categories only
Catering Establishments	P	R/O/R, CG or CRD land use categories only
Clothing and Apparel Sales and Rentals	P	
Clothing and Costume Rental Establishments	P	CG or CRD land use categories only
Convenience Stores	P	CG or CRD land use categories only
Delicatessens	P	R/O/R, CG or CRD land use categories only. Beer and wine for off-premises consumption only.
Drive-in/drive-thru businesses (all types unless otherwise listed)	C	All land use categories except R/OGonly subject to section 18-1531
Exterminator and Pest Control Service Fleet Yards	C	CG land use category y only subject to section 18-1531
Financial Institutions	P	CG or CRD land use categories only
Financial Institutions drive-thru	C	
Furrier Shops, including storage and conditioning of furs	P	CG or CRD land use categories only
Light Machinery Sales, Rental and Service, when conducted wholly within an enclosed building	P	CG or CRD land use categories only
Light Printing Establishments	P	CG or CRD land use categories only
<u>Microbreweries</u>	<u>P</u>	
Office Supply Stores	P	CG or CRD land use categories only
Offices	P	CG or CRD land use categories only
Outdoor Sales of boats, recreational Vehicles, or manufactured homes	C	CG or CRD land use categories only subject to section 18-1531
<u>Package Sales</u>	<u>C</u>	<u>CG or CRD land use categories only</u>
Personal Services	P	R/O/R, RFH, CG or CRD land use categories only
Photograph Developing and Processing Shops	P	CG or CRD land use categories only

Land Use	Approval Type	Conditions
Printing or Publishing Establishments, including bookbinding	P	CG or CRD land use categories only
Repair Services	P	CG or CRD land use categories only
Restaurants, except drive-thru	P	R/O/R, CG or CRD land use categories only
Restaurants; Drive-in/Drive-thru	C	CG or CRD land use categories only subject to section 18-1531
Retail Sales	P	Not permitted in R/OG or RM land use categories only . Accessory use in RFH and <u>land</u> use category
Shopping Centers	C	CG or CRD land use categories only subject to section 18-1531
Taverns and Lounges	C	CG or CRD land use categories only subject to section 18-1531
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Assembling or Manufacturing of Medical, Optical, Scientific, Electric and Electronic Equipment and Prosthetics	C	CG or CRD land use categories only subject to section 18-1531
Research and Development	P	R/O/R, R/OG, CG or CRD land use categories only
Secure Climate Controlled Storage Facility	C	CG or CRD land use categories only subject to section 18-1531
Wholesale Merchandise broker, offices or showrooms with storage space limited to 6,000 square feet of gross floor area per establishment and no outdoor storage	P	
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Bus Terminal or other public transportation facility	C	CG or CRD land use categories only subject to section 18-1531
Communications Tower	C	CG or CRD land use categories only subject to section 18-1531
Electric Power Distribution Substations	P	Subject to section 18-1530.24

Land Use	Approval Type	Conditions
Off-street parking lots and parking garages, other than accessory to a permitted or conditional use	P	R/O/R or R/OG land use categories only
Radio and Television Broadcasting Stations	P	CG or CRD land use categories only
Taxi, Limousine, or Automobile Rental Establishments	C	All land use categories except R/OG subject to section 18-1531
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Auditorium, Arena, Gymnasium, and other similar places for public or private events	C	CG or CRD land use categories only subject to section 18-1531
Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers	C	CG or CRD land use categories only subject to section 18-1531
Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment	C	CG or CRD land use categories only subject to section 18-1531
Recreation and Games Establishments, Indoor	P	R/O/R, CG or CRD land use categories only
Recreation/Open Space	C	Subject to section 18-1531
Theaters	P	
Theaters, Drive-in	C	<u>CG land use category only. Subject to section 18-1531</u>
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Ambulance Service	C	CG and CRD land use categories only subject to section 18-1531
Clinic, Veterinary	C	CG and CRD land use categories only subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.

Land Use	Approval Type	Conditions
Clubs and Lodges	P <u>C</u>	<u>Subject to section 18-1531</u>
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	RM or RFH land use categories only subject to section 18-1531
Community Facility	C	CG and CRD land use categories only subject to section 18-1531
Crematories, in conjunction with a Mortuary or Funeral Home	C	R/OG, RM, R/O/R or RFH land use categories only subject to section 18-1531
Day Care Center - Type 1	P	In the RM, R/OG, R/O/R or CRD land use categories only.
Day Care Center - Type 2	C	<u>Subject to section 18-1531</u>
Day Care Center - Type 3	C	<u>Subject to section 18-1531</u>
Educational Institutions (elementary, middle, senior)	C	R/OG, R/O/R, CRD, or CG land use categories only subject to section 18-1531
Health Spas	P	R/O/R, CRD, CG, or RFH land use categories only
Home Health Care Service Agencies	P	R/OG, R/O/R, CRD or CG land use categories only
Hospitals	C	CG and CRD land use categories only subject to section 18-1531
Laboratories, Medical and Dental	P	In the R/O/R, CG or CRD land use categories only.
Medical Marijuana Dispensary	P	
Mortuaries and Funeral Homes (excluding crematories)	P	CG and CRD land use categories only
Offender Halfway House	C	Subject to sections 18-1503.16 and 18-1531
Place of Worship	P	
Public Educational Facilities	P	R/OG, R/O/R, or CRD land use categories only
Residential Treatment Facilities	<u>C</u>	<u>Subject to section 18-1531</u>
Schools on Non-Academic Curriculum	P	R/G, R/O/R, CG or CRD land use categories only

Land Use	Approval Type	Conditions
Schools, Trade (limited to business, medical and personal services)	P	
Special Needs Treatment Facility	C	All land use categories except RM and RFH; subject to sections 18-1503.16 and 18-1531
CONSTRUCTION-RELATED BUSINESS USES		
Contractor's Offices and Shops	P	In the CG or CRD land use categories only. No fabricating is allowed on the premises and all storage of all materials and equipment is within an enclosed building
AGRICULTURE AND OTHER USES		
Plant Nurseries (Retail)	C	CG or CRD land use categories only subject to section 18-1531
Accessory Uses (sec 18-1530)	P/C	Subject to sections 18-1530 and 18-1531
Height - buildings and structures over 50 feet	C	Subject to section 18-1531
Security Guard/Caretaker dwelling unit	P	Allowed as an accessory use

SECTION SEVEN: That Table 18-1521.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1521.3: Authorized Land Uses in MXD District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Duplex	P	
Dwellings, Multi-family	P	
Dwellings, Single-family Attached	P	
Dwellings, Single-family Detached	P	
Community Residential Home	C	14 or fewer residents subject to Sections 18-1530.19 and 18-1531

Land Use	Approval Type	Conditions
Bed and Breakfast Establishment	C	Subject to sections 18-1503.16 18-1503.16 and 18-1531
Hotels and Motels	P	
Live/Work Units	C	Subject to section 18-1531
Mixed use; residential/ office/personal services/retail	P	
COMMERCIAL USES		
Art Gallery	P	
Bakery Shops	P	
Book Stores	P	
<u>Brewpubs</u>	<u>P</u>	
Business Services	P	
Catering Establishments	P	P
Clothing and Apparel Sales and Rentals	P	P
Delicatessens	P	P
Drug Stores	P	
Financial Institutions	P	
Financial Institutions drive-thru	C	Subject to section 18-1531
Florists	P	
Light Printing Establishments	P	
<u>Microbreweries</u>	<u>P</u>	
Offices	P	
Outdoor Cafes	P	
Personal Services	P	
Restaurants, Including Accessory Micro-Brewery	P	
Restaurants; Drive-in/Drive-thru	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Specialty and Gift Shops	P	
Taverns and Lounges	C	Subject to section 18-1531
Tobacco and Newsstands	P	
Video Sales and Rental	P	
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Fabrication, Assembly and Repair, limited to 25% of floor area of a retail or mixed-use establishment	C	Subject to section 18-1531
Bus Terminal or other public transportation facility	C	Subject to section 18-1531
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Off-street parking lots and parking garages, other than accessory to a permitted or conditional use	P	
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Recording Studios	P	
Recreation Establishments, Indoor	P	
Recreation/Open Space	C	Subject to section 18-1531
Studios, Television and Radio Broadcast (excluding towers)	P	
Theaters	P	
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Clubs and Lodges	C	Subject to section 18-1531
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Community Facility	P	
Day Care Center - Type 1	P <u>C</u>	Subject to section 18-1531
Day Care Center - Type 2	P <u>C</u>	Subject to section 18-1531
Day Care Center - Type 3	P <u>C</u>	Subject to section 18-1531
Educational Institutions	C	Subject to section 18-1531
Educational Institutions (elementary, middle, senior)	P	
Health Spas	P	
Laboratories, Medical and Dental	C	Subject to section 18-1531
Medical Marijuana Dispensary	P	
Mortuaries and Funeral Homes (excluding crematories)	P	
Place of Worship	C	<u>Subject to section 18-1531</u>
Public Educational Facilities	P	
Schools on Non-Academic Curriculum	P	
Schools, Trade (limited to business, medical and personal services)	P	
AGRICULTURE AND OTHER USES		
Accessory Uses (sec 18-1530)	P/C	<u>Subject to section 18-1531</u>
Home Occupations	P	
Height - buildings and structures over 50 feet in Area "A: or 35 feet in Area "B"	C	<u>Subject to section 18-1531</u>

SECTION EIGHT: That Table 18-1522.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1522.3: Authorized Land Uses in TC District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Dwellings, Multi-family	P	
Dwellings, Single-family Attached	P	
Community Residential Home (6 or fewer residents)	C	14 or fewer residents subject to section 18-1530.19
Bed and Breakfast Establishment	C	Subject to sections 18-1503.16 and section 18-1531
Hotels and Motels	P	Up to 50 units per net acre
Live/Work Units	C	Subject to section 18-1531
Mixed use; residential/ office/personal services/retail	P	
COMMERCIAL USES		
Art Gallery	P	
Bakery Shops	P	
Book Stores	P	
<u>Brewpubs</u>	<u>P</u>	
Catering Establishments	P	
Clothing and Apparel Sales and Rentals	P	
Delicatessens	P	
Department Stores	P	
Drug Stores	P	
Financial Institutions	P	

Land Use	Approval Type	Conditions
Financial Institutions drive-thru	C	Subject to section 18-1531
Florists	P	
Light Printing Establishments	P	
<u>Microbreweries</u>	<u>P</u>	
Offices	P	
Outdoor Cafes	P	
Personal Services	P	
Restaurants	P	Except drive-in or drive-thru and including accessory micro-brewery
Restaurants; Drive-in/Drive-thru	C	Subject to section 18-1531
Specialty and Gift Shops	P	
Supermarkets	P	
Taverns and Lounges	C	Subject to section 18-1531
Tobacco and Newsstands	P	
Veterinary Services	C	Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.
Video Sales and Rental	P	
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Fabrication, Assembly and Repair, limited to 25% of floor area of a retail or mixed-use establishment	C	Subject to section 18-1531
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Bus Terminal or other public transportation facility	C	Subject to section 18-1531
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Off-street parking lots and parking garages, other than accessory to a	P	

Land Use	Approval Type	Conditions
permitted or conditional use		
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Recording Studios	P	
Recreation and Games Establishments, Indoor	P	
Recreation/Open Space	C	Subject to section 18-1531
Studios, Television and Radio Broadcast (excluding towers)	P	
Theaters	P	
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Clubs and Lodges	C	Subject to section 18-1531
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	Subject to section 18-1531
Community Facility	P	
Day Care Center - Type 1	P	
Day Care Center - Type 2	P	
Day Care Center - Type 3	P	
Educational Institutions	C	Subject to section 18-1531
Educational Institutions (elementary, middle, senior)	P	
Health Spas	P	Subject to section 18-1531
Laboratories, Medical and Dental	C	Subject to section 18-1531
Medical Marijuana Dispensary	P	
Place of Worship	P	

Land Use	Approval Type	Conditions
Public Educational Facilities	P	
Schools on Non-Academic Curriculum	P	
Schools, Trade (limited to business, medical and personal services)	P	
AGRICULTURE AND OTHER USES		
Accessory Uses (sec 18-1530)	P/C	Subject to sections 18-1530 and 18-1531
Home Occupations	C	Subject to section 18-1531

SECTION NINE: That Table 18-1523.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1523.3: Authorized Land Uses in CH District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Hotels and Motels	P/C	Permitted in CG or CRD future land use categories, but not exceed 40 units per gross acre. Conditional use in IL category for up to 50 units per acre and in CG category for up to 40 units per acre. See section 18-1503.17
COMMERCIAL USES		
Auction Rooms	P	
Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)	C	Subject to section 18-1531
Automobile Dealer - Used Cars	C	Subject to section 18-1531
Automotive Repair Facility (major), as an accessory use with an Automobile Dealer - New Cars	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Automotive Repair Facility (major, limited to automobiles, vans and light trucks)	C	Subject to section 18-1531
Automotive Repair Facility (minor)	P	
Bakeries, retail and/or wholesale	P	
Boat Showrooms, excluding outdoor sales or storage	P	
<u>Breweries</u>	<u>P</u>	
<u>Brewpubs</u>	<u>P</u>	
Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building	P	
Building Material and Home Improvement Establishments, where storage of materials is outdoors	C	Subject to section 18-1531
Car Washes	P	
Catering Establishments	P	
Clothing and Apparel Sales and Rentals	P	
Convenience Stores	P	
Delicatessens	P	Beer and wine for off premises consumption only
Drive-in/drive-thru businesses	C	All types unless otherwise listed. Subject to section 18-1531
Dry Cleaning and Laundry Plants	C	Subject to section 18-1531
Employment offices, Temporary Labor	C	Subject to section 18-1531
Exterminator and Pest Control Service Fleet Yards	P	
Financial Institutions	P	

Land Use	Approval Type	Conditions
Financial Institutions drive-thru	C	Subject to section 18-1531
Fuel Oil Distribution (retail only) and Storage	C	Subject to section 18-1531
Furrier Shops, including storage and conditioning of furs	P	
Glass Cutting and Glazing Establishments	P	
Light Printing Establishments	C	Subject to section 18-1531
<u>Microbreweries</u>	<u>P</u>	
Office Supply Stores	P	
Offices	P	
Outdoor Sales of boats, recreational Vehicles, or manufactured homes	C	Subject to section 18-1531
<u>Package Sales</u>	<u>C</u>	<u>Subject to section 18-1531</u>
Personal Services	P	
Photograph Developing and Processing Shops	P	
Printing, lithographing, or publishing establishments for newspaper, letterpress, business cards, mimeographing and other similar job printing services, including bookbinding	P	
Repair Services	P	
Restaurants	P	Excepting drive-in and drive-through, including accessory micro-brewery
Restaurants; Drive-in/Drive-thru	C	Subject to section 18-1531
Retail Sales	P	
Shopping Centers	C	Subject to section 18-1531
Taverns and Lounges	C	Subject to section 18-1531
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		

Land Use	Approval Type	Conditions
Light Manufacturing, no outdoor storage allowed	C	In CG land use category only. Subject to section 18-1531
Outdoor storage	P	In the IL land use category subject to section 18-1530.11
Research and Development	P	
Storage Facility, Secure, Climate Controlled	C	Subject to section 18-1531
Warehouses, storage, mini-warehouses, and wholesaling establishments (outdoor storage limited to 20% of building area)	C	Subject to section 18-1531
Wholesale Merchandise broker, offices or showrooms with storage space limited to 6,000 square feet of gross floor area per establishment and no outdoor storage	P	
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Armored Car Terminal Facilities	P	
Bus Terminal or other public transportation facility	C	Subject to section 18-1531
Communications Tower	C	Subject to section 18-1531
Electric Power Distribution Substations	P	Subject to section 1530.24
Off-street parking lots and parking garages	P	
Radio and Television Broadcasting Stations, excluding towers and relay equipment intended for primary signal transmission	P	
Taxi, Limousine, or Automobile Rental Establishments	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Truck/Trailer Rental Establishment	P	IL land use category only
Utilities, public and private	C	Subject to section 18-1531
ARTS, ENTERTAINMENT AND RECREATION USES		
Adult Entertainment Establishments in IL/Employment	C	Subject to section 18-1531
Auditorium, Arena, Gymnasium, and other similar places for public or private events	C	Subject to section 18-1531
Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers	C	Subject to section 18-1531
Recreation and Games Establishments, Indoor	P	
Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment	C	Subject to section 18-1531
Recreation/Open Space	C	Subject to section 18-1531
Tennis Courts (principal use)	C	Subject to section 18-1531
Theaters	P	
Theaters, Drive-in	C	Subject to section 18-1531
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Ambulance Service	C	Subject to section 18-1531
Clinic, Veterinary	C	Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.
Clubs and Lodges	P C	<u>Subject to section 18-1531</u>
Colleges, universities, Seminaries and Other Institutions of Higher Education	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Crematories, in conjunction with a Mortuary or Funeral Home	C	Subject to section 18-1531
Day Care Center - Type 2	C	Subject to section 18-1531
Day Care Center - Type 3	C	Subject to section 18-1531
Health Spas	P	
Home Health Care Service Agencies	P	
Laboratories, Medical and Dental	C	Subject to section 18-1531
Medical Marijuana Dispensary	P	
Mortuaries and Funeral Homes (excluding crematories)	C	Subject to section 18-1531
Place of Worship	P	
Schools on Non-Academic Curriculum	P	
Schools, Trade (limited to business, medical and personal services)	P	
Swimming Pools (principal use)	C	Subject to section 18-1531
CONSTRUCTION-RELATED BUSINESS USES		
Contractor's Offices and Shops where no fabricating is done on the premises and where all storage of all materials and equipment is within an enclosed building	P	
AGRICULTURE AND OTHER USES		
Plant Nurseries (Retail)	C	Subject to section 18-1531
Plant Nurseries (Wholesale)	P	
Accessory Uses (sec 18-1530)	P/C	Subject to section 18-1530 and 18-1531

Land Use	Approval Type	Conditions
Height - buildings and structures over 40 feet	C	Subject to section 18-1531
Outdoor Storage in IL/Employment	P	
Security Guard/Caretaker dwelling unit as an accessory use	P	

SECTION TEN: That Table 18-1524.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1524.3: Authorized Land Uses in M-1 District

Land Use	Approval Type	Conditions
RESIDENTIAL AND ACCOMMODATION USES		
Community Services other than those listed as permitted.	C	Subject to section 18-1531
Hotels and Motels (50 units per acre)	C	Limited to 50 units per acre. Subject to section 18-1531. See section 18-1503.17
COMMERCIAL USES		
Auction Rooms	P	
Auction, Automobile	P	
Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)	P	
Automobile Dealer - Used Cars	P	
Automobile Repair Facility (major), excluding heavy trucks	P	
Automobile Service Station	P	
Automotive Repair Facility (minor)	P	
Boat Showrooms, excluding outdoor sales or storage	P	

Land Use	Approval Type	Conditions
<u>Breweries</u>	<u>P</u>	
Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building	P	
Building Material and Home Improvement Establishments, where storage of materials is outdoors	P	
Car Washes	P	
Convenience Stores	P	
Delicatessens		
Delicatessens (beer and wine for off-premises consumption only)	P	
Employment offices, Temporary Labor	C	Subject to section 18-1531
Exterminator and Pest Control Service Fleet Yards	P	
Financial Institutions	P	
Financial Institutions drive-thru	P	
Heavy Truck, Sales	P	
Heavy Trucks, Repair (major)	C	Subject to section 18-1531
Ice Sales	P	
Kennels, Pounds and Animal Shelters	C	Subject to section 18-1531
Light Printing Establishments	P	
<u>Microbreweries</u>	<u>P</u>	
Office/Showroom	P	
Offices	P	
Outdoor Sales of boats, recreational Vehicles, or manufactured homes	P	

Land Use	Approval Type	Conditions
Parcel Delivery Station	P	
Personal Services	P	
Repair Services	P	
Restaurants, except drive-thru	P	
Restaurants; Drive-in/Drive-thru	P	
Retail Sales	P	
Shopping Centers	P	
Taverns and Lounges	C	Subject to section 18-1531
Utility Building Sales	P	
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Boat Building	C	Subject to section 18-1531
Industrial Uses Not Permitted by Right but similar to Other Permitted or Conditional Uses in the District	C	Subject to section 18-1531
Mini-Warehouse	P	
Outdoor Storage	P	Subject to Section 18-1530.11
Research and Development	P	
Secure Climate Controlled Storage Facility	P	
Storage Facility, Flammable Liquids,	P	Subject to State, County and local regulations for up to 1,000 gallons above ground, or greater than 1,000 gallons below ground
Storage, Bulk of Non-Flammable Liquids	P	
Warehouses	P	
Wholesale Establishments	P	
Beverages, bottling and distribution	P	
Boat Assembly and Repair, but not including boat building	P	

Land Use	Approval Type	Conditions
Carpentry and Woodworking Shops	P	
Culvert Manufacturing	P	
Drugs	P	
Dry Cleaning and Laundry Plants	P	
Electrical Supplies, Manufacturing and Assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries	P	
Food Products, Processing and Combining of Baking, Boiling, Canning, Cooking, Dehydrating, Freezing, Frying, Grinding, Mixing and Pressing	P	
Laboratories, Medical and Dental	P	
Machine Shops for Tool, Die, Pattern Making	P	
Machinery Manufacturing and Repairing	P	
Manufactured Home Assembly	P	
Meat Products Production	P	
Metal Finishing, Plating, Grinding, Sharpening, Polishing, Cleaning, Rust Proofing, and Heat Treatment	P	
Metal Stamping and Extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils	P	
Monument Works	P	

Land Use	Approval Type	Conditions
Orthopedic and Medical Appliances, such as artificial limbs, braces, supports, and stretchers	P	
Pharmaceutical Products, compounding only	P	
Precision Instruments, such as optical, medical and drafting	P	
Printing and Publishing Establishments	P	
Products from Finished Materials, such as plastic, bone, cork feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell, or yarns	P	
Rubber Products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers	P	
Sheet Metal Shop	P	
Signs, painting and manufacturing	P	
Silverware, plated and sterling	P	
Soldering and Welding	P	
Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.	P	

Land Use	Approval Type	Conditions
Tools and Hardware, such as bolts, nuts, screws, door knobs, drills, hand tools, cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances	P	
Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.	P	
Wood Products, such as furniture, boxes, crates, baskets, pencils, and cooperage works.	P	
Insecticides or Other Hazardous Chemicals	C	Subject to section 18-1531
Paint	C	Subject to section 18-1531
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Armored Car Terminal Facilities	P	
Bus Terminals, Bus Garage, and Bus Lots	P	
Communications Tower	C	Subject to section 18-1531
Electric Power Distribution Substations	P	
Motor Freight Terminals	P	
Off-street parking lots and parking garages, other than accessory to a permitted or conditional use	P	
Railroad Terminals and Other Rail/Mass Transit Facilities	C	Subject to section 18-1531
Taxi, Limousine, or Automobile Rental Establishments	P	
Utilities, public and private	P/C	Subject to section 18-1531

Land Use	Approval Type	Conditions
Water Filtration Plants	P	
Water Pumping Stations	P	
Water Reservoirs	P	
ARTS, ENTERTAINMENT AND RECREATION USES		
Adult Entertainment Establishments in IL/Employment	C	Subject to section 18-1531
Auditorium, Arena, Gymnasium, and other similar places for public or private events	C	Subject to section 18-1531
Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers	C	Subject to section 18-1531
Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment	C	Subject to section 18-1531
Recreation/Open Space	C	Subject to section 18-1531
Theaters, Drive-in	C	Subject to section 18-1531
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Ambulance Service	P	
Clinic, Veterinary	P	
Community Facility	P	
Crematories	P	
Day Care Center - Type 2	C	Subject to section 18-1531
Day Care Center - Type 3	C	Subject to section 18-1531
Homeless Shelter and Resource Center	C	Subject to section 18-1531
Medical Marijuana Dispensary	P	

Land Use	Approval Type	Conditions
Medical Marijuana Treatment Center	P	For the manufacturing, processing, testing, and packaging of medical marijuana
Place of Worship	P	
Schools on Non-Academic Curriculum	C	Subject to section 18-1531
Schools, Trade	C	Subject to section 18-1531
CONSTRUCTION-RELATED BUSINESS USES		
Contractor or Construction Shops and Storage Yards	P	
AGRICULTURE AND OTHER USES		
Plant Nurseries (Retail)	P	
Plant Nurseries (Wholesale)	P	
Accessory Uses (sec 18-1530)	P/C	Subject to section 18-1530 and 18-1531
Height - buildings and structures over 40 feet	C	Subject to section 18-1531
Off-Premises Signs	P	Subject to regulations in Article 6
Security Guard/Caretaker dwelling unit	P	Allowed as an accessory use

SECTION ELEVEN: That Table 18-1525.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

Table 18-1525.3: Authorized Land Uses in IH District

Land Use	Approval Type	Conditions
COMMERCIAL USES		
Automobile Repair Facility (major), excluding heavy trucks	P	
Automotive Repair Facility (minor)	P	
<u>Breweries</u>	<u>P</u>	

Land Use	Approval Type	Conditions
Exterminator and Pest Control Service Fleet Yards	P	
Heavy Trucks, Repair (major)	C	Subject to section 18-1531
Kennels, Pounds and Animal Shelters	C	Subject to section 18-1531
Parcel Delivery Station	P	
MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES		
Air Curtain Incinerators	C	Subject to section 18-1531
Boat Building	C	Subject to section 18-1531
Industrial By-Products, storage, treatment, and/or transfer	C	Subject to section 18-1531
Junk Yards, Scrap, and Salvage Yards	C	Subject to section 18-1531
Mini-Warehouse	P	
Research and Development	P	
Secure Climate Controlled Storage Facility	P	
Storage Facility, Flammable Liquids	P	Pursuant to State, County and local regulations for up to 1,000 gallons above ground, or greater than 1,000 gallons below ground
Storage, Bulk of Non-Flammable Liquids	P	
Warehouses	P	
Wholesale Establishments	P	
Beverages, bottling and distribution	P	
Boat Assembly and Repair, but not including boat building	P	
Carpentry and Woodworking Shops	P	
Culvert Manufacturing	P	
Drugs	P	
Dry Cleaning and Laundry Plants	P	

Land Use	Approval Type	Conditions
Electrical Supplies, Manufacturing and Assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries	P	
Food Products, Processing and Combining, including baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing	P	
Laboratories, Medical and Dental	P	
Machine Shops for Tool, Die, Pattern Making		
Manufactured Home Assembly	P	
Meat Products	P	
Metal Finishing, Plating, Grinding, Sharpening, Polishing, Cleaning, Rust Proofing, and Heat Treatment	P	
Metal Stamping and Extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils	P	
Monument Works	P	
Orthopedic and Medical Appliances, such as artificial limbs, braces, supports, and stretchers	P	
Pharmaceutical Products, compounding only	P	
Precision Instruments, such as optical, medical and drafting	P	

Land Use	Approval Type	Conditions
Printing and Publishing Establishments	P	
Products from Finished Materials, such as plastic, bone, cork feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell, or yarns	P	
Rubber Products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers	P	
Sheet Metal Shop	P	
Signs, painting and manufacturing	P	
Silverware, plated and sterling	P	
Soldering and Welding	P	
Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.	P	
Tools and Hardware, such as bolts, nuts, screws, door knobs, drills, hand tools, cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances	P	
Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.	P	
Wood Products, such as furniture, boxes, crates, baskets, pencils, and cooperage works.	P	

Land Use	Approval Type	Conditions
Acetylene or Propane Gas	C	Subject to section 18-1531
Concrete and Asphalt Manufacturing	P	
Insecticides or Other Hazardous Chemicals	C	Subject to section 18-1531
Machine Shops for Tool, Die, Pattern Making, and Automobiles	P	
Metal Fabrication and Foundries	P	
Paint	P	
TRANSPORTATION, COMMUNICATION AND UTILITY USES		
Airports, Aircraft Landing Fields and Heliports	C	Subject to section 18-1531
Armored Car Terminal Facilities	P	
Communications Tower	C	Subject to section 18-1531
Electric Power Distribution Substations	P	Subject to section 18-1530.24
Motor Freight Terminals	P	
Off-street parking lots and parking garages, other than accessory to a permitted or conditional use	P	
Railroad Terminals and Other Rail/Mass Transit Facilities	C	Subject to section 18-1531
Utilities, public and private, including facilities for solid waste, sewage, incineration, electricity, water, natural gas, oil and telecommunication services	C	Subject to section 18-1531
Water Filtration Plants	P	
Water Pumping Stations	P	
Water Reservoirs	P	
ARTS, ENTERTAINMENT AND RECREATION USES		

Land Use	Approval Type	Conditions
Auditorium, Arena, Gymnasium, and other similar places for public or private events	C	Subject to section 18-1531
Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers	C	Subject to section 18-1531
Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment	C	Subject to section 18-1531
Recreation/Open Space	C	Subject to section 18-1531
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES		
Community Facility	P	
Crematories	P	
Homeless Shelter and Resource Center	C	Subject to section 18-1531
Medical Marijuana Dispensary	P	Only as an accessory use to a Medical Marijuana Treatment Center involving manufacturing, processing, testing or packaging of medical marijuana.
Medical Marijuana Treatment Center	P	<u>Manufacturing, processing, testing, or packaging of medical marijuana, but not to include a Medical Marijuana Dispensary, unless otherwise allowed herein as an accessory use</u>
Place of Worship	P	
Race Tracks	C	Subject to section 18-1531
Residential Treatment Facilities		
Schools on Non-Academic Curriculum		
Schools, Trade	C	Subject to section 18-1531
Schools, Trade (limited to business, medical and personal services)		
Shooting Range (outdoor)	C	Subject to section 18-1531

Land Use	Approval Type	Conditions
CONSTRUCTION-RELATED BUSINESS USES		
Contractor or Construction Shops and Storage Yards	P	
AGRICULTURE AND OTHER USES		
Plant Nurseries (Wholesale)	P	
Accessory Uses (sec 18-1530)	P/C	Subject to section 18-1530 and 18-1531
Height - buildings and structures over 40 feet	C	Subject to section 18-1531
Off-Premises Signs, subject to regulations in Article 6	P	
Outdoor Storage in IL/Employment	P	
Outdoor Storage of Automobiles, Recreational Vehicles, Trucks, Construction Equipment, and Other Similar Equipment or Vehicles	P	
Security Guard/Caretaker dwelling unit as an accessory use	P	

SECTION TWELVE: That Chapter 18, Article 15, Section 18-1530.13, of the Land Development Code of the City of Pinellas Park, Florida, is hereby repealed in its entirety.

SECTION THIRTEEN: That Chapter 18, Article 15, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended creating a new Section 18-1530.13, which said Section shall read as follows:

SEC. 18-1530.13. - ALCOHOLIC BEVERAGES SALE OR SERVICE

(A) PURPOSE. The sale or service of alcoholic beverages has the potential to generate activity which may impact other uses in

an adverse manner. Such impacts may be mitigated in different ways, including but not limited to buffering or the provision of adequate separation distances. This section provides requirements for such mitigation.

(B) APPLICABILITY. Bottle clubs, clubs and lodges, package sales, restaurants, retail, and taverns and lounges selling or serving alcoholic beverages shall meet the requirements of this section in addition to zoning district requirements. Requirements of this section do not apply to manufacturers, distributors, or importers of alcoholic beverages governed by any state licensing and permitting requirements. For the purposes of this section, "restaurant" means an eating and drinking establishment serving alcoholic beverages that is governed by either:

1. A State series SRX alcoholic beverage license; or,
2. By another State consumption on-premises license, and which derives less than fifty (50) percent of its gross annual revenue from the sale of alcoholic beverages (including the 2COP license identified herein as a 2COP REST license).

(C) GENERAL REGULATIONS.

1. The following table lists the use separation requirements for various types of alcoholic beverage uses:

Table 18-1530.13: Regulations for Alcoholic Beverage License

<u>License Type</u>	<u>Uses Generally Applicable for the License</u>	<u>500-Foot Separation Distance Required</u>
<u>1COP</u>	<u>Establishment serving primarily beer and wine, but not liquor. May also serve food.</u>	<u>Yes</u>
<u>2COP</u>		
<u>4COP</u>	<u>Establishment serving primarily beer, wine and liquor. May also serve food.</u>	<u>Yes</u>
<u>4COP SRX</u>	<u>Restaurant</u>	<u>No</u>
<u>4COP X</u>		
<u>4COP SR</u>		
<u>4COP S</u>		
<u>2COP REST</u>		
<u>1APS</u>	<u>Package sales for off-premise consumption</u>	<u>Yes, unless sales are</u>
<u>2APS</u>		

<u>3APS</u>		<u>incidental to a principal use</u>
<u>3PS</u>		
<u>All other licenses, and the above licenses, when used as an accessory use to a permitted or conditional use</u>	<u>Bowling alleys, colleges and universities, congregate living facilities with common dining facilities, hotels, bed and breakfasts, tennis and/or racquetball clubs, golf courses, live performance theaters (excluding adult uses), airports, civic centers, race tracks, symphony orchestras, cruise ships and marine excursion charters where alcoholic beverage sales are incidental</u>	<u>No</u>
<u>14BC</u>	<u>Bottle clubs</u>	<u>Yes</u>

2. Except as provided in this subsection, certain alcoholic beverage uses (those having a 1COP, 2COP or 4COP license, a 14BC license, or an APS license) shall not be located within 500 feet of a legally established protected land use. For the purposes of this section, the term "protected land use" means a place of worship, an educational institution, a public educational facility, or a day care center that is legally established prior to the establishment of the applicable alcoholic beverage use. A protected land use that locates within 500 feet of an already established alcoholic beverage use shall not render the alcoholic beverage use nonconforming.

This distance shall be measured in a straight line from the nearest portion of the licensed premises of the alcoholic beverage use to the nearest property line of the protected land use. For the purposes of such measurement, the nearest exterior wall of the licensed premises, or the nearest wall of the unit containing the alcoholic beverage use in a multi-tenant structure, or the nearest point on an outside area which is part of the licensed premises, if any, shall be used. This minimum distance requirement shall not apply when the alcoholic beverage use and the protected land use are located in the same multi-tenant center.

3. The primary entrance for customers into any establishment serving alcoholic beverages for consumption on-premises shall be visible from a public street.
4. The sale, dispensing or consumption of alcoholic beverages shall be subject to Code of Ordinances, Chapter 4, Alcoholic Beverages, as well as Land Development Code Sections 16-110, 16-112 and 18-1531.10.

5. Nothing contained in this section shall be construed to allow any establishment, including any establishments holding a license prior to adoption of this chapter to change the type of license to include the sale of liquor or to change from a restaurant license to a non-restaurant license without meeting all ordinance requirements in effect at the time of the application for the change of license. However, changing the license to remove liquor sales or service shall be allowed at any time.

SECTION FOURTEEN: That Chapter 18, Article 15, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended creating a new subsection 18-1530.26, which said subsection shall read as follows:

Sec. 18-1530.26. - BREWERIES, BREWPUBS AND MICROBREWERIES

(A) PURPOSE. Due to economies of scale in production, distribution, marketing and advertising, national and super-regional breweries have dominated the beer industry for decades. These large-scale production facilities are traditionally assigned to industrial zoning classifications. Starting in the 1980's, local, independent breweries emerged as a competitive market segment within the beer industry and by the turn of the twenty-first century, the increased demand for small production facilities and mixed-use concepts began to reshape certain expectations about the potential impacts of this land-use type when developed on a smaller scale. The purpose of this section is to recognize the emergence of this specialized market segment and establish appropriate standards allowing for the typical range of activities, while mitigating any associated, undesirable impacts.

(B) APPLICABILITY.

1. This section shall apply to brewery, brewpub and microbrewery uses. Breweries are generally divided into four distinct market segments: brewpub, microbrewery, regional (small) brewery and large brewery.
2. This section does not apply to temporary or special events as may be authorized by other sections of this code.

(C) ESTABLISHMENT. Brewery, including regional (small) and large, microbrewery and brewpub uses shall be allowed as per the regulations of the applicable zoning district, as well as the other applicable regulations of this article.

(D) USE-SPECIFIC DEVELOPMENT STANDARDS.

1. BREWPUB. In addition to the regulations of the relevant zoning district, as well as other applicable regulations of this article, an establishment that meets the definition of a brewpub shall comply with the following:

a. Revenue from food sales shall constitute more than 50 percent of the gross annual revenues;

b. No more than 50 percent of the total gross floor area of the establishment shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;

c. Where permitted by local ordinance, state and federal law, retail carryout sale of beer produced on the premises shall be allowed in specialty containers holding no more than a U.S. gallon (3,785 ml/128 US fluid ounces). These containers are commonly referred to as growlers;

d. Brewpubs may sell beer in keg containers larger than a U.S. gallon (3,785 ml/128 US fluid ounces) for the following purposes and in the following amounts:

1. An unlimited number of kegs for special events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries, which include the participation of at least three such brewers;

2. An unlimited number of kegs for City co-sponsored events where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event co-sponsors but is instead, dispensed by employees of the brewpub.

e. All mechanical equipment visible from the street (excluding alleys), an adjacent residential use or residential zoning district shall be screened using

- architectural features consistent with the principal structure;
- f. Access and loading bays shall not face toward any street, excluding alleys;
 - g. Access and loading bays facing an adjacent residential use or residential zoning district, shall have the doors closed at all times, except during the movement of raw materials, other supplies and finished products into and out of the building;
 - h. No outdoor storage shall be allowed. This prohibition includes the use of portable storage units, cargo containers and tractor trailers.
2. MICROBREWERY. In addition to the regulations of the relevant zoning district, as well as other applicable regulations of this article, an establishment that meets the definition of a microbrewery shall comply with the following:
- a. The microbrewery shall produce no more than 15,000 barrels (465,000 US gallons/17,602.16 hectoliters) of beer per year;
 - b. This use shall be permitted only in conjunction with a restaurant, taproom or tavern/lounge:
 - 1. No more than 75 percent of the total gross floor space of the establishment shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
 - 2. The façade of any accessory use(s) shall be oriented toward the street, excluding alleys, and, if located in a shopping center, to the common space where the public can access the use;
 - 3. Pedestrian connections shall be provided between the public sidewalks and the primary entrance(s) to any accessory use(s).
 - c. All mechanical equipment visible from the street (excluding alleys), an adjacent residential use or residential zoning district shall be screened using architectural features consistent with the principal structure;

- d. Access and loading bays are discouraged from facing toward any street, excluding alleys;
 - e. Access and loading bays facing any street, adjacent residential use or residential zoning district, shall have the doors closed at all times, except during the movement of raw materials, other supplies and finished products into and out of the building;
 - f. No outdoor storage shall be allowed, including the use of portable storage units, cargo containers and tractor trailers, except as follows: spent or used grain, which is a natural byproduct of the brewing process, may be stored outdoors for a period of time not to exceed 24 hours. The temporary storage area of spent or used grain shall be:
 - 1. Designated on the approved site plan;
 - 2. Permitted within side or rear yards;
 - 3. Prohibited within any front or secondary front yard;
 - 4. Prohibited within any yard abutting a residential use or residential zoning district;
 - 5. Fully enclosed within a suitable container, secured and screened behind a solid, opaque fence or wall measuring six feet in height.
3. REGIONAL (SMALL) AND LARGE BREWERY. An establishment that meets the definition of a brewery shall comply with the regulations of the relevant zoning district, as well as other applicable regulations of this article.

SECTION FIFTEEN: That Chapter 18, Article 15, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended creating a new Section 18-1530.27, which said section shall read as follows:

Sec. 18-1530.27. - MOBILE FOOD TRUCKS.

- (A) PURPOSE. Mobile food vending units have existed in various forms over several centuries, distinguished as much by their physical characteristics as their operational requirements. The purpose of this section is to:

1. Recognize this specialized market segment;
2. Classify the types of permitted mobile food trucks; and,
3. Establish appropriate standards allowing for the typical range of activities while mitigating any associated, undesirable impacts.

(B) APPLICABILITY.

1. It is a violation to vend any product from a mobile food truck at any location except in compliance with the requirements of this Section.
2. No tables, chairs or other furniture or equipment shall be placed within a public or private right-of-way.
3. This section excludes a contractual or other private arrangement between a mobile food truck and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

(C) PERMITTED ZONING DISTRICTS. Mobile food trucks will be permitted to operate as an accessory use in the following zoning districts:

1. "B-1" General Commercial;
2. "CH" Heavy Commercial;
3. "GO" General Office;
4. "IH" Heavy Industrial;
5. "M-1" Light Industrial;
6. "MXD" Mixed Use;
7. "P" Public; and,
8. "TC" Town Center.

(D) PROHIBITIONS. Mobile food vendors are prohibited from the following:

1. Selling or distributing alcoholic beverages unless pursuant to a separate agreement with the City;
2. Operating in a municipal park, municipal parking lot, municipal cemetery and public rights-of-way unless pursuant to a separate agreement with the City;
3. Operating outside of the permitted zoning districts listed in Section 18-1530.27(C) unless pursuant to a separate agreement with the City;
4. Operating on unimproved surfaces, vacant lots and abandoned business locations;

5. Selling or dispensing food to customers in a moving vehicle or otherwise engaging in drive-up sales;
6. Parking a mobile food truck:
 - a. Within fifteen (15) feet of any fire hydrant or storm drainage structure;
 - b. Within twenty (20) feet of a crosswalk; and,
 - c. Within two hundred (200) feet of any brick and mortar restaurant or outdoor dining area, unless specific authorization has been provided by the brick and mortar restaurant or outdoor dining area.

(E) GENERAL REGULATIONS.

1. BUSINESS TAX RECEIPT REQUIREMENTS. A mobile food truck shall comply with all state and local business tax regulations, including obtaining a business tax receipt from the City of Pinellas Park.
2. MOBILE FOOD ESTABLISHMENT PERMIT REQUIREMENTS. A mobile food establishment permit is required for all mobile food trucks and shall be issued concurrently with a business tax receipt provided the following requirements are met:
 - a. Mobile food trucks, including any side extensions of awnings, the length of any trailer hitch, the trailer or other extensions, seating area, or any other associated element shall not exceed the confines of a six hundred forty-eight (648) square foot area as defined on a typical sketch plan that shall be approved in conjunction with a mobile food vendor permit. This sketch plan shall be the required set-up for each and every location of the mobile food truck.
 - b. A mobile food vendor permit and the associated business tax receipt may be suspended or revoked by the City Manager or designee for any of the reasons listed below with notice of such action given to the permittee in writing. The action shall be effective immediately upon receipt of such notice by the permittee.
 1. Fraud, misrepresentation, or false statement in the application for the permit, or made in the course of carrying on business as a holder of the permit; or,
 2. Expiration, suspension or revocation of any other governmental permit, license or

certificate which was required as a condition of issuance of the permit; provided, that in such cases, the suspension or revocation of the permit shall take effect immediately upon notice to the permit holder unless the other governmental agency has allowed the use or activity to continue during a "time to cure" period; or,

3. Failure to comply with a condition of the permit; or,

4. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public; or,

5. Any other reason specifically identified in this Code or the permit.

c. EXPIRATION. A mobile food establishment permit shall expire concurrently with the associated Business Tax Receipt, but may be renewed on an annual basis.

d. TRANSFERABILITY. Ownership of a mobile food vendor permit shall not be transferred except as part of the sale of a majority of the stock in a corporation holding such permit, as part of the sale of a majority of the membership interests of a limited liability company holding such permit, or as part of the sale of a business or substantially all of its assets.

3. VEHICLE REQUIREMENTS. A mobile food truck shall not be used for vending a product unless the vehicle has been designed and constructed specifically for such purpose. The mobile food truck shall be licensed in accordance with the rules and regulations of any local, state and federal agency having jurisdiction over the mobile food truck or products sold therein.

4. INSURANCE REQUIREMENTS. A mobile food truck shall obtain at a minimum, insurance as required by any local, state or federal laws and regulations.

5. NOISE LIMITATIONS. Amplified music or other sounds from any mobile food truck shall comply with those noise requirements set forth in Section 16-105.

6. WASTE COLLECTION.

- a. The operator shall provide a waste receptacle for public use. The area shall be kept neat and orderly at all times and garbage or trash shall be removed prior to departure of the mobile food truck each day.
 - b. Under no circumstances shall liquid waste or grease be released into the City's sanitary sewer system. All waste shall be disposed of properly through such means as set forth within the Code of Ordinances and/or Land Development Code.
7. SPECIAL EVENTS. Mobile food trucks may participate in special events, subject to the requirements and conditions of the applicable permit. A Mobile Food Establishment Permit shall not be required when participating in such an event.

(F) OPERATING REQUIREMENTS.

1. Mobile food trucks shall have the written permission of the owner of the property on which it is located. Such written permission shall be made available for inspection upon request.
2. Mobile food trucks shall be located in an area that will not obstruct vehicular or pedestrian circulation, bus stops, the ingress or egress of other businesses or building entrances or emergency exits, and shall be set back at least fifteen (15) feet from fire hydrants.
3. Mobile food trucks must be self-contained when operating and shall not impede free movement of automobiles, bicycles or pedestrians. The mobile food vendor shall keep all areas within fifteen (15) feet of the mobile food truck clean of grease, trash, paper, cups or cans associated with the vending operation.
4. No more than one mobile food truck shall operate on any property at any one time, with the exception of breweries, microbreweries, micro-wineries, and micro-distilleries, or as may be permitted by a special event or special use permit issued by the City.
5. Mobile food trucks operating at a site for a duration of more than three (3) hours shall have a written agreement, available upon request, which confirms that employees have access to a flushable restroom within one hundred fifty (150) feet of the vending location during the hours of operation.

6. Mobile food trucks shall display the appropriate business tax receipt, state license and county health certificate, and, if applicable, the mobile food vendor permit. The VIN number of the mobile food truck shall match the VIN number on the approved mobile food vendor permit application and business tax receipt.

6. Class II Mobile Food Trucks (Canteen Trucks) may provide catering to employees at construction sites only at locations within the clearly delineated boundaries of the site. Boundaries shall be delineated through the use of fencing or other materials enclosing a construction site, where there is a currently valid construction permit, and only for a limited period of thirty (30) minutes.

(G) VARIANCES. Any variance from the provisions of this Section is prohibited.

SECTION SIXTEEN: That Section 18-1531.10(A)19., of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

19. Clubs and Lodges.

~~(a) Review by the Planning and Zoning Commission and approval by City Council.~~

(a) Administrative approval unless a waiver is requested for any of the following criteria, then the application shall require Review by the Planning and Zoning Commission and approval by City Council.

1.The subject property is neither adjacent nor functionally adjacent to a parcel of land within a residential zoning district.

2.The subject property is not within 500 feet of a parcel of land used as a place of worship, an educational institution, a public educational facility, or a day care center unless the intervening land uses, structures or context are such that the location of the club and/or lodge is unlikely to have an adverse impact on such place of worship, educational institution, public educational facility or day care center. If the place of worship,

educational institution, public educational facility or day care center is a nonconforming use, then this criteria shall not apply.

3. Minimum lot area of twenty thousand (20,000) square feet.

4. Minimum lot width of one hundred fifty (150) feet.

5. The subject property shall have frontage on either an arterial or collector right-of-way with ingress to and egress from the property not to occur via a local street.

~~(d) Minimum setback of fifty (50) feet from any property line abutting or functionally abutting a residential district.~~

~~(e) No outdoor activity, other than parking, closer than fifty (50) feet to any property line or street line in any residential zoning district, and such activity screened from any adjoining residential use by a solid fence or wall at least six (6) feet in height.~~

~~(f) Frontage on either a collector, arterial frontage or arterial street. Access plans shall be approved by the Traffic Division Director. The City Manager may waive this requirement for locations where access is not via residential streets.~~

~~(g) Operational hours shall be between 7:00 a.m. and 11:00 p.m. when it is located abutting or functionally abutting any residential zoning district.~~

SECTION SEVENTEEN: That Chapter 18, Article 15, Section 18-1531.10(A) of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended creating a new subsection 58, with all subsequent subsections renumbered accordingly, which shall read as follows:

58. Package Sales.

(a) Administrative approval unless a waiver is requested for any of the following criteria, then the application shall require Review by the

Planning and Zoning Commission and approval by City Council.

- (b) The subject property is neither adjacent nor functionally adjacent to a residential zoning district.
- (c) The subject property is not within 500 feet of a parcel of land used as a place of worship, an educational institution, a public educational facility, or a day care center unless the intervening land uses, structures or context are such that the location of the package sales is unlikely to have an adverse impact on such place of worship, educational institution, public educational facility or day care center. If the place of worship, educational institution, public educational facility or day care center is a nonconforming use, then this criteria shall not apply.
- (d) The subject property shall have frontage on either an arterial or collector right-of-way with ingress to and egress from the property not to occur via a local street.

SECTION EIGHTEEN: That Section 18-1531.10(A)69., of Chapter 18 of the Land Development Code of the City of Pinellas Park, Florida, is hereby repealed in its entirety with all subsequent sections renumbered accordingly:

~~69. Restaurants.~~

~~(a) Administrative approval.~~

~~(b) The operation of the restaurant when abutting or functionally abutting a residential zoning district shall be limited to the period from 7:00 a.m. to 11:00 p.m.~~

SECTION NINETEEN: That Section 18-1531.10(A)81., of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended to read as follows:

~~81~~ 80. Taverns and Lounges ~~(includes bottle clubs).~~

(a) Administrative approval unless a waiver is requested for any of the following criteria, then the application shall require Review by the Planning and Zoning Commission and approval by City Council.

1.The subject property is neither adjacent nor functionally adjacent to a residential zoning district.

2.The subject property is not within 500 feet of a parcel of land used as a place of worship, an educational institution, a public educational facility, or a day care center unless the intervening land uses, structures or context are such that the location of the package sales is unlikely to have an adverse impact on such place of worship, educational institution, public educational facility or day care center. If the place of worship, educational institution, public educational facility or day care center is a nonconforming use, then this criteria shall not apply.

3.The subject property shall have frontage on either an arterial or collector right-of-way with ingress to and egress from the property not to occur via a local street.

~~(a) Staff only review if subject site does not abut or functionally abut residential zoning districts.~~

~~(b) Review by the Planning and Zoning Commission and approval by City Council if abutting or functionally abutting residential zoning districts.~~

~~(c) Minimum five hundred (500) feet separation from any "F," "RE," "RR," "R 1," "R 2," "R 3," "R 4," "T 1," "T 2," "R 5," "R 6" or Residential "PUD" District. See Section 18-1530.13(A)4. for measurement procedure.~~

~~(d) Minimum maintained lighting level of the entire customer parking area of five-foot candles per square foot measured at the surface of the parking area.~~

~~(e) An establishment which sells beer or malt liquor containing alcohol of 0.5 percent (0.5%) or more by volume only for consumption off the premises, and which does not otherwise~~

~~sell or dispense alcoholic beverages or allow on premise consumption of alcoholic beverages, shall not be subject to the provisions of this Section. As used herein "malt beverages" shall mean all brewed beverages containing malt. Furthermore, the provisions of this Section shall not apply to "Package Stores," as defined in Section 18-1502.2, which shall be considered a "retail sales" establishment.~~

~~In addition to the foregoing requirements, the following requirements, where applicable, shall apply:~~

- ~~(f) The provisions of Chapter 4, "Alcoholic Beverages," Section 16-110 "Nudity Regulation of Commercial Exploitation of" and Section 16-112, "Live Nude or Semi Nude Entertainment in Establishments Dealing in Alcoholic Beverages" of the Code of Ordinances; and~~
- ~~(g) The provisions of Section 18-1530.13. "Regulations for Sale and Dispensing of Alcoholic Beverages" of the Land Development Code.~~

SECTION TWENTY: That Section 18-1532.9(B)14., of Chapter 18 of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended so to read as follows:

- 14. Taverns, Lounges: One (1) per fifty (50) SF of GFA and Lounges: One (1) per two hundred fifty (250) SF of GFA.

SECTION TWENTY-ONE: That Chapter 18, Article 4, Section 18-1532.9(B), of the Land Development Code of the City of Pinellas Park, Florida, is hereby amended creating new subsections 34, 35, 36 and 37, which shall read as follows:

- 34. Breweries: One (1) per two hundred fifty (250) SF of GFA used as a taproom, plus one (1) per one thousand (1,000) SF of all other GFA.
- 35. Brewpubs: One (1) per two hundred fifty (250) SF of GFA.

36. Microbreweries: One (1) per two hundred fifty (250) SF of GFA used as a lounge, restaurant, taproom or tavern, plus one (1) per one thousand (1,000) SF of all other GFA.

37. Package Sales: One (1) per two hundred fifty (250) SF of GFA.

SECTION TWENTY-TWO: 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 Code of Ordinances and 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 TWENTY-THREE: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION TWENTY-FOUR: If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION TWENTY-FIVE: 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.

1ST PUBLIC HEARING THE _____ DAY OF _____, 2020.

2ND PUBLIC HEARING THE _____ DAY OF _____, 2020.

ADOPTED THIS _____ DAY OF _____, 2020.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2020.

Sandra L. Bradbury
MAYOR

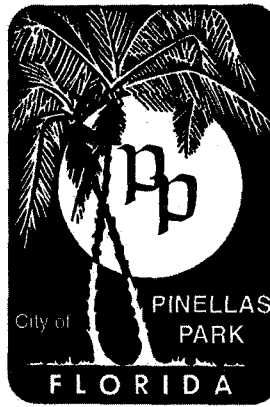
ATTEST:

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
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(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

January 13, 2020

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

RE: Revised City Document #19-398
LDC 2019-05 Alcoholic Beverages

Dear Ms. Lindquist:

I have received and reviewed the revised LDC 2019-05 Alcohol Ordinance. I would approve of the revised 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

19-398.01132020.LEL.LDC 2019-05 Ord.wpd



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I. APPLICATION DATA

- A. Case Number:** LDC 2019-5
- B. Request:** Approve amendments to the Land Development Code pertaining to the sale of alcoholic beverages.
- C. Applicant:** City of Pinellas Park, Community Development 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 4-102, TO CORRECT ERRORS AND UPDATE REFERENCES; AND BY AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 18-1502.2, TO ADD, MODIFY OR REMOVE DEFINITIONS; AMENDING TABLE 18-1517.3, TO REMOVE DELICATESSENS AS A PERMITTED USE AND TO REMOVE CLUBS AND LODGES AS A CONDITIONAL USE IN THE ROR DISTRICT; AMENDING TABLE 18-1518.3, TO ADD A CONDITION ON RECREATION/OPEN SPACE, TO REMOVE THE CONDITIONS ON CONVENIENCE STORES AND RETAIL SALES, AND TO REMOVE DELICATESSENS AS A PERMITTED USE IN THE CN DISTRICT; AMENDING TABLE 18-1519.3, TO ADD A CONDITION ON OFFICE SUPPLY STORES, TO MODIFY A CONDITION ON DRIVE-IN/DRIVE-THRU BUSINESSES, AND TO REMOVE CLUBS AND LODGES AS A PERMITTED USE AND TAVERNS AND LOUNGES, RESTAURANTS AND DRIVE-IN/DRIVE-THRU RESTAURANTS AS CONDITIONAL USES IN THE GO DISTRICT; AMENDING TABLE 18-1520.3, TO MODIFY CONDITIONS ON RETAIL SALES, TO ADD CONDITIONS ON DRIVE-IN THEATERS, DAY CARE CENTER – TYPE 2 AND TYPE 3, AND RESIDENTIAL TREATMENT FACILITIES, TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES, AND PACKAGE SALES AS A CONDITIONAL USE, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO CHANGE CLUBS AND LODGES FROM A PERMITTED USE TO A CONDITIONAL USE IN THE B-1 DISTRICT; AMENDING TABLE 18-1521.3, TO MODIFY CONDITIONS ON BED AND BREAKFAST ESTABLISHMENTS, TO ADD CONDITIONS ON PLACE OF WORSHIP, ACCESSORY USES, AND HEIGHT – BUILDINGS AND STRUCTURES OVER 50 FEET IN AREA “A” OR 35 FEET IN AREA “B,” TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES IN THE MXD DISTRICT; AMENDING TABLE 18-1522.3, TO MODIFY CONDITIONS ON BED AND BREAKFAST ESTABLISHMENTS, TO REMOVE THE CONDITION ON HEALTH SPAS, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO ADD BREWPUBS AND MICROBREWERIES AS PERMITTED USES IN THE TC DISTRICT; AMENDING TABLE 18-1523.3, TO MODIFY THE CONDITION ON HOTELS AND MOTELS AND RESTAURANTS, TO REMOVE DELICATESSENS AS A PERMITTED USE, TO ADD BREWERIES, BREWPUBS AND MICROBREWERIES AS PERMITTED USES, AND PACKAGE SALES AS A CONDITIONAL USE, AND TO CHANGE CLUBS AND LOUNGES FROM A PERMITTED USE TO A CONDITIONAL USE IN THE CH DISTRICT; AMENDING TABLE 18-1524.3, TO ADD BREWERIES AND MICROBREWERIES AS PERMITTED USES, TO REMOVE DELICATESSENS AS A PERMITTED USE, AND TO REMOVE TAVERNS AND LOUNGES AS A CONDITIONAL USE IN THE M-1 DISTRICT; AMENDING TABLE 18-1525.3, TO ADD BREWERIES AS A PERMITTED USE, AND TO REMOVE RESIDENTIAL TREATMENT FACILITIES, SCHOOLS ON NON-ACADEMIC CURRICULUM, TRADE SCHOOLS (LIMITED TO BUSINESS, MEDICAL AND PERSONAL SERVICES) AS USES IN THE IH DISTRICT; REPEALING SECTION 18-1530.13 IN ITS ENTIRETY; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.13; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.26; AMENDING CHAPTER 18, ARTICLE 15, TO CREATE A NEW SECTION 18-1530.27; AMENDING SECTION 18-1531.10(A), TO ADD OR MODIFY SUBSECTIONS PERTAINING TO CONDITIONAL USE REQUIREMENTS FOR CLUBS AND LODGES, PACKAGE SALES, AND TAVERNS AND LOUNGES; REPEALING SUBSECTION 18-1531.10(A)69 IN ITS ENTIRETY; AMENDING SECTION 18-1532.9(B), TO ADD OR MODIFY SUBSECTIONS PERTAINING TO OFF-STREET PARKING SPACE REQUIREMENTS FOR TAVERNS AND LOUNGES, BREWERIES, BREWPUBS, MICROBREWERIES AND PACKAGE SALES; 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 & 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 numerous sections of the LDC, each section pertains to the sale of alcoholic beverages. The following is a brief discussion of each section of the proposed ordinance:

Section One *[Pages 3 – 4 of Ordinance]*

This section amends the applicability of the Chapter. Specifically, the section corrects language that erroneously indicates alcoholic beverages (containing more than 0.5% alcohol) are not regulated by the Chapter.

Section Two *[Pages 4 – 7 of Ordinance]*

This section amends several existing definitions, as well as striking and adding definitions.

Section Three *[Pages 7 – 9 of Ordinance]*

This section amends the “ROR” District to remove the Delicatessens use, which has specific provisions associated with it for the sale of beer and wine. The use, however, is technically already covered by the definition of Restaurant within the Land Development Code (LDC) and its existence, separate and distinct from the Restaurant use both here in the “ROR” District and elsewhere throughout the LDC, is unnecessary.

This section also amends the “ROR” District to remove Clubs and Lodges as the use is inconsistent with the Statement of Intent for the District.

Section Four *[Pages 9 – 10 of Ordinance]*

This section amends the “CN” District to remove the Delicatessens use (previously discussed), and removes the use conditions specific to Convenience Stores and Retail Sales.

Section Five *[Pages 10 – 13 of Ordinance]*

This section amends the “GO” District to remove several uses (which are involved in the sale of alcoholic beverages) that are inconsistent with the Statement of Intent for the District. The uses removed are Restaurants, Drive-In/Drive-Thru Restaurants, Taverns and Lounges, and Clubs and Lodges.

Section Six *[Pages 13 – 19 of Ordinance]*

This section amends the “B-1” District to remove the Delicatessens use (previously discussed), to add Brewpubs and Microbreweries as permitted uses, Package Sales as a conditional use, and shift Taverns and Lounges from a permitted use to a conditional use.

This section also corrects an error from an amendment approved in March 2019 that accidentally prohibited retail sales from the overwhelming majority of land within “B-1” District in the City, as well as numerous omissions of use conditions pertaining to conditional uses throughout the District.

Section Seven *[Pages 19 – 22 of Ordinance]*

This section amends the “MXD” District to remove the Delicatessens use (previously discussed), and to add Brewpubs and Microbreweries as permitted uses.

This section also corrects numerous omissions of use conditions pertaining to conditional uses throughout the District, and corrects an error from the previously mentioned March 2019 amendment where Day Care Centers (Type 1, 2 and 3) were erroneously established as permitted uses.

Section Eight *[Pages 23 – 26 of Ordinance]*

This section amends the “TC” District to remove the Delicatessens use (previously discussed), to add Brewpubs and Microbreweries as permitted uses, and to correct errors among the use conditions throughout the District.

Section Nine *[Pages 26 – 32 of Ordinance]*

This section amends the “CH” District to remove the Delicatessens use (previously discussed), to add Breweries, Brewpubs and Microbreweries as permitted uses, Package Sales as a conditional use, and to shift Clubs and Lodges from a permitted use to a conditional use. This section also revises the condition pertaining to the Restaurant use to remove outdated language pertaining to a “micro-brewery.”

Section Ten *[Pages 32 – 39 of Ordinance]*

This section amends the “M-1” District to remove the Delicatessens use (previously discussed) and the Taverns and Lounges use, and to add Breweries and Microbreweries as permitted uses.

Section Eleven *[Pages 39 – 45 of Ordinance]*

This section amends the “IH” District to add Breweries as a permitted use. This Section also corrects a few errors from the previously mentioned March 2019 amendment that erroneously added three uses to the District without establishing an approval type, as well as omitting language from a use condition.

Section Twelve *[Page 45 of Ordinance]*

This section strikes the entirety of the current Section 18-1530.13. This Section is being struck in its entirety as it contains an excessive amount of errors and inconsistencies.

Section Thirteen *[Pages 45 – 48 of Ordinance]*

This section establishes a new Section 18-1530.13 setting forth the purpose, applicability and general regulations by which the sale of alcoholic beverages shall be governed.

Section Fourteen *[Pages 48 – 51 of Ordinance]*

This section establishes a new section within the LDC, Section 18-1530.26, which sets forth use-specific development standards for Breweries, Brewpubs and Microbreweries.

Section Fifteen *[Pages 51 – 56 of Ordinance]*

This section establishes a new section within the LDC, Section 18-1530.27, which sets forth regulations by which Mobile Food Vendors (i.e. food trucks) shall be governed.

Section Sixteen *[Pages 56 – 57 of Ordinance]*

This section amends the Conditional Use Regulations as they pertain to Clubs and Lodges. Specifically, the regulations would allow Clubs and Lodges to be approved administratively so long as the use is not adjacent or functionally adjacent to residentially zoned property, not within 500 feet of certain uses, has a minimum lot width of 150 feet and lot area of 20,000 square feet, fronts on either an arterial or collector right-of-way, and takes no ingress/egress from a local right-of-way. Any waiver from these standards would require the conditional use be reviewed by the Planning and Zoning Commission and approved by City Council.

Section Seventeen *[Pages 57 – 58 of Ordinance]*

This section establishes a new subsection establishing Conditional Use Regulations as they would pertain to the new Package Sales use. These regulations would allow Package Sales to be approved administratively so long as the use is not adjacent or functionally adjacent to residentially zoned property, not within 500 feet of certain uses, fronts on either an arterial or collector right-of-way, and takes no ingress/egress from a local right-of-way. Any waiver from these standards would require the conditional use be reviewed by the Planning and Zoning Commission and approved by City Council.

Section Eighteen [Page 58 of Ordinance]

This section strikes the Conditional Use Regulations currently established for Restaurants as there will be no zoning district that allows for Restaurants as a conditional use.

Section Nineteen [Pages 58 – 60 of Ordinance]

This section amends the Conditional Use Regulations as they pertain to Taverns and Lounges. Specifically, the regulations would allow Clubs and Lodges to be approved administratively so long as the use is not adjacent or functionally adjacent to residentially zoned property, not within 500 feet of certain uses, fronts on either an arterial or collector right-of-way, and takes no ingress/egress from a local right-of-way. Any waiver from these standards would require the conditional use be reviewed by the Planning and Zoning Commission and approved by City Council.

Section Twenty [Page 60 of Ordinance]

This section establishes a new minimum off-street parking requirement for Taverns and Lounges at one space per 250 square feet of gross floor area (GFA).

Section Twenty-One [Page 60 of Ordinance]

This section establishes minimum off-street parking space requirements for the new Brewpubs and Package Sales uses at one space per 250 square feet of GFA; for the new Breweries use at one space per 250 square feet of tavern GFA, plus one space per 1,000 square feet of all other GFA; and for the new Microbreweries use at one space per 250 square feet of lounge, restaurant, taproom or tavern GFA, plus one space per 1,000 square feet of all other GFA.

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.

POLICY LU.1.8.2

The City Land Development Code shall provide regulations for environmental management, drainage, stormwater management, open space, safe and convenient on-site traffic flow, and vehicle parking

2. Staff Analysis:

The proposed ordinance is consistent with the adopted Comprehensive Plan, specifically the Goal and Policy 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, Public Works Department, Police Department and Fire Department.

IV. SUMMARY

A. Findings:

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

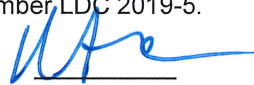

1. That the proposed amendment is consistent with the applicable Goals, Objectives and Policies of the Comprehensive Plan; and,
2. That the proposed amendment is consistent with the applicable Review Criteria per LDC Section 18-1539.3.

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 2019-5.

Planning & Development Services Director:

Community Development Administrator:

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 the sale of alcoholic beverages.

VI. ATTACHMENTS

Exhibit A: Proposed Amendment to the Land Development Code



ADDENDUM

Case Number: LDC 2019-5

PLANNING AND ZONING COMMISSION

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

1. That the Ordinance be revised so that the definition of Delicatessens shall read as follows: "Shall be considered a Restaurant".
2. That the Ordinance be revised so that within the definition of Micro-Winery the word "grapes" shall be replaced with "fruit."
3. That the Ordinance be revised so that the definition of Restaurant, Drive-In/Drive-Thru shall conclude as follows: "through the drive-thru."
4. That the Ordinance be revised so that Section 18-1530.13(A) shall read as follows: "PURPOSE. The sale or service of alcoholic beverages has the potential to generate activity which may impact other uses in an adverse manner. Such impacts may be mitigated in different ways, including but not limited to buffering (pursuant to perimeter landscape buffer requirements of Section 18-1533) or the provision of adequate separation distances. This section provides requirements for such mitigation."
5. That the Ordinance be revised so that time stipulated within Section 18-1530.27(F)6. shall be thirty (30) minutes.

VI. ACTION

CITY COUNCIL– MOVE TO:

1: APPROVE

2: APPROVE WITH CONDITIONS

1. That the Ordinance be revised so that the definition of Delicatessens shall read as follows: "Shall be considered a Restaurant".
2. That the Ordinance be revised so that within the definition of Micro-Winery the word "grapes" shall be replaced with "fruit."
3. That the Ordinance be revised so that the definition of Restaurant, Drive-In/Drive-Thru shall conclude as follows: "through the drive-thru."
4. That the Ordinance be revised so that Section 18-1530.13(A) shall read as follows: "PURPOSE. The sale or service of alcoholic beverages has the potential to generate activity which may impact other uses in an adverse manner. Such impacts may be mitigated in different ways, including but not limited to buffering (pursuant to perimeter landscape buffer requirements of Section 18-1533) or the provision of adequate separation distances. This section provides requirements for such mitigation."
5. That the Ordinance be revised so that time stipulated within Section 18-1530.27(F)6. shall be thirty (30) minutes.

3: DENY

...case number LDC 2019-5, an amendment to the Land Development Code pertaining to the sale of alcoholic beverages.