



**PLANNING COMMISSION
ZEPHYRHILLS, FLORIDA**

**Wednesday, May 27, 2026
6:00 PM**

**To attend virtually please log onto Teams Meeting:
<https://teams.microsoft.com/meet/211149007559169?p=DoNwhLmJbxQZfiANR>**

**Zephyrhills
City Hall**

**Council
Chambers**

Call to Order-Mayor Monson
Roll Call-Carlos Maldonado
Invocation-Beth Aker

1. CONSENT ITEMS

- 1.1 Planning Commission Meeting Minutes Approval For April 21st, 2026**
1. Planning Commission Meeting Minutes 4-21-26

2. PLANNING ITEMS

- 2.1 Introductory Statement by the new Planning Director
- 2.2 Ordinance 1519-26 - State Statute Compliance LDC Updates
1. Manufactured Homes - Table. 2.02.01. Allowable uses in zoning districts
 2. Ord 1519-26 Map of Manufactured Home Permissible Zoning Designations
 3. Sec. 7.09.29. Accessory dwelling units
 4. Part 11.01.00. Procedure for obtaining development permits
 5. Part 11.03.00. Subdivision review
 6. ORDINANCE NO 1519-26 DRAFT May 20 2026
- 2.3 Ordinance 1521-26 - Accessory Structure LDC Update
1. Sec. 7.09.01.01. Accessory uses and structures except garages and garages with accessory dwelling units
 2. ORDINANCE NO 1521-2026 DRAFT May 20 2026 - CLEAN

3. BUSINESS ITEMS

ADJOURN

*** PLEASE NOTE: This is a Public Meeting. Should any interested party seek to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S. 286.0105. If you are a person with a disability which requires reasonable accommodation in order to participate in this meeting, please contact the City Clerk at 813/780-0000 at least 48 hours prior to the public hearing. A.D.A. and F.S. 286.26.**



Zephyrhills

Planning Commission Meeting Minutes April 21st, 2026 at 6:00 PM

I. Call to Order-Dr. Randy Stovall

II. Roll Call-Carlos Maldonado

Members Present: Dr. Randy Stovall, David Armstrong, Beth Aker, Tracy Sullivan, Dr. Christa Remington, Ellen Taylor and Clyde Bracknell
Members Absent: Mayor Monson and Thomas Vanater.

III. Invocation-Beth Aker

IV. Pledge of Allegiance-Dr. Randy Stovall

1.Consent Items

1.1 Planning Commission Meeting Minutes Approval for March 17th, 2026.

The minutes were motioned for approval with the conditions of a typo being corrected.

2. Planning Items

2.1 CU0012-26 Conditional Use Permit-Oversized Accessory Unit 5115 16th Street

This item was taken off the agenda.

2.2 Proposed Amendment to the City of Zephyrhills Comprehensive Plan; to repeal and replace the adopted Recreation and Open Space Element with updated Goals, Objectives and Policies.

The item was introduced by Planning Director-Todd Vandenberg. Comment by Planning Director-Todd Vandenberg was we're bringing the recreation and open space element to the meeting tonight. This is a very important element of the comprehensive plan. Because the quality of life matters in a particularly small community. And as the community continues to grow residentially, you've got to be able to provide for the parks and open space. very important element when you're evaluating a community. Businesses look at locations, parks and recreation,



because they're interested for their employees, bringing in good employees to have quality parks and open space. As more residential continues to come into the area, we've got to add to the parks. Also our demographics are changing. So as the demographics change, the parks, the amenities need to evolve with that to make sure we're meeting the needs of those changing demographics. So we'll talk a little bit tonight, share what we have on our parks, you know, we'll talk a little bit about what our deficiencies and needs are, and we'll talk about some of the strategies that we have. And of course, like all of our elements, you'll see we have goals, objectives, and policies, of course, with the goals sharing the vision of what our ideas are. Tammy Vrana the city's comprehensive plan consultant took over the discussion. She gave a brief introduction and presented an agenda that had key points that will be reviewed tonight. She mentioned that the purpose of the recreation open space element is just to look at a city's park space, recreational facilities, and open space areas in the community. You set standards at which the community aspires to provide those things. So it's not the JPA it's annexations and things take place, Parks planning also goes hand in hand with that. And then this is legally required by the state of Florida in the comprehensive plan. And this serves as the city's long-range planning framework for parks and recreation. And it works in tandem with the other elements of the comprehensive plan, such as the future land use element, capital improvements element, and so on. Next, please. So a really important distinction between what's happening now with your recreation open space element and maybe what's going on in other, or what we had before when we did this many years ago, is that you do have a very robust parks and recreation master plan that was just completed in the last year. There was a lot of public involvement that went into that in developing the vision and also the recommendations for parks and recreation in the city. It goes through a phased timeframe for delivery of these different aspirations for parks and recreation. And then there's an implementation strategy that looks at prioritization of improvements for decision-making, such as budgeting, the budgeting process where new parks get paid for and improvements to parks. A couple of maps that show the city's recreational facilities were presented. And in addition to parks, the maps also show bike paths, multi-use trails, There's a city park, there's city recreation. The proposed goal the recreation open space element is our goal, our community is committed to providing a safe, clean and connected system of parks, recreation facilities, open spaces and leisure activities that promotes health, equity, and environmental sustainability with the goal that every resident lives within a 10-minute walk of a welcoming and well-maintained public park. So there are eight objectives with supporting policies that are identified. The first relates to

City of Zephyrhills



those required level of service standards. So what level of parks are you going to provide in the city based on your population or other criteria? Balanced investment in parks. So, you know, are parks, is there a standardized way that you want to do parks going forward? The user experience and comfort, such as shade trees and accessibility and those sorts of things. I guess connected parks is next. Environmental stewardship, so working in harmony with the environment as you're developing parks, because that is a big part of a city's recreational program, is people enjoy the outdoors, they enjoy wildlife, and the things that you get from just being outside and touching some grass every so often. And then connected and accessible parks, so how we are able to easily and conveniently access parks, particularly by walking, not just driving. And then recreational facilities and programming, so what sort of program opportunities are available within your community in addition to parks. And then operations, the city is looking at, I'm not certain where they are on this, but looking at hiring a parks person within the city to run that. And then lastly, public awareness engagement. So making sure that as parks are planned, just like with the parks master plan that was rolled out, that the community is involved. So you can see under each one of the objectives that were just named, there are a series of policies that help to achieve that objective. The key issues and strategies that are identified in the element were discussed. So the first being parkland acquisition, equitable park distribution and facility investment, of course, connectivity and access, recreational programming, operational capacity, and communications and outreach. For the parkland acquisition, there are some geographic distribution in the community that you could see from the map before that parks aren't equally distributed across the city. And so as the city goes forward to add additional parks to the system to meet the needs of the future population and existing, to be able to look at those areas that aren't as well served for those park expenditures. And then equitable park distribution, there is actually in the park master plan and also identified in the element a list of what would be a standard park. So a neighborhood park would have certain things such as, comfort features, safety features, lighting, crosswalks, accessibility, and other sorts of things. Connectivity and access, looking at ways that you can access the parks by other means than automobiles, so multimodal access, so that makes it easy for people from where they live, and children especially, or elderly, to be able to walk to parks. And then recreational programming as the community's demographic shift. There may be different things that people are interested in doing that you look at what those needs are in determining what types of recreational programming are available. Operation capacity to be able to have a well-resourced operational structure is going to be essential to the city. And that's



why the city was looking at hiring a parks director. The last objective was communications and outreach. The city is developing a robust communication system now to make sure that people know about those park recreational programs that are available. And then also inviting people to the table whenever plans and designs and things like that are being made. So the level of service standards that is in the comprehensive plan is first a population-based parkland acreage. This level of service standard always existed in the current comp plan which would be 4 acres of public parkland per 1,000 residents. So as the city grows the need to add more to meet the standard would be recommended. Per Tammy an analysis of the projected population going out to the year 2050 was done and we have those two planning periods we talked about last time, the 10-year at 2036 and 2050. The city has existing 115 acres of parkland that's available at will. So it's not like it has hours or certain days of the week, but those are the ones that are generally available to the public. And then the surplus and deficit acres at year 2036, there's projected to be a 3.2 acre deficit. So within the time that between now and then, I'm sure the city's going to be looking at where they could be acquiring new parkland to be able to meet this standard. The comp plan review is also looking at a new level of service standard, which is also identified in the Parks and Recreation Master Plan. And that is that to strive for everyone to be within a 10-minute walk of a park, and at minimum, a 10-minute drive of a park. And then those site equity standards that constitute what a standard neighborhood park is are also included in the comp plan. A map being displayed shows the 10-minute walk shed map, the area on the map in blue are within 10 minutes of a walk to a park. The purpose is for people to reach a 10 minute walk. It's 1/2 mile from their residence to a city park. Next topic discussed was Site Equity Standards: to provide a baseline expectations for all parks and distribution of recreational opportunities throughout the city, Minimum size, geographic distribution, and amenities of "close to home" parks (existing and new), for infill parks, land availability may limit size compliance but should aim to incorporate park elements. Requirements were discussed such as size being min 2 acres, geographic LOS 1/2 mile (10-minute walk). Elements included standard Zephyrhills Park Signage, walking loop/trails with canopy shade and seating, min 0.25 acre unprogrammed open space, play areas, sports court or sports field type determined based on parcel size and site specific public engagement needs, picnic pavilion and tables, area lighting, crosswalks from surrounding residential areas, bike rack and designated ADA parking. A series of implementation tools were mentioned such as identify and program projects, leverage partnerships, coordinating with land developers, imposing impact fees and user fees and monitoring changing needs. The next steps for this

City of Zephyrhills



comprehensive plan amendment will be receiving public comment and planning commission recommendations, then a public hearing and transmit for state agency review. No further comments were made on this subject.

Recommendation: All board members approved of this item.

3.Business Items

The final discussions in this meeting were mentions of the current Planning Directors Todd Vandenberg being his last meeting due to him retiring at the end of the month. The new director will be Principal Planner Rodney Corriveau. Mentions of the ongoing projects will continue such as all the development happening in the industrial corridor and also hoping that Chancey Road the section within that region could be petitioned to become a 4-lane road so it could help with all the tractor trailer and traffic happening within this section. Also, the amended comprehensive plans will continue to go through the adoption process.

Adjourn.

STAFF REPORT

To:

From:

RE: **Introductory Statement by the new Planning Director**

Date: **May 27, 2026**

I. BACKGROUND & INFORMATION

II. DATA & ANALYSIS

III. RECOMMENDATION

STAFF REPORT

To: Planning Commission
From: William McCaw
Community Planner
RE: Ordinance 1519-26 - State Statute Compliance LDC Updates
Date: May 27, 2026

I. BACKGROUND & INFORMATION

City staff reviewed recently adopted state statutes to determine any requirements for updates to the City's Land Development Code in order to remain compliant with the adopted standards. Ordinance 1519-26 addresses those items with required adoption/effective dates of July 1st, 2026 in order to meet those compliance standards. The ordinance updates multiple sections of the Land Development Code. The changes include:

- Manufactured Home Zoning Standards
 - Manufactured homes are to be allowed in any zoning district that allows for single-family residential construction
 - Existing architectural standards for single-family residential construction can be applied to manufactured homes, but no additional requirements can be made

- Accessory Dwelling Unit Standards
 - Remove the current City requirement for ADUs to be constructed only on parcels where the owner resides or have a homestead exemption
 - Remove the current City requirement for new ADU construction to include an additional off-street parking space
 - Refer to State law for size requirements for ADU construction

- Procedures and Timelines for Obtaining Development Permits
 - Update timeline for notifying applicant of receipt of any applications for Development Permits to a maximum of 5 business days (such as rezoning, plat, site plan, etc.)
 - Update timeline for reviewing the same applications for completeness and informing applicants of needed documentations or completeness of an application to 30 business days
 - Update timeline for review and approval of any applications for Development Permits to 120 days, or 180 days for applications that require public hearings

- Subdivision Review
 - Update plat final approval to administrative processing by the City Manager and Planning Director

Please see the attached ~~strike through~~ and underline versions of proposed changes.

II. DATA & ANALYSIS

There is no fiscal impact associated with adoption of this ordinance.

III. RECOMMENDATION

- A. Staff recommends approval of the amendment ordinance as presented.

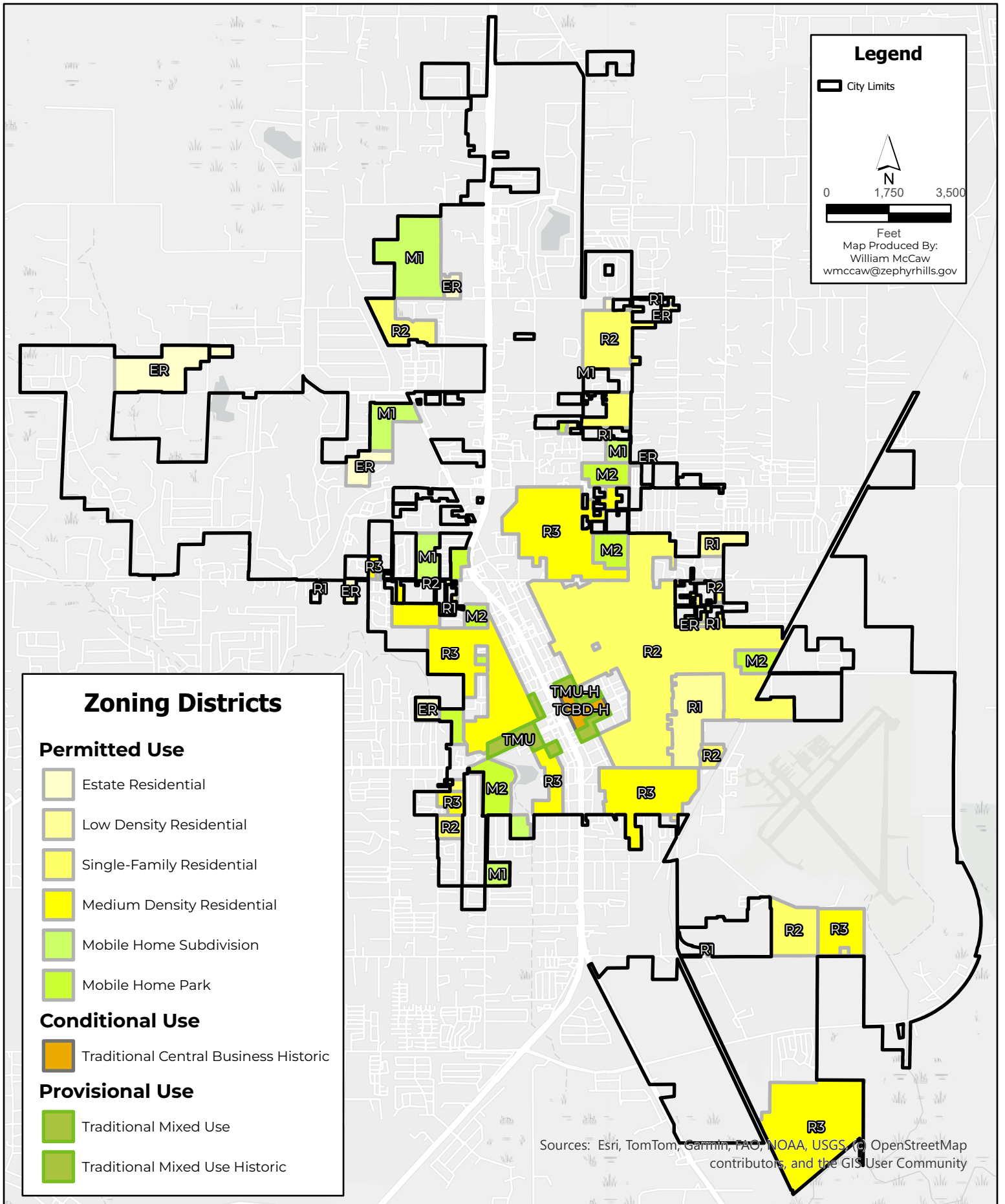
Table 2.02.01 Allowable Uses in Zoning Districts

Uses	Zoning Districts																				Code Reference	Definition		
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	AP1	AP2	RC	TCBD	TCBD-H	TMU			TMU-H	
	RESIDENTIAL																							
ACCESSORY AND ANCILLARY																								
Accessory dwelling unit	A	A	A	A																A	A	A	§ 7.09.29	Residential dwelling unit, structure, or living space ancillary and subordinate to the principal permitted residential use, intended for habitation such as, but not limited to, garage apartments, ancillary apartments, mother-in-law units, guest houses, carriage houses, and granny flats.
Home occupation	P	P	P	P	P	P	P													P	P	P	§ 7.09.15	Occupation carried on in a dwelling unit by the resident thereof, provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes, and does not change the character thereof. This use shall not be construed to include single-family or multi-family residences with a home office or whereby persons work from home for a separate employer.
Live/work unit										S	S									P	P	P		A single unit (e.g. studio, loft, one-bedroom) consisting of both a commercial/office and residential component that is occupied by the same resident, whereby the residential use is secondary and subordinate to the primary commercial/office use. This use shall not be construed to include single-family or multi-family residences with a home office or whereby persons work from home for a separate employer.
Recreational vehicle								P	P														§ 7.09.19 § 7.09.20	A vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. This term shall include but is not limited to, travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, motorhomes, and tiny-homes on wheels.
MULTI-FAMILY AND SINGLE-FAMILY																								
Apartments					P					C										S	S	S	§ 7.09.10	A high density, multi-family dwelling structure containing multiple, separate residential dwellings (apartments) within the same architectural plan, for lease under common ownership.
Bungalow court				P	P					C											S	S		A series of small, detached residential structures arranged to define a court perpendicular to the street on a single lot or parcel, under common ownership, or on individual lots/parcels meeting zoning district standards.
Duplex				P	P																		§ 7.09.10	A single structure containing two dwelling units, each of which has direct access to the outside, for lease under common ownership.

Pharmacy/drug store										S	P	P							S					Establishment where the primary business is the filling of medical prescriptions and sale of medication, medical devices and supplies by licensed professionals, and nonprescription medicines. Non-medical products may also be sold. Compounding facilities and blood banks may be approved as an accessory use.
Medical marijuana treatment center dispensing facility										S	P	P							S					Retail sales component of a medical marijuana treatment center that has been licensed by the Florida Department of Health Office of Medical Marijuana Use pursuant to F.S. § 381.986, and is authorized by the state to dispense marijuana, but does not include the cultivation, processing, or distribution facilities of the medical marijuana treatment center.
Tattoo/body piercing										S	P	P							P					Establishment licensed to provide tattoo and body piercing services to the general public.
Personal services										P	P	P	P						S	S	S			Establishments providing individual and personal services such as, but not limited to, tanning salons, day spas, licensed massage establishments, shoe shine and repair, dressmaking, tailoring and garment repair shops, but specifically excluding adult regulated uses and other personal services as defined herein.
PET/ANIMAL ORIENTED																								
Kennel												A	C	P										Establishment where the primary use is for the long-term keeping of five or more domestic dogs and/or ten or more cats on site for longer than 24 hours.
Pet care services (indoor)										S	P	P	S						P	P	P			Establishment providing individual and personal functions, including pet day care services, grooming, and accessory retail services for a period not to exceed 24 hours. Outdoor areas are prohibited.
Pet care services (indoor/outdoor)												C	C	P										Establishment providing individual and personal functions, including pet day care services, training, grooming, accessory retail sales and accessory overnight boarding services. Outdoor play areas may be permitted.
Veterinary clinic/hospital												P	P	P					S	S	S	§ 7.09.26		Establishment with licensed practitioners of veterinary medicine, dentistry, or surgery for animals, including establishments providing testing services for licensed veterinary practitioners.
CIVIC, INSTITUTIONAL, AND NON-PROFIT																								
EDUCATION																								
College/university										P	P	P	P						S					Establishment offering academic or technical courses and graduate degrees, certificates, or diplomas at the associate level and/or higher. Admission requires a high school diploma or higher.
Grade school (public or private)	P	P	P	P	P					P	P	P	P						S	S	S			Elementary schools, special education facilities, alternate education facilities, middle schools and high schools operated by a public or private entity. Charter schools are included as part of this definition.
Technical trade/vocational										S	P	P	P	S			S		S					Educational establishment providing vocational and technical training of non-academic subjects for job-specific certification (beauty schools, computer training, driving education, flight training, language instruction, and the like).
Child day care services/pre-school										P	S	C							S	S	S	§ 7.09.08		Establishment providing custodial, educational or developmental services to preschool age children. This includes nursery schools, head start programs, and similar facilities primarily engaged in the care and protection of children for less than a 24-hour period.

PUBLIC ADMINISTRATION																							
Government offices/facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Structures, offices, facilities, and lands owned, leased, or operated by a government entity, such as civic centers, libraries, fire stations, and government administration buildings.		
HEALTH AND HUMAN RESOURCES																							
Blood/organ banks										A	A	P	P						A		Establishments utilized for collecting, typing, separating, storing, and preparing blood and plasma for transfusions. These establishments may be part of a larger laboratory in a hospital or separate free-standing buildings.		
Funeral services										S	S	P	P						S	S	S	§ 7.09.13	Establishment for the preparation of human remains for burial or interment of human remains as regulated by the city, county, and the state. This definition shall include funeral homes, crematories and mortuaries.
Hospital												C	P									Establishment providing medical, diagnostic, surgical and treatment services including physician, nursing, specialized accommodations and other health services to inpatients. Hospitals may also provide outpatient services.	
Medical/dental clinic or office										P	P	P	P						S	S	S		Establishment providing routine medical, eye, or dental examinations, treatments and procedures as outpatient services.
Rehabilitative services										S	S	P	P							C	C		Establishment dedicated to rehabilitation and restoration, to the extent possible, of physical, mental, and psychological function of ill or disabled persons providing for professional counseling and guidance services and treatment programs.
Social assistance										P	P	P	P						P	P	P		Establishments consisting of personal care services, drop-in centers, food centers, supply pantries and homeless services.
ASSOCIATION, NON-PROFIT, AND PHILANTHROPIC																							
Association, non-profit, charitable and philanthropic organization										P	P	P	C						P	P	P		Organization consisting of non-profit, non- governmental agencies utilizing donated assets and income to provide social services such as community foundations, endowments, and charitable trusts. This definition includes, but is not limited to, civic, social, and fraternal organizations; business associations and professional memberships; labor and political organizations; and philanthropic organizations.
House of worship	S	S	S	S	S	S	S	S	S	S	S	S	S						P	P	P	§ 7.09.05	Establishments primarily used for religious worship, gatherings and related activities.
ARTS, ENTERTAINMENT, RECREATION, AND OPEN SPACE																							
Museum										P	P	P	P					P	P	P		Establishments for the exhibition of historical, cultural, and educational objects, structures, and information.	
Performing arts center										S	P	P						P	S	S	S		Establishments for the enactment of live performances. This definition specifically excludes adult regulated uses such as adult theaters.
Studio										P	P	P							P	P	P		Establishments utilized for the creation, showing and selling of art such as, but not limited to, film or television, sculptures, photographs, paintings, drawings, and woodworking.
Theater											S	P	P						S				Establishment for the showing of motion pictures or live performances. This definition specifically excludes adult regulated uses such as adult theaters.
RECREATION AND OPEN SPACE																							

Fitness center, gym, and the like											S	P	P	P						P	S	S		Establishment offering memberships to the general public for use of exercise equipment, rooms, classes, and related fitness services.	
Recreation/sports center														S	S				S						Establishment on public or private property used for recreational entertainment, fitness or sports such as, but not limited to, swimming pools, sports fields, large gymnasiums, tennis courts and the like.
Private club/recreation facility	S	S	S	S	S	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE					SE	SE	SE		Recreation center for the exclusive use of members of a private club or organization and their guests with facilities usually including swimming pools and/or tennis courts, but specifically excluding golf courses. This definition does not include commercial rec centers or gyms with memberships.	
Sport shooting range (indoor)													C	C	C									An indoor/enclosed, specialized facility designed and licensed for practicing, training, and educational use of firearms and archery, including target practice and competitions.	
INDUSTRY, TRANSPORTATION, AND STORAGE																									
MANUFACTURING, PROCESSING, AND WHOLESALE																									
Construction services														S	P									Establishment involved in construction of new buildings, additions, alterations, reconstruction, installation, repairs, demolition, blasting, test drilling, leveling, dredging, earthmoving, excavating, drainage, and other land preparation development. Accessory office space is permitted.	
Drug processing/manufacturing														P	P									Facility involved only in manufacturing, production, and compounding of medications for distribution to pharmacies and other retail outlets, excluding a retail pharmacy component.	
Heavy industry/manufacturing																								Uses engaged in basic processing and manufacturing or compounding of materials or products predominantly from extracted or raw materials; or a use engaged in storage or manufacturing processes using flammable or explosive materials or storage manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. This term includes the manufacture and compounding processes of raw materials and activities or processes necessitating the storage of large volumes of highly flammable, toxic matter or explosive materials needed for manufacturing processes. These activities may involve outdoor operations as part of their manufacturing processes.	
High-tech manufacturing														C	P		S							Manufacturing of technology related products (commercial computer products, fiberoptic cables, electron tubes, circuit boards, capacitors, and the like) and machinery utilized for the manufacturing of such goods.	
Laboratory (testing)													S	P	P									Establishment for testing and analysis of products, materials, or biological organisms; investigation of natural, physical, or social sciences; or engineering and development as an extension of investigation, with the objective of creating an end product.	
Light industry/manufacturing														C	P		P							Uses engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of the products and incidental storage, sales, and distribution of products. This definition shall not include uses which include or produce	



Zoning Districts

Permitted Use

- Estate Residential
- Low Density Residential
- Single-Family Residential
- Medium Density Residential
- Mobile Home Subdivision
- Mobile Home Park

Conditional Use

- Traditional Central Business Historic

Provisional Use

- Traditional Mixed Use
- Traditional Mixed Use Historic

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community



Proposed Zones Allowing Manufactured Homes

As required per State Statute

Data Source:
City of Zephyrhills GIS

City of Zephyrhills
5335 8th Street
Zephyrhills, FL 33542

LDC Update
May 2026

1 inch : 3,500 feet

Sec. 7.09.29. Accessory dwelling units (ADUS).

Sec. 7.09.29.01. Applicability.

This section applies to accessory dwelling units (ADUs), accessory living spaces, and accessory apartments as defined in Part 13.02.00 of this code. Garages without an accessory dwelling use are not subject to this section. ~~The general geographic area subject to this section is generally located between C Avenue to the south and North Avenue to the north, and from 1st Street to the west and 20th Street to the east. Properties outside this general geographic area can be reviewed on a case-by-case basis by the Planning Director.~~

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.02. Generally.

Common names for accessory dwelling units and accessory living spaces include garage apartment, ancillary apartment, mother-in-law unit, guest house, carriage house, or granny flat. For the purposes of these regulations, all of said building forms shall be referred to as an ACCESSORY DWELLING UNIT or ADU unless otherwise specified in this section. An ADU consists of a separate kitchen, bathroom, and sleeping area, and exists either within the same structure or within the same lot as the primary dwelling unit.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.03. Purpose and intent.

Neighborhoods in the United States originally had provisions for ADU when the city was first developed. With the advent of Euclidian zoning beginning in America in the 1920's, the ADU became virtually illegal by the 1970's and 1980's. Reintroducing the accessory dwelling unit as a permitted use in these areas is intended to guide reinvestment and redevelopment in a manner that reinforces and protects the traditional development pattern. Further, the proper implementation of ADUs can assist homeowners by utilizing an income producing unit on their property to help defray the cost of mortgage payments; and provide for safe, adequate, and integrated living opportunities for renters who may be a homeowner in the future. This section is intended to address the establishment of accessory living in the form of an ADU or an accessory space, protecting that pattern requires strict and complete compliance with all of the applicable development standards.

- (A) Strict compliance with standards for a new accessory dwelling use. The development standards in this section have been crafted within the context of an urban environment. The accessory dwelling use will be constructed either at the same time as a new house is built or as an addition where a principal dwelling unit already exists.
- (B) Amnesty of an accessory dwelling use or unit. The development standards of this section shall also be used to evaluate the merits of an application to activate the grandfathered status of an accessory dwelling unit. Some relief from the standards of this section may be necessary in the context of an activation because the principal and accessory structures already existed prior to the passage of this section. Said building inspections will ensure the health, safety, and wellbeing of persons residing in ADUs. See section 7.09.29.04(E) below.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.04. Establishment.

Establishment or expansion of a lawful accessory dwelling use shall be subject to the following requirements.

-
- (A) Not more than one accessory dwelling use shall be permitted for each single-family dwelling in the residential districts where allowed (see Table 2.02.01, "Allowable Uses in Zoning Districts").
 - (B) An accessory dwelling unit shall not be permitted before construction of the principal building has commenced or a lawful principal use is established.
 - (C) An accessory dwelling unit shall be subordinate to the principal use as to location, height, square footage, and building coverage. Exceptions to this requirement can be reviewed and approved by the Planning Department.
 - (D) An accessory dwelling unit shall not be utilized as a fee-based transient accommodation. For purposes of this chapter, transient accommodation is a use (by someone other than the owner) for less than seven months.
 - (E) Owners of property with an existing ADU shall have a one-year amnesty period (from date of passage of this section) to schedule and complete all necessary building inspection requirements with the Building Department to activate the grandfathered status of an existing ADU.
 - (F) Applicable permit fees, including transportation impact fees, shall be paid in accordance with the city's schedule of fees.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.05. Development standards.

Sec. 7.09.29.05.01. Lot requirements.

- (A) Establishment of a new accessory dwelling use shall only be allowed if the lot complies with the current minimum lot area requirements for the zoning district and remains under common ownership.
- (B) A lot containing an accessory dwelling use shall not be subdivided to separate the accessory dwelling use from the principal use.
- (C) ADUs shall be consistent with the architectural style, materials, and color of the principal structure.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.05.02. Building requirements.

Site plans for the establishment of any new accessory dwelling use shall be subject to the following design standards for buildings.

- (A) The floor area of any accessory dwelling use shall be in accordance with State law, as may be amended~~no less than 375 square feet of living area and shall not exceed 575 square feet of living area.~~
- (B) If the entire area used for the accessory dwelling unit is on the second floor of the building (not including the stairs) then the accessory dwelling unit may measure up to 50 percent of the gross floor area of the building. The remaining floor area shall be used only as garage, utility (washer and dryer, gym, or workroom), or storage space. For a one-story, accessory building, the accessory dwelling use may use 100 percent of the gross floor area.
- (C) ADUs shall be separate from the principal structure, regardless of location, built above a garage/carriage house or constructed at ground level.

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- (D) The building containing an accessory dwelling unit shall comply with the architectural standards for the zoning district, the CRA and Historic District standards (if applicable), and be compatible with the style of the building containing the principal use, including paint scheme.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.05.03. Visual buffering.

The intent is to prioritize privacy for adjacent properties over the privacy between the principal and accessory use on the lot. Buildings for a new accessory dwelling unit shall comply with the following requirements.

- (A) Where an accessory dwelling use is proposed at a second story level, all exterior doorways and outdoor living areas such as porches or balconies should be oriented toward the interior of the property. If said doorways, living areas, and porches/balconies are oriented toward the exterior of the property, additional screening (through landscaping and fencing) shall be implemented to adequately buffer adjacent properties.
- (B) The property shall be landscaped in accordance with the provisions in section 7.06.00.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.05.04. Parking and accessibility.

New or redeveloped ADUs shall be subject to the following design standards.

- (A) ~~No additional One paved off-street parking for ADU space shall be required provided beyond the requirements of the principal dwelling unit for the ADU. For purposes of this section, paved shall be defined as concrete, pavers, or asphalt.~~
- (B) The off-street parking space shall be provided in the rear yard for the ADU where the rear yard is adjacent to an alley. If no alley access exists then driveway access from the primary street shall be permitted and shall be no larger than a single lane wide.
- (C) Parking a vehicle on the street in front of the principal structure is permitted at locations where street parking is lawful.
- (D) Driveways for off-street parking areas shall comply with the design and location restrictions for the zoning district. Nonconforming driveways shall be modified to comply with code.
- (E) A five-foot wide storage area shall be reserved along the property line adjacent to the alley (where one exists) to provide storage of solid waste collection containers.

(Ord. 1374-18, passed 12-10-2018)

Sec. 7.09.29.05.05. Accessory living spaces; additional provisions.

In addition to the provisions applicable to accessory dwelling units, new accessory living spaces shall be subject to the following provisions.

- (A) An ADU shall operate as a fully functional residence, complete with kitchen, bathroom, and living and/or bedroom quarters.
- (B) ~~The homeowner shall utilize the property (or portion thereof) as a primary residence and receive a Homestead Exemption from the Pasco County Property Appraiser.~~

(C) A mailing addresses shall be assigned by the Pasco County Addressing Department in order to comply with E911 and National Emergency Number Association (NENA) standards. Property owners are responsible for coordinating with and receiving an address for the ADU from the Addressing Department.

(Ord. 1374-18, passed 12-10-2018)

PART 11.01.00. PROCEDURE FOR OBTAINING DEVELOPMENT PERMITS

- (A) While both development permits and development orders are defined as development orders by state law, development permits are distinguished for purposes of this code as approvals for actual construction or installation.
- (B) The procedures in this part shall be followed whenever a development permit (e.g. building permit) is necessary to implement the provisions of this code and/or a specific part of an approved development order, such as a subdivision plat, site development plan or planned development.

Sec. 11.01.01. General description of procedure.

Development permits may be issued by the Administrator after a finding by the Administrator that the proposed development activity complies with all applicable provisions of this code and other applicable regulations.

Sec. 11.01.02. Application and submittal.

- (A) A request for a development permit shall be initiated by filing an application and submittals as prescribed in this article and on forms provided by the Administrator and by the paying of appropriate fees.
- (B) Supplemental design standards for specified uses as prescribed in Article VII shall augment the standards and criteria otherwise required within the LDC. Compliance with these supplemental standards shall be determined during development review, when possible and shall not require any additional procedural steps or review processes. Those specified uses not requiring site development or subdivision review shall be reviewed by the Administrator for compliance with these standards prior to the issuance of permits.

Sec. 11.01.03. Receipt and Completeness review.

Within 5 business days of receipt of an application the Administrator shall confirm receipt of the application. Within 30 business days the Administrator shall review the application for completeness and issue a written notification to the applicant indicating that all required information is submitted or specify, in writing, the areas where the application is deficient. Applications and submittals for development permit review which are determined to be incomplete may be delayed or terminated as prescribed herein unless appropriate information is submitted to bring application into conformance with submittal requirements herein. Upon a finding of incompleteness, the Administrator shall notify the applicant of the action.

Sec. 11.01.04. Review and decision.

Within ~~120~~ business days (excluding county holidays) of receipt of a complete application, or within 180 business days for applications that require final action through a quasi-judicial or a public hearing, unless otherwise specified herein, the Administrator shall review the application and decide whether to grant or deny the requested development permit. The Administrator's decision shall be based on whether the proposal complies with all applicable provisions of this code and other county regulations. The Administrator's decision shall be in writing.

Sec. 11.01.05. Appeals of administrative decision.

Appeals of the decision of the Administrator shall be filed in accordance with Article XII.

Sec. 11.01.06. Building permits.

Applications for building permits shall satisfy all of the following requirements:

- (A) An application for a building permit shall require that a valid development order be on file for the project giving rise to the permit application. Applications for building permits shall be submitted to the Building Department and may be submitted simultaneously with the application for final site plan approval; however, permits shall not be issued until final site plan approval is granted and the development order issued. Should an application for final site plan approval be found incomplete the building permit application shall not be processed.
- (B) Development orders may specify conditions to be met during the construction of a project or prior to issuance of a certificate of occupancy. The conditions shall be made a part of the building permit.
- (C) All conditions of the development order shall be satisfied prior to conducting the final building inspections. It shall be the responsibility of the Building Official to withhold final inspection and notification of electric utility to initiate service until all conditions of development have been met. In no case shall the final inspection be completed until all conditions are satisfied.
- (D) A check list shall be completed providing for signature of appropriate city officials to verify compliance with all criteria and conditions, prior to final inspection and authorization for permanent electric service. (NOTE: The intent of this provision is to guarantee that a project does not receive authorization for permanent electric service or certificates of occupancy until all development conditions are met.)
- (E) Applications for building permits for additions and remodelings shall require a valid development order for the proposed use of the building. Building permits shall not be issued unless compliance with requirements of this code are met, including, but not limited to, requirements regarding expansion of nonconformities, storm water management and floodplain protection.
- (F) Applications for building permits shall be processed by the Building Department, however, the Director of Development shall verify that a valid development order is on file prior to issuance of the permit or shall verify that the property is lawfully exempt from the development order requirement. The Director of Development shall also verify that requirements of this code have been met.
- (G) Proof of receipt of any required permits (or notice of exemption) for driveways, sewer and water connections, SWFWMD, FDER, FDOT, HRS and DNR (as applicable) shall be required for issuance of a building permit. (NOTE: Requirements for final development order approval include proof of the required permits.)
- (H) The Administrator shall review the application to determine if the levels of service prescribed by Article V of this code are maintained. Building permits shall not be issued which degrade the adopted level of service.

Sec. 11.01.07. Minor subdivisions.**Sec. 11.01.07.01. Determination of required review.**

Prior to the submittal of any application for subdivision review, a determination shall be made by the Administrator regarding the type of subdivision review required in accordance with the provisions of part 6.01.00 of this code. Subdivisions classified as (1) Certified Parcel Review or (2) Platted Subdivision with No Improvements shall be reviewed under the procedures described in this section.

Sec. 11.01.07.02. Certified parcel subdivision review.

Where a division of land qualifies for certified parcel subdivision review, the Administrator shall certify parcels and the subdivision of the parcels in accordance with the following procedures:

- (A) The applicant shall make application for parcel certification or for certification of the subdivision of a parcel into no more than three lots or parcels, on forms provided by the Administrator and shall provide the information as set forth by the Administrator.
- (B) All parcels to be certified and the subdivision of the parcels shall be reviewed for compliance with all applicable regulations, including, but not limited to, wetlands, upland habitat, access and zoning.
- (C) Within five working days of the filing of the application, the Administrator shall approve, approve with conditions or deny the application and the applicant shall be notified in writing of the action.
- (D) Upon review and approval of a certified parcel subdivision, the Administrator shall attach the following notation to the record: "The lot(s) hereby described: (insert or refer to the legal description(s)) is a subdivision of a certified parcel as certified by the Administrator and may not be further subdivided under the provisions for subdividing a certified parcel."
- (E) In any instance where a folio number has not previously been assigned to a certified parcel, the Administrator shall ensure that the number is assigned and made part of the permanent record.

Sec. 11.01.07.03. Platted subdivision with no improvement facilities.

- (A) Platting shall be required for subdivisions of ten lots or less, no improvement facilities proposed or required, not meeting the certified parcel subdivision requirements. The plat shall meet the survey standards as set forth in F.S. Ch. 177 and the Florida Administrative Code, for platting requirements and shall be prepared, signed and sealed by an individual registered by the state as a professional land surveyor.
- (B) Within three working days of receipt of the submittal package, copies of the package shall be forwarded to the reviewing entities specified by the Administrator. Reviewing entities shall have five working days to complete their review and return their comments and the project shall either be approved, disapproved or require resubmittal.
- (C) In the event that land comprising all or part of an existing subdivision plat of record is proposed as all or part of a new subdivision, all or part of the existing plat shall be vacated through City Council resolution prior to the approval of the final plat. City Council approval of vacating any plat, either in whole or in part, shall be contingent upon a showing that the persons making the application for the vacation own the fee simple title to the whole or that part of the tract covered by the plat sought to be vacated. It must be further shown that the vacation by the City Council will not affect the ownership or the right of convenient access of persons owning other parts of the subdivision.
- (D) Upon approval by the Administrator or action by the City Council as prescribed in division (C) above, the applicant shall cause to be prepared a final plat meeting all of the survey standards as set forth in F.S. Ch. 177 and the Florida Administrative Code and suitable for recording and provide the recordation fee.
- (E) Upon receipt of certification from the Administrator that the final plat meets all state and local technical requirements, the Presiding Officer of the City Council has the delegated authority to approve and sign the final plat.
- (F) The approved final plat shall be recorded with the Clerk of the Circuit Court within five working days of the Presiding Officer's approval. Building permits shall not be issued until after plat recordation.

Sec. 11.01.08. Sign permits.

An application for a sign permit shall be reviewed pursuant to the procedures prescribed in this part and as specifically required as follows:

- (A) No person shall paint, erect, demolish, alter, rebuild, enlarge, extend, relocate, attach to, suspend from or supported by a building or structure, any sign unless a permit for the sign has been issued by the Administrator or unless the sign is specifically exempted from permit requirements.
- (B) No permit shall be required to change the advertising copy or message on signs which are specifically designed for the use of replaceable copy.
- (C) It shall be unlawful to change, modify, alter or otherwise deviate from the terms or conditions of a sign permit without the prior written approval of the Administrator. A written record of the approval shall be entered upon the original permit application and maintained in the files of the Administrator.
- (D) No person shall erect, construct, maintain, alter, relocate, demolish, repair or paint or do any work upon any sign for which a permit has not been obtained.
- (E) Any repair work on a sign of a structural nature shall require a separate permit. Simple, non-structural maintenance of a sign shall not require a permit.

Sec. 11.01.08.01. Identification tag required.

- (A) (1) For each permit issued, the Administrator shall furnish to the applicant a sign tag which shall have printed or impressed thereon:
 - (a) City of Zephyrhills sign permit;
 - (b) An identifying number thereof;
 - (c) The month, day and year of its issuance;
 - (d) The sign erector's name;
 - (e) The sign's height; and
 - (f) The sign's permitted area.
- (2) The permittee is responsible for maintaining a valid permit tag on each permitted sign at all times.
- (B) On signs having support members constructed of wood or on signs whose sign face is of an irregular surface on which an identification tag would not adhere, the sign erector shall permanently affix a metal plate to the support member of sign face or other structural member which is located closest to the street or roadway adjacent to the sign. The plate shall be no smaller than four inches by six inches and shall be located at least four to six feet above grade. The permittee is responsible for affixing the identification tag to this plate.
- (C) Balloon signs shall contain a pouch or pocket to hold the sign tag, located for easy inspection.
- (D) The permit tag shall be securely attached in such a manner as to be plainly visible from the street or roadway.
- (E) The absence of an identification tag or number shall be prima facie evidence that the sign is being operated in violation of the provisions of this code.
- (F) The permit will become void unless the permit tag is properly displayed at the permitted site within 30 days after the date of permit issuance.

Sec. 11.01.08.02. Inspections required.

- (A) All signs for which a permit is required by this code are subject to inspection by the Administrator. If an electrical inspection is required, it shall be the duty of the sign permit holder to first obtain an electrical permit and pay the appropriate electrical permit fee as required by the city.
- (B) Upon notice from the Administrator, any work that is being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner shall be immediately stopped. The notice shall be in writing and shall be given to the owner of the property or to his or her agent or to the person doing the work and shall state the conditions under which work may be resumed. Where an emergency exists, written notice shall not be required to be given by the Administrator but must be given subsequently within five working days.
- (C) Whenever a reinspection of any stage of work is made necessary because of the work not being ready for the inspection requested or because of inaccessibility of the work to be inspected or because corrections are necessary for the work to be approved, the reinspection will not be made until a reinspection fee, established by resolution of the City Council, has been paid to the city.
- (D) Upon notice from the Administrator that the street address or street address range is not in compliance with these regulations, written notice shall be given to the owner of the property or to his or her agent or to the person doing the work and shall state the conditions that need to be corrected.

Sec. 11.01.09. Authorization for site development activity.**Sec. 11.01.09.01. Potable water system permits.**

- (A) Permits to authorize installation of potable water systems, including fire hydrants, shall be processed by the Administrator. Potable water systems shall meet the following requirements:
 - (1) The potable water system shall be designed and constructed to deliver the level of service required in the city's Comprehensive Plan.
 - (2) Applicable permits shall be secured from the Florida Department of Environmental Protection (FDEP).

Sec. 11.01.09.02. Wastewater treatment systems permits.

- (A) Permits to authorize installation of wastewater collection systems shall be processed by the Administrator pursuant to the following requirements:
 - (1) The wastewater collection system shall be designed and constructed to deliver the level of service required in the city's Comprehensive Plan.
 - (2) A permit shall be secured from FDEP to authorize the wastewater collection system expansion.
- (B) Permits to authorize installation of on-site septic systems for residential use shall be submitted to Pasco County Health Department only when extension of the public wastewater collection system is determined to be infeasible by the Administrator and confirmed by City Council.

Sec. 11.01.09.03. Storm water management system permits.

- (A) Permits to authorize installation of drainage or storm water management systems shall be reviewed by the Director of Public Works. Permits may be issued by the Administrator pursuant to the following requirements:

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- (1) The storm water management system shall comply with the requirements prescribed in part 7.08.00 of this code;
 - (2) The storm water management system shall comply with the level of service requirements prescribed by the city's Comprehensive Plan; and
 - (3) A permit shall be secured from the Southwest Florida Water Management District (SWFWMD).
- (B) The Administrator may upon concurrence of the Site Plan Review Committee defer to the SWFWMD review as the basis for the issuance of the city's permit. In such event, the city's permit shall specifically reference the SWFWMD permit and all appropriate plans and specifications shall be incorporated into the city's records pertaining to the development order.

Sec. 11.01.09.04. Transportation and parking systems permits.

- (A) Permits for roads, road improvements, right-of-way utilization, sidewalks, parking lots, loading areas, driveways and any other parts of access, circulation and parking systems shall be reviewed by the Director of Public Works. Permits may be issued by the Administrator pursuant to the following requirements:
- (1) The transportation system shall be designed to provide the capacity to meet level of service requirements consistent with the city's Comprehensive Plan;
 - (2) The transportation system shall comply with the requirements prescribed in part 7.03.00 of this code; and
 - (3) A permit(s) shall be secured from the Florida Department of Transportation (FDOT) where required by statute or rule pertaining to the state highway system.
- (C) The Administrator may upon concurrence of the Site Plan Review Committee defer to the FDOT review as the basis for the issuance of the city's permit. In such event, the city's permit shall specifically reference the FDOT permit and all appropriate plans and specifications shall be incorporated into the city's records pertaining to the development order.

Sec. 11.01.04.05. Street lights.

Permits to authorize installation of street lights shall be reviewed by the Director of Public Works. Permits may be issued by the Administrator upon a finding that the action is in compliance with this code and other applicable city ordinances, standards and policies.

PART 11.03.00. SUBDIVISION REVIEW

Sec. 11.03.01. Purpose and intent.

- (A) The provisions of this section apply to all divisions of land into three or more parcels that do not otherwise qualify for "expedited review" under section 11.01.07.02. The administrative requirements of this section, together with the standards and criteria in part 7.02.00 of this code, are intended to ensure that all lands included within subdivisions will be suitable for the various purposes proposed.
- (B) The purpose of regulating the platting of land is:
 - (1) To ensure compliance with the procedural and substantive requirements of the Comprehensive Plan, this code and F.S. Ch. 177;
 - (2) To minimize or avoid potential development problems associated with the proposed subdivision;
 - (3) To incorporate solutions designed to mitigate potential problems;
 - (4) To coordinate site planning consistent with city Comprehensive Plans, elements or portions thereof and with existing patterns of development or public improvements; and
 - (5) To disclosure of the existence and nature of and the dedication or creation of, streets, easements or other areas and facilities proposed to service the land to be subdivided.
- (C) The procedures established in this section are deemed to be the minimum procedures necessary to assure protection of public safety and welfare.

Sec. 11.03.02. Preliminary plat required.

- (A) The preliminary plat requires approval by the City Council in accordance with level three review as prescribed by Table 11.00.01 and section 11.02.02.03.
- (B) A preliminary plat is intended to provide for a complete review of technical data and preliminary design for proposed subdivisions. A preliminary plat is a graphic representation of the proposed development and locations of individual lots. An approved preliminary plat is a prerequisite for a final plat approval and the submission of improvement plans. A preliminary plat is intended to represent a boundary survey of the proposed subdivision and shall comply with the provisions of Chapter 21 HH-6, Minimum Technical Standards, adopted by the Department of Professional Regulation, Board of Land Surveyors, pursuant to the provisions of F.S. § 472.027.

Sec. 11.03.02.01. Preliminary plat submission requirements.

A preliminary plan at a minimum scale of one inch = 200 feet and meeting the following specifications shall be submitted for review by the Site Plan Review Committee.

- (A) A legend, title and number of revision (e.g. preliminary plan of Northwood Addition, Second Revision), date of preliminary plan or revision, scale of plan, north arrow, acreage in the tract being subdivided, total number of lots, names, addresses and telephone numbers of developer, owner, surveyor and engineer;

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- (B) Location map showing relationship between area proposed for subdivision and surrounding development, including current aerial photograph(s) with boundaries of subject subdivision delineated;
 - (C) Legal description sufficient to describe the size and location of the tract to be subdivided;
 - (D) Master plan of tract designating each phase by number or letter and a heavy line border, preferably over an aerial photograph, at a scale appropriate with the size of the tract;
 - (E) Name, location and right-of-way width of all existing streets, other rights-of-way and platted streets within at least 150 feet of the proposed subdivision.
 - (F) Name, location, width and proposed street design standards and typical design cross-sections including any streets shown on the adopted roadway improvement plans of Pasco County or the city;
 - (G) Proposed and existing easements or rights-of-way for drainage, pedestrian ways, bridle paths or bicycle paths and the like, including location, width and purpose;
 - (H) Lot lines and typical lot sizes, lot numbers, and, where applicable, block numbers;
 - (I) Sites, if any, for multi-family dwellings showing number of stories, proposed density per gross acre; shopping centers; churches; industry; parks, playgrounds and other public and nonpublic uses and all single-family dwelling acreage showing estimated density per gross acre;
 - (J) Existing storm sewers and utility structures on or abutting the tract within at least 150 feet.
 - (K) Proposed and existing utilities including electric, street lights, telephone, cable television, gas and the like, with a statement on the method of water supply and sewage disposal.
 - (L) Existing improvements including buildings on the tract to be subdivided;
 - (M) Location and acreage of natural features including lakes, marshes or swamps, water courses and other pertinent features;
 - (N) Gross residential densities of the entire subdivision and for each phase or portion thereof. This data shall be presented in a map format;
 - (O) Existing contours at a maximum of one foot intervals, based on mean sea level with a referenced datum identifying the tract to be subdivided and, where practicable, extending a minimum 150 feet beyond the tract boundary;
 - (P) Proposed surface drainage with direction of flow and method of disposition with a general description of the relationship of the proposed drainage system to the natural and existing human-made drainage system;
 - (Q) Present zoning of subdivision and abutting land. No plans will be accepted or approved without appropriate zoning;
 - (R) If individual lot sewage disposal is utilized, a map revealing the distribution of soil types and their intrinsic limiting factors (i.e., high seasonal water tables, shrink swell behavior, presumptive bearing capacity and the like), as they relate to the intended land use scheme;
 - (S) A map indicating the intended land use as it relates to flooding where land are within a potential flood hazard area as determined by the city; and
 - (T) Proposed areas to be filled or excavated;

Sec. 11.03.02.02. Preliminary plat approval procedures.

- (A) The Site Plan Review Committee shall determine whether the preliminary plat:

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- (1) Meets the requirements and standards of the zoning classification applicable to the property which is depicted on the plans;
 - (2) Is consistent with the goals, objectives, development standards, guidelines and criteria otherwise established by the code;
 - (3) Provides design features which assure the protection of the public health, safety and welfare;
 - (4) Is consistent with the goals, objectives, policies, recommendations and development standards set forth in the Comprehensive Plan, relevant element thereof or other land development regulations;
 - (5) Is consistent with design standards for public improvements set forth in these or other pertinent development regulations; and
 - (6) Provides necessary improvements or facilities.
- (B) The determination shall be made in writing and shall recommend provisions, standards, conditions or design specifications which must be satisfied to assure compliance with the standards set forth above and the implementation of this code.
- (C) The determination shall be finalized within 20 working days after a complete preliminary plat has been accepted for review. The findings and recommendation of the Site Plan Review Committee shall be scheduled for review by the Planning Commission. If a determination has not been made within 20 working days, the plan shall be automatically submitted to Planning Commission for consideration at the earliest regular meeting permitting public notice conforming to the requirements of part 11.18.00.
- (D) The Planning Commission shall conduct a review of the preliminary plat at a regularly scheduled public meeting and shall consider the findings and recommendations of the SPRC along with evidence that may be submitted by the applicant or the applicant's representative(s), by other agencies or by the public. If the applicant disagrees with the Site Plan Review Committee's determination, he or she may request that the Planning Commission delete or modify specific conditions stating the reasons therefor. In making the request for modifications or deletion, the developer shall clearly demonstrate that conditions, improvements or design specifications imposed are not necessary or that alternative conditions would meet or exceed City standards
- (E) The Planning Commission shall either:
- (1) Concur with the recommendation of the SPRC;
 - (2) Concur with modifications; or
 - (3) Recommend denial of the preliminary plat. In the event of a recommendation of denial, the reasons for the denial shall be stated by the Planning Commission and made a part of the public record.
- (F) The findings and recommendations of the Planning Commission shall be scheduled for review by the City Council and all records pertaining to the application shall be transmitted for City Council consideration.
- (G) The City Council shall conduct a review of the Preliminary Plat at a regularly scheduled public meeting and shall consider the findings and recommendations of the SPRC and the Planning Commission along with evidence that may be submitted by the applicant or the applicant's representative(s), by other agencies or by the public. The Planning Commission shall approve the preliminary plat as submitted by the Planning Commission, approve with modifications or deny the preliminary plat. In the event of denial, the reasons for the denial shall be stated by the City Council and made a part of the public record.

Sec. 11.03.02.03. Form and effect of approval.

- (A) Approval of a preliminary plat shall be in a written form. The written approval and the conditions recited in the approval shall authorize:
 - (1) The developer to apply for construction plan review;
 - (2) Preparation and filing of the final plat, after construction plan approval; and
 - (3) Clearing, grading, filling or excavating in conformity with plans approved under the provisions of this code, provided all other necessary governmental permits or approvals have been obtained.
- (B) It shall be unlawful for any person to convey lots by reference to a preliminary plat. Approval of a preliminary plat shall not be construed as authority for the recording of a plat with the Clerk of the Circuit Court.
- (C) The City Council may also void the preliminary plan if physical improvements are commenced without construction plan approval. All development proposed in voided preliminary plats shall thereafter comply with all regulations currently in effect and shall be reviewed and approved as provided therein.

Sec. 11.03.02.04. Appeal.

Any appeal of a decision of the City Council pertaining to a preliminary plat shall be to Circuit Court.

Sec. 11.03.02.05. Time limit on approval.

An improvements plan for at least 20 percent of the area subject to the preliminary plat shall be submitted within one year of the date of approval of the preliminary plat and improvements plans for the remainder of the area shall be submitted within five years of the date of approval of the preliminary plat. In the event that the developer does not comply with this provision, the preliminary plat shall be deemed void and approval shall be deemed withdrawn, unless an extension has been obtained from City Council.

Sec. 11.03.03. Improvement plans required.

Improvement plans for subdivisions require approval by the SPRC in accordance with level one review as prescribed by Table 11.00.01 and section 11.02.02.03.

Sec. 11.03.03.01. Substantial compliance with preliminary plat.

- (A) A plan of proposed improvements shall be submitted following approval of the preliminary plat. It is the intent that the improvements plan reflects compliance with standards and procedures for the installation and maintenance of required improvements, to ensure that services and facilities are provided in such a manner as to ensure the health and safety of the public and to sustain the existing quality of life. These requirements are intended to ensure that all improvements are installed in a timely and efficient manner and that where improvements will be retained in private ownership, the improvements will be maintained permanently in accordance with the requirements of this code.
- (B) In the event improvement plans must be submitted to another jurisdiction or agency to satisfy permitting requirements or to otherwise satisfy the conditions of preliminary plat approval, the applicant shall be responsible for filing all necessary applications and for providing appropriate documentation of the approval or acceptance of the plans. The Administrator may, at his or her discretion and in consultation with the SPRC members, accept the review of another jurisdiction or agency or conduct a review of the improvement plans.

Sec. 11.03.03.02. Phasing permitted.

Improvement plans may be submitted in phases or for portions of an area subject to an approved preliminary plat in accordance with a phasing plan or schedule included with and approved as part of the preliminary plat review.

Sec. 11.03.03.03. Submission requirements.

- (A) An improvement plan shall be submitted in seven copies to the Site Plan Review Committee, which conforms to the following:
- (1) The improvements plan shall be drawn at the same scale, using the same sheet size as for the associated preliminary subdivision plat;
 - (2) Multiple sheets may be used; however, sheet number and total number of sheets must be indicated on each sheet;
 - (3) The front cover or cover sheet shall include:
 - (a) A general vicinity or location map drawn to scale (stated and graphic) showing the position of the proposed subdivision in the section(s), township and range, together with the principal roads, city limits, and/or other pertinent orientation information;
 - (b) The name and address of the owner. If a corporation or company is the owner of the subdivision, the name and address of the president and secretary of the corporation shall be shown;
 - (c) Name, address and telephone number of those individuals responsible for the preparation of the drawing(s). Each print submitted shall bear the original signature and seal of the registered project surveyor and registered project engineer. The project surveyor and project engineer are each responsible for information shown which is in his/her field or practice and shall certify that requirements of this code have been met; and
 - (d) The date of approval of the preliminary subdivision plat and the assigned number of the preliminary plat;
 - (4) Each sheet of the improvements plan shall contain a title block showing the subdivision name, stated and graphic scale, a north arrow, date and a legend to explain symbols, abbreviations or other notes; and
 - (5) Details shall be shown in plan elevation or section; pictorial or isometric presentation shall not be used. Proposed streets shall include paved access to a designated collector roadway.
- (B) The improvements plan submittal shall include the following information:
- (1) A drainage map showing the complete drainage system including, but not limited to, closed drainage areas, design high water, acreage, the effect on the compatibility of drainage on surface waters, the effect of adjacent lands and existing outfall systems and the complete calculations used to design the system. This information shall be shown on a master drainage plan at a scale not smaller than one inch equal to 200 feet. It is the specific intent of this requirements that rights-of-way for all drainage improvements including, but not limited to, retention ponds, ditches, culverts, channels and the like, required for the drainage of the site for both on-site and off-site improvements shall be provided;
 - (2) Soils map and soil infiltration test location and results of test borings of the subsurface conditions (at least one per drainage retention/detention area) of the tract to be developed;

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- (3) Paving and drainage plans and profiles showing existing and proposed elevations and grades of all public and private paved and open areas, including size, location and type of drainage facilities and proposed first floor finished elevations of all structures in all 100-year floodplain areas;
 - (4) Water distribution and wastewater collection plans and proposed profiles;
 - (5) Typical and special roadway and drainage sections and summary of quantities;
 - (6) Special profile sheets showing special and unique situations such as intersections and waterways;
 - (7) Plans showing existing and proposed improvements if any, to waterways, lakes, streams, channels or ditches, bridges, culverts, retaining walls and any other proposed structures;
 - (8) Street names approved by Pasco County;
 - (9) Plans shall bear the approval of the appropriate utility authority for proposed street lights;
 - (10) Landscaping plans in compliance with this code;
 - (11) Written specifications meeting or exceeding all applicable design minimum standards; and
 - (12) If construction improvements are not completed prior to recording of a final plat, an improvements agreement shall be provided.

Sec. 11.03.03.04. Approval procedures.

- (A) The improvement plan(s) shall conform to the requirements set forth in part 7.02.00 of this code and all engineering standards and specifications of the city or the standards and specifications of another jurisdiction if required to satisfy the conditions of preliminary plat approval.
- (B) In the event the SPRC finds that the improvement plans are not in substantial compliance with the approved preliminary plat, with the provisions of this code or with the construction standards and specifications established by the city, the SPRC shall reject the improvement plan(s) and return the plan(s) to the applicant along with description of modifications required to achieve substantial compliance.

Sec. 11.03.03.05. Effect of approval.

Approval of improvement plan(s) by the SPRC authorizes the applicant to commence construction of infrastructure and other improvements and file the final record plat.

Sec. 11.03.04. Final record plat required.

- (A) Final record plats require administrative approval by the ~~SPRC in accordance with level one review as prescribed by Table 11.00.01 and section 11.02.02.03-City Manager and Planning Director.~~
- (B) A final record plat is a drawing of the final design and legal description of a plat or a portion of the plat showing the boundaries, locations and dimensions of all lots, rights-of-way, easements and restrictions. The final record plat is for the purpose of providing a perpetual record of the subdivision and for the conveyance of land. The final record plat shall be submitted within one year of approval of the preliminary plat.

Sec. 11.03.04.01. Substantial compliance with preliminary plat.

- (A) The final record plat shall substantially conform to the approved preliminary plat in all respects except that minor variation in dimensions and alignment resulting from the more exact final computations may be accepted.

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- (B) Upon a finding by the SPRC that all required public improvements have been installed or guaranteed and that the final record plat is in substantial compliance with the approved preliminary plat, the final record plat shall be approved for recording.

Sec. 11.03.04.02. Submission requirements.

- (A) Seven copies of the final plat shall be submitted. The final plat shall comply with all requirements of F.S. Ch. 177, Part I and Part 7.02.00 of this code.
- (B) (1) The record plat shall be drawn with black permanent drawing ink or photographic process on stable base film, a minimum of three mil thickness, using sheets 21 inches by 25 inches.
- (2) Each sheet shall have a margin line completely around the sheet placed to leave a three- inch margin on the left and a one-half inch margin on the other three sides and must be at a legible scale, such as one inch = 50 inches, one inch = 100 inches, one inch = 200 feet.
- (3) Final record plats shall meet all the requirements of F.S. Ch. 177, as amended and shall be so certified by the Florida Registered Land Surveyor.
- (C) Title certification as required by F.S. Ch. 177 shall appear on the record plat.
- (D) The record plat shall contain a narrative note dedicating streets, alleys, and/or other specifically identified public lands to the public.
- (E) The record plat shall contain a narrative note granting utility easements to the city which reads substantially as follows:

Know all men by these presents, that grantors hereby convey to the City of Zephyrhills, a Municipal corporation, duly organized and existing under and by virtue of the constitution of the State of Florida and the laws of this state, those easements identified on this plat in perpetuity and right-of-way to survey, construct, operate, maintain, test, inspect, repair, remove, replace or abandon in place and control, utility facilities, together with all necessary appurtenances thereto in, over, upon, across, through and under the above described real property situated in the City of Zephyrhills, State of Florida. Reserving, however, to the owner, their heirs and assigns the right to utilize and enjoy the above described premises providing the same shall not interfere with the construction, maintenance, repairing, inspection and operation of said utilities and providing further that the grantor shall not erect or place any building or tree on the above-described right-of-way and easement and the city shall not be liable for their removal if any are so placed.

- (F) Three check prints and supporting data shall be submitted to the Administrator.

Sec. 11.03.04.03. Approval procedure.

- (A) Within ~~7~~14 working days following receipt of the check prints, the Administrator will notify the applicant and/or his or her surveyor in writing of any and all deficiencies in the final record plat. The applicant shall correct all deficiencies and submit one print and a reproducible mylar.
- (B) The Administrator will submit the final record plat ~~along with a statement by the SPRC of substantial compliance to the City Council~~ for acceptance and signature of the presiding officer.
- ~~(C) If the City Council has explicitly authorized acceptance of the final record plat upon a certification of substantial compliance as a condition of the preliminary plat approval, the presiding officer may place his or her signature on the final record plat without placing the matter on the City Council agenda. The Administrator shall provide a written report advising the City Council of the action which shall become a part of the public record.~~

~~(D) If authorization to accept the final record plat has not been granted by the City Council within its conditions of preliminary plat approval, the City Council shall consider the final record plat at a regularly scheduled meeting without public hearing.~~

Sec. 11.03.04.04. Form and affect of approval.

- (A) It shall be unlawful for any person to record a subdivision plat of lands, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until the subdivision plat has been accepted by City Council.
- (B) Acceptance of the final record plat authorizes the applicant to record the final record plat upon:
 - (1) The completion and acceptance of all required improvements; or
 - (2) The posting and acceptance of guarantees and sureties as prescribed in section 11.03.05.
- (C) No building permits shall be issued for any property which is depicted upon the subdivision plat until the final record plat is recorded in the public records of Pasco County, Florida and a copy of the recorded plat provided to the Administrator.

Sec. 11.03.05. Guarantees and sureties.

Sec. 11.03.05.01. Applicability.

- (A) The provisions of this section apply to all proposed subdivisions of lands within the city, including private road subdivisions.
- (B) This section does not modify existing agreements between a developer and the city for subdivisions platted prior to the effective date of this code, providing the agreements are current as to all conditions and terms thereof.

Sec. 11.03.05.02. Subdivider agreements required.

- (A) The approval of any plat shall be subject to the applicant providing assurance that all required subdivision improvements, including, but not limited to, storm drainage facilities, streets and highways, water lines and sewer lines, shall be satisfactorily constructed according to the approved improvement plan.
- (B) The following information shall be provided:
 - (1) Agreement that all subdivision improvements, whether required by this code or constructed at the applicant's option, shall be constructed in accordance with the minimum standards and provisions of this code;
 - (2) The term of the agreement indicating that all required subdivision improvements shall be satisfactorily constructed within the period stipulated. The term shall not exceed five years from the recording of the plat;
 - (3) The projected total cost for each improvement shall be determined by either of the following:
 - (a) Estimate provided by the applicant's engineer; or
 - (b) A copy of the executed construction contract;
 - (4) Specification of the public improvements to be made and dedicated together with the timetable for making improvements;

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- (5) Agreement that upon failure of the applicant to make required improvements (or to cause them to be made) according to the schedule for making those improvements, the city shall utilize the security provided in connection with the agreement;
 - (6) Provision of the amount and type of security provided to ensure performance, pursuant to the provisions of § 2253 below; and
 - (7) Provision that the amount of the security may be reduced periodically, but not more than two times during each year, subsequent to the completion, inspection and acceptance of improvements by the city.

Sec. 11.03.05.03. Amount and type of security.

- (A) The amount of the security listed in the improvement agreement shall be verified by the Building Official. The amount of security shall be 125 percent of the estimated remaining construction costs.
- (B) Security requirements may be met by but are not limited to the following:
 - (1) Cashiers check;
 - (2) Certified check;
 - (3) Developer/lender/city escrow;
 - (4) Interest bearing certificate of deposit;
 - (5) Irrevocable letter of credit; and
 - (6) Surety bond.

Sec. 11.03.06. Completion of improvements.

- (A) When improvements are completed, final inspection shall be conducted pursuant to the requirements applicable to each facility or system. Corrections, if any, shall be completed before final acceptance is recommended by the Director of Utilities or Director of Public Works. A recommendation for final acceptance shall be made upon receipt of a certification of project completion and one copy of all test results.
- (B) When all required subdivision improvements have been constructed, the developer or the project engineer shall advise the Administrator in writing and request release of the security and improvement agreement. The request shall be accompanied by a certification of project completion signed and sealed by the project engineer, together with an executed maintenance agreement and security, pursuant to the provisions of division (C) of this section.
- (C) A maintenance agreement and security shall be provided to assure the city that all required subdivision improvements shall be maintained by the developer according to the following requirements:
 - (1) The period of maintenance shall be one year;
 - (2) The maintenance period shall begin with the acceptance by the city of the improvements;
 - (3) The security shall be in the amount of 15 percent of the construction cost of the improvements; and
 - (4) The original agreement shall be retained by the Building Official.

Sec. 11.03.07. Maintenance by condominium or owners' association.

- (A) Whenever a proposed development provides for the creation of facilities or improvements which are not proposed for dedication to the city, a legal entity shall be created to be responsible for the ownership and maintenance of the facilities and/or improvements.
- (1) When the proposed development is to be organized as a condominium under the provisions of F.S. Ch. 718, common facilities and property shall be conveyed to the condominium's association pursuant to that law.
 - (2) When no condominium is to be organized, an owners' association shall be created subject to division (B) of this section. All common facilities and property shall be conveyed to that association.
 - (3) No development order shall be issued for a development for which an owners' association is required until the documents establishing the association have been reviewed and approved by the City Attorney. The City Attorney shall determine that at a minimum, the owner's association has the following legal powers:
 - (a) The authority through common ownership or other sufficient authority to carry out its responsibilities regarding the maintenance of common properties and facilities;
 - (b) Property owner's are required, by virtue of property ownership, to be members of the owner's association;
 - (c) The owner's association has the authority to assess property owner's for the cost of the operation and maintenance of common properties and facilities; and
 - (d) The documents establishing the owner's association grant to the city the authority to operate and maintain the common properties and facilities in the event the association cannot or will not do so, the right to assess the property owner's for the cost and the right to place liens upon delinquent properties.
- (B) (1) An organization established for the purpose of owning and maintaining common facilities not proposed for dedication to the city shall be created by covenants running with the land.
- (2) The covenants shall be included with the final record plat.
 - (3) The organization shall not be dissolved nor shall it dispose of any common facilities or open space by sale or otherwise without first offering to dedicate the same to the city.

ORDINANCE NO. 1519-26

AN ORDINANCE OF THE CITY COUNCIL OF THE City of Zephyrhills, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE; AMENDING TABLE 2.02.01, “ALLOWABLE USES IN ZONING DISTRICTS,” TO CLARIFY PERMITTED USES FOR MANUFACTURED HOMES; AMENDING PART 7.09.00, SUPPLEMENTAL STANDARDS FOR SPECIAL USES, INCLUDING SECTION 7.09.29, ACCESSORY DWELLING UNITS (ADUS); SECTION 7.09.29.05.02, BUILDING REQUIREMENTS; SECTION 7.09.29.05.04, PARKING AND ACCESSIBILITY; AND SECTION 7.09.29.05.05, ACCESSORY LIVING SPACES ADDITIONAL PROVISIONS; AMENDING PART 11.01.00, PROCEDURES FOR OBTAINING DEVELOPMENT PERMITS, INCLUDING SECTION 11.01.03, COMPLETENESS REVIEW, AND SECTION 11.01.04, REVIEW AND DECISION; AMENDING PART 11.03.00, SUBDIVISION REVIEW, INCLUDING ; SECTION 11.03.04, APPROVAL PROCEDURES; AND SECTION 11.03.04.03, APPROVAL PROCEDURE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council finds it necessary to update and clarify its Land Development Code to ensure consistency with modern development practices and applicable state law; and

WHEREAS, the City seeks to streamline development review procedures and improve clarity in permitting and subdivision processing; and

WHEREAS, the City seeks to clarify and modernize accessory dwelling unit regulations, including building standards, applicability, and parking requirements; and

WHEREAS, the City seeks to recognize and facilitate the appropriate use of manufactured homes as lawful residential construction types within applicable zoning districts; and

WHEREAS, these amendments are determined to promote orderly growth, efficient administration, and the public health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA:

SECTION 1. AMENDMENT TO TABLE 2.02.01 – ALLOWABLE USES IN ZONING DISTRICTS

Table 2.02.01, “Allowable Uses in Zoning Districts,” is hereby amended as depicted in *Exhibit “A”* to include manufactured homes as a permitted use in the ER, R-1, R-2, and R-3 zoning districts; as a conditional use in the M-4 zoning district, and as a provisional use in the TMU and TMU-H zoning districts.:

For purposes of this section, manufactured homes installed on a permanent foundation shall be regulated in the same manner as site-built single-family dwellings.

SECTION 2. AMENDMENTS TO PART 11.01.00 – PROCEDURES FOR OBTAINING DEVELOPMENT PERMITS

Section 11.01.03, Completeness Review

Section 11.01.03 is hereby amended as depicted in *Exhibit “B”* to clarify application completeness requirements, review procedures, and notification of receipt timelines.

Section 11.01.04, Review and Decision

Section 11.01.04 is hereby amended as depicted in *Exhibit “C”* to clarify review timelines and decision-making procedures for development applications.

SECTION 3. AMENDMENTS TO PART 11.03.00 – SUBDIVISION REVIEW

Section 11.03.04, Approval Procedures

Section 11.03.04 is hereby amended as depicted in *Exhibit “D”* to clarify subdivision approval procedures and associated administrative requirements.

Section 11.03.04.03, Approval Procedure

Section 11.03.04.03 is hereby amended as depicted in *Exhibit “E”* to clarify administrative processing procedures and requirements for final plat approval and recordation in accordance with applicable state law and City procedures.

SECTION 4. AMENDMENTS TO PART 7.09.00 – ACCESSORY DWELLING UNITS

Section 7.09.29, Accessory Dwelling Units (ADUs)

Section 7.09.29.01 is hereby amended as depicted in *Exhibit “F”* to clarify applicability and regulatory standards for accessory dwelling units.

Section 7.09.29.05.02, Building Requirements

Section 7.09.29.05.02 is hereby amended as depicted in *Exhibit “G”* to update dimensional and development standards for accessory dwelling units.

Section 7.09.29.05.04, Parking and Accessibility

Section 7.09.29.05.04 is hereby amended as depicted in *Exhibit “H”* to clarify parking and accessibility standards for accessory dwelling units consistent with applicable state law.

Section 7.09.29.05.05, Accessory Living Spaces Additional Provisions

Section 7.09.29.05.05 is hereby amended as depicted in *Exhibit “I”* to clarify additional development standards applicable to accessory living spaces.

SECTION 5. Redline Changes.

The redline changes showing strikethroughs for deletions and underlined text for additions of the amendments made to Table 2.02.01, Section 7.09.29, Section 7.29.05.02, Section 7.29.05.04, Section 7.09.29.05.05, Section 11.01.03, Section 11.01.04, Section 11.03.04, and Section 11.03.04.03 and to the City of Zephyrhills Land Development Code contained in Section 3 and Section 4 above, are attached hereto as Exhibits “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, and “I” and made apart hereof by reference.

SECTION 6. CONFLICTS

All ordinances and resolutions or parts of thereof of the City in conflict with the provisions herein contained are hereby superseded and repealed to the extent of such conflict.

SECTION 7. SEVERABILITY

If any section, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. CODIFICATION

It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Land Development Code of the City of Zephyrhills, and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 9. EFFECTIVE DATE

This ordinance shall become effective upon passage on the second reading and signing by the mayor.

PASSED AND ADOPTED upon first reading this ____ day of _____, 2026.

PASSED AND ADOPTED upon second and final reading this ____ day of _____, 2026.

EXHIBIT
A

Table 2.02.01 Allowable Uses in Zoning Districts

Uses	Zoning Districts														Code Reference	Definition					
	E R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	API			AP2	RC	TCBDH	TMU	TMUH
Permission Key	P - Permitted as of right. C - Conditional - Level 3 review. A - Provisional - Level 2 review. A - Accessory - Ancillary to the principal use only, review may be required. SE - Special Exception - Level 2 review. T - Temporary - Permissible for a specific, set, limited time. Review or permit required. Blank spaces on this table indicate that the use is not permitted within zoning districts.																				
RESIDENTIAL																					
ACCESSORY AND ANCILLARY																					
Accessory dwelling unit	A	A	A	A													A	A	A	§ 7.09.29	Residential dwelling unit, structure, or living space ancillary and subordinate to the principal permitted residential use, intended for habitation such as, but not limited to, garage apartments, ancillary apartments, mother-in-law units, guest houses, carriage houses, and granny flats.
Home occupation	P	P	P	P	P	P											P	P	P	§ 7.09.15	Occupation carried on in a dwelling unit by the resident thereof, provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes, and does not change the character thereof. This use shall not be construed to include single-family or multi-family residences with a home office or whereby persons work from home for a separate employer.
Live/work unit									S								P	P	P		A single unit (e.g. studio, loft, one-bedroom) consisting of both a commercial/office and residential component that is occupied by the same resident, whereby the residential use is secondary and subordinate to the primary commercial/office use. This use shall not be construed to include single-family or multi-family residences with a home office or whereby persons work from home for a separate employer.
Recreational vehicle																				§ 7.09.19 § 7.09.20	A vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. This term shall include but is not limited to, travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, motorhomes, and tiny-homes on wheels.
MULTI-FAMILY AND SINGLE-FAMILY																					
Apartments				P													S	S	S	§ 7.09.10	A high density, multi-family dwelling structure containing multiple, separate residential dwellings (apartments) within the same architectural plan, for lease under common ownership.

EXHIBIT

B

Sec. 11.01.03. Receipt and Completeness review.

Within 5 business days of receipt of an application the Administrator shall confirm receipt of the application. Within 30 business days the Administrator shall review the application for completeness and issue a written notification to the applicant indicating that all required information is submitted or specify, in writing, the areas where the application is deficient. Applications and submittals for development permit review which are determined to be incomplete may be delayed or terminated as prescribed herein unless appropriate information is submitted to bring application into conformance with submittal requirements herein. Upon a finding of incompleteness, the Administrator shall notify the applicant of the action.

EXHIBIT

C

Sec. 11.01.04. Review and decision.

Within ~~120~~30 business days (excluding county holidays) of receipt of a complete application, or within 180 business days for applications that require final action through a quasi-judicial or a public hearing. unless otherwise specified herein, the Administrator shall review the application and decide whether to grant or deny the requested development permit. The Administrator's decision shall be based on whether the proposal complies with all applicable provisions of this code and other county regulations. The Administrator's decision shall be in writing.

EXHIBIT
D

Sec. 11.03.04. Final record plat required.

- (A) Final record plats require administrative approval by the ~~SPRC in accordance with level one review as prescribed by Table 11.00.01 and section 11.02.02-03~~ City Manager and Planning Director.
- (B) A final record plat is a drawing of the final design and legal description of a plat or a portion of the plat showing the boundaries, locations and dimensions of all lots, rights-of-way, easements and restrictions. The final record plat is for the purpose of providing a perpetual record of the subdivision and for the conveyance of land. The final record plat shall be submitted within one year of approval of the preliminary plat.

EXHIBIT

E

Sec. 11.03.04.03. Approval procedure.

- (A) Within ~~7~~14 working days following receipt of the check prints, the Administrator will notify the applicant and/or his or her surveyor in writing of any and all deficiencies in the final record plat. The applicant shall correct all deficiencies and submit one print and a reproducible mylar.
- (B) The Administrator will submit the final record plat ~~along with a statement by the SPRC of substantial compliance to the City Council~~ for acceptance and signature of the presiding officer.
- ~~(C) If the City Council has explicitly authorized acceptance of the final record plat upon a certification of substantial compliance as a condition of the preliminary plat approval, the presiding officer may place his or her signature on the final record plat without placing the matter on the City Council agenda. The Administrator shall provide a written report advising the City Council of the action which shall become a part of the public record.~~
- ~~(D) If authorization to accept the final record plat has not been granted by the City Council within its conditions of preliminary plat approval, the City Council shall consider the final record plat at a regularly scheduled meeting without public hearing.~~

EXHIBIT

F

Sec. 7.09.29.01. Applicability.

This section applies to accessory dwelling units (ADUs), accessory living spaces, and accessory apartments as defined in Part 13.02.00 of this code. Garages without an accessory dwelling use are not subject to this section. ~~The general geographic area subject to this section is generally located between C Avenue to the south and North Avenue to the north, and from 1st Street to the west and 20th Street to the east. Properties outside this general geographic area can be reviewed on a case-by-case basis by the Planning Director.~~

EXHIBIT

G

Sec. 7.09.29.05.02. Building requirements.

Site plans for the establishment of any new accessory dwelling use shall be subject to the following design standards for buildings.

- (A) The floor area of any accessory dwelling use shall be in accordance with State law, as may be amended~~no less than 375 square feet of living area and shall not exceed 575 square feet of living area.~~
- (B) If the entire area used for the accessory dwelling unit is on the second floor of the building (not including the stairs) then the accessory dwelling unit may measure up to 50 percent of the gross floor area of the building. The remaining floor area shall be used only as garage, utility (washer and dryer, gym, or workroom), or storage space. For a one-story, accessory building, the accessory dwelling use may use 100 percent of the gross floor area.
- (C) ADUs shall be separate from the principal structure, regardless of location, built above a garage/carriage house or constructed at ground level.
- (D) The building containing an accessory dwelling unit shall comply with the architectural standards for the zoning district, the CRA and Historic District standards (if applicable), and be compatible with the style of the building containing the principal use, including paint scheme.

EXHIBIT

H

Sec. 7.09.29.05.04. Parking and accessibility.

New or redeveloped ADUs shall be subject to the following design standards.

- (A) ~~No additional~~ ~~One paved~~ off-street parking ~~for ADU space~~ shall be ~~required~~ ~~provided beyond the~~ requirements of the principal dwelling unit ~~for the ADU. For purposes of this section, paved shall be defined as concrete, pavers, or asphalt.~~
- (B) The off-street parking space shall be provided in the rear yard for the ADU where the rear yard is adjacent to an alley. If no alley access exists then driveway access from the primary street shall be permitted and shall be no larger than a single lane wide.
- (C) Parking a vehicle on the street in front of the principal structure is permitted at locations where street parking is lawful.
- (D) Driveways for off-street parking areas shall comply with the design and location restrictions for the zoning district. Nonconforming driveways shall be modified to comply with code.
- (E) A five-foot wide storage area shall be reserved along the property line adjacent to the alley (where one exists) to provide storage of solid waste collection containers.

EXHIBIT

I

Sec. 7.09.29.05.05. Accessory living spaces; additional provisions.

In addition to the provisions applicable to accessory dwelling units, new accessory living spaces shall be subject to the following provisions.

(A) An ADU shall operate as a fully functional residence, complete with kitchen, bathroom, and living and/or bedroom quarters.

(B) ~~The homeowner shall utilize the property (or portion thereof) as a primary residence and receive a Homestead Exemption from the Pasco County Property Appraiser.~~

~~(C)~~ A mailing address~~es~~ shall be assigned by the Pasco County Addressing Department in order to comply with E911 and National Emergency Number Association (NENA) standards. Property owners are responsible for coordinating with and receiving an address for the ADU from the Addressing Department.

STAFF REPORT

To: Planning Commission
From: William McCaw
Community Planner
RE: Ordinance 1521-26 - Accessory Structure LDC Update
Date: May 27, 2026

I. BACKGROUND & INFORMATION

While reviewing a recent application for construction of an accessory garage structure City staff discovered errors in the existing Land Development Code that effectively prevented staff from applying any standards for accessory structures to proposed accessory garages. Ordinance 1521-26 addresses this discrepancy as well as language within section 7.09.01 that references defunct or removed sections of the Land Development Code. By amending section 7.09.01.01 staff can begin enforcing size standards specific to accessory structures that are not ADUs (which are precluded from size limitations beyond State statute standards).

II. DATA & ANALYSIS

There is no fiscal impact associated with the adoption of this ordinance.

III. RECOMMENDATION

Staff recommends approval of the ordinance as presented.

Sec. 7.09.01.01. Accessory uses and structures, except ~~garages and~~ garages with accessory dwelling units.

The following regulations shall apply to all accessory uses and structures incidental to any permitted or conditional use (for ~~garages and~~ garages with accessory suites see section 7.09.~~2901.012~~).

- (A) *Zoning of accessory structures.* All accessory uses to a principal use shall be located in a zoning district that permits the principal use. Structures up to 15 percent of the total square footage of the principal structure, up to 300 square feet and no more than 16 feet in height (or maximum height of principal structure), at a maximum point of roof pitch, from the grade, shall be permitted in residential and office professional districts. Structures up to 300 square feet can advance directly to the Building Department for payment of proper permitting fee. Structures between 301 and 625 square feet, or in excess of 16 feet to the peak of the roof, as measured from the grade (or higher than the maximum height of the primary residence) in residential and office professional districts shall be reviewed and approved by the Planning Department prior to the issuance of building permit by the Building Department. Information submitted to the Planning Department shall include, but may not be limited to, information pertaining to height, design elements, increased setbacks, and landscaping plans around the perimeter of the accessory structure. In the event the Planning Department denies the request, the applicant can appeal the denial to the City Council. Structures larger than 625 square feet require a conditional use permit.
- (B) *Construction timing.* No accessory building shall be constructed upon a lot or parcel or contiguous lot or parcel except in conjunction with or after construction of the primary building.
- (C) *Location of accessory structures.* Structures shall be located on the same lot or parcel as the primary building to which it is accessory; or on a contiguous lot and shall meet all district setbacks unless otherwise stated. Further, accessory structures shall not be permitted in any required front or secondary front setback. A five-foot side and rear yard setback shall be observed. For all zoning districts, the minimum separation between the accessory and principal structures shall be five feet, as measured from the dripline of both structures. Any type of enclosed passageway or room addition shall not connect principal and accessory structures unless all structures meet principal structure setbacks.
- (D) *Limitation on use.* Only the owner, employees of the owner, lessee or tenant of the premises shall use nonresidential accessory buildings.
- (E) *Accessory structures in multi-family developments.* Accessory structures in multi-family developments may include, but shall not be limited to, private laundry facilities and clubhouse/recreational facilities for the convenience of the residents. Construction style and material shall match the residential units for which the structures are accessory.
- (F) *Portable utility structures and work sheds (for example, pre-manufactured structures such as Rubbermaid vinyl and Arrow metal sheds) in residential districts.* As defined by this standard, includes any roofed structure designed to shelter vehicles, goods, merchandise, equipment, materials, or property of any kind that is capable of being carried or moved and which does not require a building permit for installation. Any portable shelter shall be placed in the rear yard. Rear yard, as defined by this standard as that portion of the lot located behind the principal use structure. Existing nonconforming structures are grandfathered as of the date of passage of this section. Within residential districts and accessory to residential uses, portable utility sheds shall be permitted within the five-foot side and rear yard setbacks if the following regulations are adhered to:
 - (1) Shall be no larger than 15 percent of the square footage of the principal structure, or 300 square feet, whichever is smaller;

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- (2) No more than two accessory structures as defined in division (F)(1) above (provided both structures combined do not exceed 15 percent of the square footage of the principal structure or 300 square feet, whichever is smaller) shall be permitted on any single residential lot;
 - (3) Shall not be located on any easement;
 - (4) Approved portable accessory structures shall be anchored in a method approved by the Building Department; and
 - (5) An accessory structure shall not be separately metered for electricity or water.
- (G) *Design Standards for accessory buildings and structures in office professional and residential zoning districts.* Accessory buildings and structures located in office professional and residential zoning districts that exceed 150 square feet shall be constructed of masonry, wood frame, aluminum, or vinyl. If the principal structure is a contributing structure to the Historic District, accessory structures shall be finished with similar materials and design as the principal structure. In addition, properties shall adhere to Historic District design standards as well as CRA design standards. Metal fabricated type structures that are designed and intended for industrial/commercial use are prohibited in the residential and office professional zoning districts.
- (H) *Cargo and cargo-like containers of any size (conex containers).*
- (1) Except for commercially zoned (C1, C2, and C3) and industrially zoned (LI and AP2) properties, all cargo containers and cargo-like (conex) containers of any size designed to attach to trucking equipment and/or cargo ships are prohibited. Owners of commercially zoned properties may obtain, with fee, through the Building Department, a temporary permit to place said container on subject property for a period not to exceed 90 days per year. Owners of industrially zoned properties can place said containers year-round with proper permit and fee through the Building Department. Refer to the city's fee schedule for said fees.
 - (2) Within commercially zoned areas of the city, owners/tenants of properties with a building consisting of floor space in excess of 150,000 square feet (base living area as indicated on the Pasco County Property Appraiser website) may apply for long-term permits. The permits shall be issued for three years per term and subsequently renewable for three years thereafter at the sole discretion of the Planning Director. The permits will allow said containers to be located on contiguously owned properties (as said building) for 90-day periods per year. Petitioner shall submit buffering/landscaping and lighting plans to ensure the continued health and safety of the general community, continuity of traffic and pedestrian flow to, through and exiting the property as well visual buffering from said containers. Area utilized for placement of said containers shall not exceed five percent of gross floor area (GFA) of the primary building on said property. Under no circumstances shall conex containers be stacked on top of each other. Petition is subject to Planning Director's approval, approval with additional requirements, or denial. Renewal petitions shall demonstrate the continued need for such said containers. Once site plan application is approved by the Planning Director, petitioner shall advance to the Building Department for fee(s) associated with said containers.
 - (3) Cargo and cargo-like containers (conex containers) of any size are expressly forbidden within all transect zones of the form-based code areas within the city with one exception: said conex container (a number not exceeding one) placed on a property located entirely within the form-based code area of the city at the date of passage of this section is grandfathered if said container is completely screened from view from the closest public right-of-way with a city-approved method (including, but not limited to, solid PVC fencing). Property owners shall, within

30 days prior to or preceding passage of this section, notify the city in writing and receive a confirmation letter from the city indicating grandfather status.

- (4) Cargo and cargo-like (conex) containers located on properties within zoning districts expressly prohibited above in divisions (H)(1) and (H)(2) shall be removed from said property within 60 days of passage of this section. Failure to comply will result in code enforcement action against the property owner of said property.
 - (5) Where permissible, as detailed in divisions (H)(1) and (H)(2) above, under no such circumstances shall cargo or cargo-like (conex) containers be placed in, around, or adjacent to designated vehicular parking space(s) in a manner that renders said parking space(s) unusable for its intended purpose.
- (I) *Prohibition of certain structures.* Trailers, storage containers, mobile homes, and recreational vehicles (except for zoning districts in which mobile homes and RVs are allowed), and tractor-trailers shall not be used as permanent or portable accessory structures. Portable carports/carport-like and car canopy structures (as defined in this section of the code as an open-sided automobile shelter by the side of a building) are expressly prohibited. A commercial storage container (such as PODs or other similar moving container that is left at subject property, packed and subsequently removed to a congregate storage facility) may be used while renovation is occurring on the building(s) located on said property with an active building permit. If building permit is not required or if said container is utilized for moving of contents of said property, a maximum time period of 30 days shall be allowed. The time period may be adjusted at the discretion of the Building Official.

(Ord. 1359-18, passed 6-25-2018)

ORDINANCE NO. 1521-26

AN ORDINANCE BY THE CITY COUNCIL OF THE City of Zephyrhills, FLORIDA, AMENDING THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE, PART 7.09.00 SUPPLEMENTAL STANDARDS FOR SPECIAL USES; AMENDING SECTION 7.09.01.01 ACCESSORY USES AND STRUCTURES, EXCEPT GARAGES AND GARAGES WITH ACCESSORY DWELLING UNITS; TO ALLOW FOR REGULATION OF ACCESSORY STRUCTURES NOT INCLUDING ACCESSORY DWELLING UNITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council finds it necessary to periodically update and clarify provisions of the City of Zephyrhills Land Development Code; and

WHEREAS, the City seeks to clarify regulations applicable to accessory uses and structures in order to improve administration and consistency in interpretation and enforcement; and

WHEREAS, the City finds it necessary to distinguish accessory structures from accessory dwelling unit regulations, which are regulated separately within the Land Development Code; and

WHEREAS, the City Council finds that the amendments contained herein promote the public health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA:

SECTION 1. AMENDMENT TO SECTION 7.09.01.01 – ACCESSORY USES AND STRUCTURES

Section 7.09.01.01, Accessory Uses and Structures, Except Garages and Garages with Accessory Dwelling Units, is hereby amended as follows:

Sec. 7.09.01.01. Accessory uses and structures, except garages with accessory dwelling units.

The following regulations shall apply to all accessory uses and structures incidental to any permitted or conditional use (for accessory suites see section 7.09.29.01).

SECTION 2. CONFLICTS

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

If any section, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. CODIFICATION

It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Land Development Code of the City of Zephyrhills, and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective upon passage on the second reading and signing by the mayor.

PASSED AND ADOPTED upon first reading this ____ day of _____, 2026.

PASSED AND ADOPTED upon second and final reading this ____ day of _____, 2026.