



CITY COUNCIL MEETING ZEPHYRHILLS, FLORIDA

**Monday, December 12, 2022
6:00 PM**

The City of Zephyrhills will maintain a quorum at the dais and host a GoToMeeting to allow the public to attend remotely.

**Please join the GoToMeeting
from your computer, tablet or smartphone:
<https://meet.goto.com/886725461>
or dial in using your phone:**

+1 (872) 240-3212 - Access Code: 886-725-461

(Please mute your phone unless you wish to speak on a specific item)

**Zephyrhills
City Hall**

**Council
Chambers**

Call to Order – Council President
Roll Call – City Clerk Lori Hillman
Invocation – Pastor Dave Huff
Pledge of Allegiance – Council President

1. PUBLIC COMMENTS - address specific items on the agenda with the exception of Public Hearing
2. CONSENT ITEMS
 - 2.1 Approval of November 28, 2022 Regular Meeting Minutes
 1. M11-28-2022
 - 2.2 Approval of November 14, 2022 Regular Meeting Minutes
 1. M11-14-2022

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 38736 CR 54 Annexation

Second Reading **Ordinance 1450-22 - AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER 02-26-21-0000-00200-0000 LOCATED AT 38736 and 38740 CR 54, ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED.**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1450-22 on the Second Reading

- 1. ANX13-22 Staff Report for CR 54 Annx FLUMA Rezone City Council_1
- 2. Ordinance 1450-22 Calumet Annexation

3.2 38736 CR 54 FLUMA and Rezoning

Second Reading **Ordinance 1451-22 - AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP CHANGING FROM COUNTY RES-6 (RESIDENTIAL 6 D/U PER ACRE) TO CITY RU (RESIDENTIAL URBAN) AND THE ZONING DESIGNATION FROM COUNTY AR (AGRICULTURAL-RESIDENTIAL) TO CITY R-4 (HIGH-DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.62 ACRES OF REAL PROPERTY LOCATED AT 38736 AND 38740 CR 54 AND HAVING PARCEL NUMBER 02-26-21-0000-00200-0000; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1451-22 on the Second Reading

- 1. ANX13-22 Staff Report for CR 54 Annx FLUMA Rezone City Council_1
- 2. Ordinance 1451-22 Calumet SM Scale FLU and Zoning

3.3 Charter Amendments

Second Reading **ORDINANCE NO. 1452-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON APRIL 11, 2023, PROPOSING TO THE ELECTORATE OF THE CITY THAT SECTIONS 11.01, 21.031, 21.11, 32.03, 51.01, 51.041, 51.07 AND TITLE XI OF THE CITY CHARTER BE AMENDED; PROVIDING THAT THESE AMENDMENTS SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY IN THE FORM OF EIGHT PROPOSITIONS ON THE REFERENDUM BALLOT; FIRST PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THE DATE OF CREATION AND ESTABLISHMENT OF THE CITY OF ZEPHYRHILLS AS SET FORTH IN SECTION 1 OF THIS ORDINANCE BE ADOPTED; SECOND PROPOSITION BEING, SHALL COUNCIL MEMBERS BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 2 OF THIS ORDINANCE BE ADOPTED; THIRD PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE FINANCE DIRECTOR TO REPORT MONEY DEPOSITS**

AT QUARTERLY COUNCIL MEETINGS AS SET FORTH IN SECTION 3 OF THIS ORDINANCE BE ADOPTED; FOURTH PROPOSITION BEING, SHALL THE MAYOR BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 4 OF THIS ORDINANCE BE ADOPTED; FIFTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED FOR ELECTED OFFICIALS TO TAKE OFFICE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AFTER THE CANVAS OF VOTE AS SET FORTH IN SECTION 5 OF THIS ORDINANCE BE ADOPTED; SIXTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO REMOVE TIME CONSTRAINTS TO OBTAIN SIGNATURES TO QUALIFY FOR ELECTION AS SET FORTH IN SECTION 6 OF THIS ORDINANCE BE ADOPTED; SEVENTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THAT CITY COUNCIL ACCEPT AND DECLARE THE RESULTS OF THE ELECTION AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AS SET FORTH IN SECTION 7 OF THIS ORDINANCE BE ADOPTED; EIGHTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FORMAL REVIEW OF THE CHARTER EVERY TEN (10) YEARS AS SET FORTH IN SECTION 8 OF THIS ORDINANCE BE ADOPTED; SETTING FORTH THE FORM OF THE QUESTIONS TO BE VOTED UPON AT SUCH ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; AND PROVIDING FOR AN EFFECTIVE DATE."

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1452-22 on the Second Reading

1. Ordinance 1452 -22 Charter Revisions - Referendum

3.4 RZ 14-22 Agape Baptist Church Rezoning - ORDINANCE NO. 1453-23

First Reading **Ordinance No. 1453-23 "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S ZONING MAP DESIGNATION FROM OP (OFFICE PROFESSIONAL) TO C-3 (GENERAL COMMERCIAL) FOR APPROXIMATELY 10.0 ACRES OF REAL PROPERTY LOCATED AT 39735 CHANCEY ROAD AND HAVING PARCEL NUMBER 24-26-21-0000-00100-0050 ; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1453-23 on the First Reading

1. Staff Report Package for Agape Baptist Rezone Dec 12 2022

2. Ordinance 1453-23 Agape Baptist Church Rezoning

4. PLANNING DIRECTOR'S REPORT

4.1 ACME Development Corp. - Chancey Road / SR-39 Petition Annexation, Future Land Use Amendment and Rezoning

1. 1. ANX, FLU, RZ Application Zhills Hwy 39 5.27.22

2. Zhills Hwy 39 PUD Master Plan REV .2022.08.08
 3. Acme Dev Anex- FLU Zoning staff report
 4. Chancey Road PUD Narrative and Justification 8.9.22
 5. Response Letters
 6. Industrial Plan Exec Summary
 7. Gagne - Letter of Support
- 4.2 USE 04-21 Palm Cove Conditional Use to Exceed Height Restrictions in the R-4 Zoning District

1. Staff Report for Palm Cove City Council Dec 12 2022
2. Attachments to Staff Report for Palm Cove City Council Dec 12 2022

4.3 Trump Place Boat & RV Storage Conditional Use Petition

1. USE-0009-22_Staff Report
2. RCE Invest_Trump Place Storage Presentation
3. Supplement - PProject Timeline USE-0009-22

5. PUBLIC COMMENTS - address items that are not on the agenda

MAYOR ANNOUNCEMENTS

CITY MANAGER ANNOUNCEMENTS

CITY ATTORNEY ANNOUNCEMENTS

CITY COUNCIL COMMENTS

6. NOTED ITEM

6.1 Depository Deposit Listing

1. City of Zephyrhills Bank Depository

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.**

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on November 28, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (646) 749-3122 - Access Code: 839-170-845.

Council President Wilkeson called the meeting to order at 6:03 p.m. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Building Official Bill Burgess, Planning Director Todd Vande Berg, Public Information Officer Kevin Weiss, IT Director Mike Panak, Main Street Director Erin Beasley, Main Street Intern Jayleen Herrera and City Clerk Lori Hillman

Councilman Knight asked for a moment of silence for the families of John Geiger and J. T. Cunningham who passed away.

Michael Jayne with Faith Baptist read a quote from Benjamin Franklin and delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 General Aviation Appreciation Proclamation

City Clerk Lori Hillman said in the absence of an Airport representation to accept the General Aviation proclamation, the proclamation will be signed and forwarded to the Alliance for Aviation Across America.

2. PUBLIC COMMENTS

2.1 Council President Wilkeson said City Manager William Poe asked Public Comments be added to this place on the agenda to allow public comments specific to the items on the agenda with the exception of the public hearing. There was no one signed up to speak nor were there any comments from the floor.

3. CONSENT ITEMS

3.1 Approval of Piggyback Agreement Extension 41-22-41 with APT for Cured in Place Pipe

3.2 Approval to Piggyback upon Agreement between Polk County and General Construction Services, Inc. for SCADA Construction Services – No. 41-22-43

Lance Smith moved to approve the Consent Items. Seconded by Kenneth Burgess. Motion passed unanimously.

4. BUSINESS/PUBLIC HEARING

4.1 Eiland Blvd. Mixed Use PUD FLUMA – Ordinance No. 1448-22

Second Reading **ORDINANCE NO. 1448-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT FROM COUNTY RES-6, COUNTY RES-9 AND CITY RU (RESIDENTIAL URBAN) TO CITY MU (MIXED USE), FOR PARCELS 03-26-21-0010-02000-0000, 03-26-21-0010-03600-0000, 03-26-21-0010-05100-0000, 03-26-21-0010-06100-0000; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. “**

City Attorney Matthew Maggard read Ordinance No. 1448-22 by title. A public hearing was held and there were no comments from the floor.

Lance Smith moved to approve Ordinance No. 1448-22 on the Second Reading. Seconded by Alan Knight. Motion passed unanimously.

4.2 Second Reading **ORDINANCE NO. 1449-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, REZONING THE SUBJECT PROPERTY HEREINAFTER DESCRIBED TO CITY ZONING CATEGORY PUD (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISIONS OF**

CHAPTER 166, FLORIDA STATUTES; APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN; PROVIDING FOR CODIFICATION, CONFLICT SEVERABILITY, AND AN EFFECTIVE DATE. (EILAND MIXED USE PUD)."

City Attorney Matthew Maggard read Ordinance No. 1449-22 by title. A public hearing was held and there were no comments from the floor.

Alan Knight moved to approve Ordinance No. 1449-22 on the Second Reading. Seconded by Lance Smith. Motion passed unanimously.

4.3 Charter Amendments

First Reading **ORDINANCE NO. 1452-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON APRIL 11, 2023, PROPOSING TO THE ELECTORATE OF THE CITY THAT SECTIONS 11.01, 21.031, 21.11, 32.03, 51.01, 51.041, 51.07 AND TITLE XI OF THE CITY CHARTER BE AMENDED; PROVIDING THAT THESE AMENDMENTS SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY IN THE FORM OF EIGHT PROPOSITIONS ON THE REFERENDUM BALLOT; FIRST PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THE DATE OF CREATION AND ESTABLISHMENT OF THE CITY OF ZEPHYRHILLS AS SET FORTH IN SECTION 1 OF THIS ORDINANCE BE ADOPTED; SECOND PROPOSITION BEING, SHALL COUNCIL MEMBERS BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 2 OF THIS ORDINANCE BE ADOPTED; THIRD PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE FINANCE DIRECTOR TO REPORT MONEY DEPOSITS AT QUARTERLY COUNCIL MEETINGS AS SET FORTH IN SECTION 3 OF THIS ORDINANCE BE ADOPTED; FOURTH PROPOSITION BEING, SHALL THE MAYOR BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 4 OF THIS ORDINANCE BE ADOPTED; FIFTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED FOR ELECTED OFFICIALS TO TAKE OFFICE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AFTER THE CANVAS OF VOTE AS SET FORTH IN SECTION 5 OF THIS ORDINANCE BE ADOPTED; SIXTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO REMOVE TIME CONSTRAINTS TO OBTAIN SIGNATURES TO QUALIFY FOR ELECTION AS SET FORTH IN SECTION 6 OF THIS ORDINANCE BE ADOPTED; SEVENTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THAT CITY COUNCIL ACCEPT AND DECLARE THE RESULTS OF THE ELECTION AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AS SET FORTH IN SECTION 7 OF THIS ORDINANCE BE ADOPTED; EIGHTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FORMAL REVIEW OF THE CHARTER EVERY TEN (10) YEARS AS SET FORTH IN SECTION 8 OF THIS ORDINANCE BE ADOPTED; SETTING FORTH THE FORM OF THE QUESTIONS TO BE VOTED UPON AT SUCH ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; AND PROVIDING FOR AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1452-22 by title. A public hearing was held and there were no comments from the floor. City Manager William Poe said should Council approve this ordinance on the First Reading, the ordinance will be brought back at the next meeting for the Second Reading and if approved, will be brought before the electorate in the form of a referendum at the April 11, 2023 municipal election. Staff recommended Council's approval.

Lance Smith moved to approve Ordinance No. 1452-22 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

5. PLANNING DIRECTOR'S REPORT

5.1 Trump Place Boat & RV Conditional Use Petition

City Manager William Poe requested Business Item 5.1 be pulled from the agenda to allow staff time to address issues that have arisen.

Alan Knight moved to pull Business Item 5.1 from the agenda. Seconded by Charles Proctor. Motion passed unanimously.

6. CITY MANAGER'S REPORT

6.1 Request to Cancel December 26, 2022 Council Meeting

City Manager William Poe requested to cancel the December 26, 2022 Council Meeting.

Kenneth Burgess moved to approve Business Item 6.1. Seconded by Lance Smith. Motion passed unanimously.

7. PUBLIC COMMENTS

7.1 City Council President Wilkeson said this place on the agenda is to allow public comments to address items that are not on the agenda.

Spoke from the floor: Erin Setser - RC Investment Group – 29619 Morningmist Drive – Wesley Chapel, FL

Ms. Setser spoke on Business Item 5.1 Trump Place Boat & RV Conditional Use Petition that was pulled from the agenda. As a business owner, she requested clarification to understand why a structure would be important on this site. She said she feels there is internal corruption within the staff and wants to make sure she and her husband are being treated fairly. She said they are boat and RV enthusiasts and are trying to create a business that is appealing and affordable to everyone. She said covered boat and RV facilities are not the norm and they want to differentiate themselves from their competitors. In closing, she requested Council consider the City's rapid growth, the high demand for a boat and RV storage facility, and a market for competitors to thrive through healthy competition.

Spoke from the floor: Kim Earle – 37741 Phelps Road – Zephyrhills, FL

Mr. Earle said she hired a man with a drone to film footage of Trotter's Crossing that she presented pointing out the retention pond, rip rap and culvert behind her house. She said she and her attorney met with Compliance Staff Engineer John Powanda with SWFWMD, Director of Land Development Joe Guttuso with American Homes Development, Land Development Project Manager Gregory Johnson with American Homes Development, the construction company representative, and Civil Engineer Craig Cornelison on Friday, November 18th at the Trotter's Crossing site. She asked Mr. Powanda from SWFWMD if she was correct in stating the pond behind her house should be dry within 72 hours after a rain and he answered, well only when it comes to the final permit inspection. She asked Mr. Powanda why one pond was dry and one pond had several feet of water in it. Mr. Powanda told her all the silt was washing into the pond with water. Joe Guttuso spoke up and told Mr. Powanda that the bottom of the pond is scraped for silt after every rain storm so it would percolate. Ms. Earle said nobody is scraping the pond. She asked Mr. Powanda about the conduit and Mr. Powanda implied one of the guys run up to Lowes and get a piece of plywood to cover the conduit to keep the water out. She asked why sod was placed on the west side of her property and not behind her house. Gregory Johnson said if they put down sod it would all have to be ripped up and that would cost a lot of money. She said next year when the rainy seasons comes, this project is not going to be complete.

City Manager William Poe said he met at Trotter's Crossing on Friday, November 18th and walked the entire site as they are focused on getting the three tier wall constructed on the backside. He said there is a swale across the northern boundary, down the western boundary and a portion on the eastern boundary that discharges into the pond. He said the main focus of the meeting was to address questions about setbacks and fencing with Leon Wilson who lives to the north of the property.

He said he also had a conversation about the replacement of rip-rap in the southern swale and the replacement of the overflow pipe.

Council Vice President Smith said Ms. Earle needs to get very aggressive with her attorney because this is a civil matter.

Spoke from the Floor: Robert Setser – RC Investment Group – 29619 Morningmist Drive – Wesley Chapel, FL

Mr. Setser addressed Business Item 5.1 Trump Place Boat & RV Conditional Use Petition that was pulled from the agenda. He said he received an email from Planning Director Todd Vande Berg on behalf of the owners of Park Place relating to HOA and POA Violations and said he wasn't aware that City employees got involved in HOA and POA issues. He read a section from the POA; Outside Facilities, "Boats, trailers and RVs unlicensed, inoperable or unsightly vehicles, etc. have to be stored or permitted to remain on any site outside the buildings." He said he was asked in Mr. Vande Berg's email to approach the owners, his competition, to ask their permission to build a storage building to complete against them across the road and then Council would hear his petition. He read from the email, "The owners are of the opinion that the improvements require a type of physical structure to be consistent with Section 5.6." Mr. Setser said Park Place has awnings and Section 5.6 states buildings. He said Park Place is breaking their own codes by having awnings instead of enclosed buildings. He read, "The owners indicated they will be contacting you to further discuss." He said this is a conflict of interest to call the owners of a POA who are financially invested in a property and ask their permission to build the same facility across the road. He said that would be like Burger King calling McDonalds and saying hey do you mind if I build across the road, of course, McDonalds is going to say no, but that's healthy competition. In closing, he said he plans to invest \$1M plus to establish a healthy business and is hoping to get fair consideration to bring the taxable revenue to the City.

City Manager William Poe interjected and said when this item comes back before Council, Council will review the item based on City ordinances. The DCRs are a civil matter between Mr. Setser, the property owners and the HOA.

Council President Wilkeson encouraged Mr. Setser to come back when the details are worked out.

Spoke from the floor: Warren Earle – 3822 Florida Ranch Blvd. – Zephyrhills, FL

Mr. Earle said Kim Earle is his youngest daughter and his oldest daughter, Janis Gilbert, passed away the Tuesday before Thanksgiving. He said Janis was injured in an automobile accident on February 28, 2020 and as a result of the accident they took x-rays and found a spot on her brain stem which turned out to be cancer. His daughter, Janis, was his daughter that brought him to Council meetings.

Council President Wilkeson conveyed Council's sincerest condolences.

MAYOR ANNOUNCEMENTS – Mayor Whitfield hoped everyone had a great Thanksgiving and wished everyone a Merry Christmas.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe reminded everyone of the Christmas Tree lighting at City Hall following the Council Meeting, Festival of Lights Parade Saturday at 7:00 p.m. (event from 4:00 p.m. – 9:00 p.m.), and Pasco Economic Development Council Holiday Social Thursday, December 1, 2022, at 4G Ranch. He said the Opening Ceremony for the Senior Games at RADD Sports (Wesley Chapel Sports Complex) is 11:00 a.m. on Friday, December 2, 2022 with Pickleball, Padel and Tennis tournaments to be held at the Sarah Vande Berg Tennis Center.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Knight complimented and praised the Zephyrhills football team for making it to the regionals.

Councilman Proctor thanked Main Street for coordinating the Festival of Lights event and thanked Public Works Director Shane LeBlanc and his department for the work they do in taking care of our citizens.

Council Vice President Smith said a few items came before Council tonight; one was Ms. Earle and there is a limit to what the City can do. He spoke theoretically on Business Item 5.1 Trump Place Boat & RV Conditional Use Petition that was pulled from the agenda. He said the City has a set of rules and Council abides by the rules that were created. He said Council treats everyone fairly and said Mr. Stetser will receive fair treatment from Council and staff.

Councilman Burgess added to the City Manager's comments about the Florida Senior Games and said Pasco County has a three year commitment. He congratulated the Zephyrhills football team for making it to the final 8.

Council President Wilkeson encouraged everyone to attend the Festival of Lights event on Saturday, December 3rd from 4:00 p.m. to 9:00 p.m. with a parade at 7:00 p.m.

NOTED ITEMS

8.1 Depository Deposit Listing

Meeting adjourned: 6:51 p.m.
Submitted by Lori L. Hillman

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on November 14, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (571) 317-3122 - Access Code: 551-759-733.

Council President Wilkeson called the meeting to order. Roll call was taken. Present were members Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith, Kenneth Burgess and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Building Official Bill Burgess, Planning Director Todd Vande Berg, Public Information Officer Kevin Weiss, IT Director Mike Panak, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire and City Clerk Lori Hillman

Paul Daniel Williams with the Zephyrhills First Assembly of God delivered the innovation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Swear-in of Officer Fellows

Police Chief Derek Brewer introduced Officer Paul Fellows with a brief history prior to Officer Fellows reciting his Oath of Office.

2. UNFINISHED BUSINESS/PUBLIC HEARING

2.1 Eiland Blvd. Mixed Use PUD FLUMA – Ordinance No. 1448-22

First Reading **ORDINANCE NO. 1448-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT FROM COUNTY RES-6, COUNTY RES-9 AND CITY RU (RESIDENTIAL URBAN) TO CITY MU (MIXED USE), FOR PARCELS 03-26-21-0010-02000-0000, 03-26-21-0010-03600-0000, 03-26-21-0010-05100-0000, 03-26-21-0010-06100-0000; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. “**

City Attorney Matthew Maggard read Ordinance No. 1448-22 by title. A public hearing was held and there were no comments from the floor. Historic Preservation Specialist and Community Planner Audrey McGuire said Ordinance No. 1448-22 pertains to a future land use amendment encompassing two parcels located within the City’s jurisdiction with a land use designation of RU (Residential Urban – 7 ½ to 20 units per acre) and two parcels proposed to be annexed into the City currently located within the County with a land use designation of R6 (Residential - 6 units per acre and R9 (Residential - 9 units per acre). All parcels are proposing a land use designation to City MU (Mixed Use – 20 units per acre) for consistency with the parcels located along Eiland Blvd. This item is considered a small scale map amendment and is consistent with Florida Statute 163, the City’s Comprehensive Plan, the City’s Land Development Code, and is not in an area of critical concern. A Traffic Methodology Analysis is under review with an ongoing Traffic Study. Staff recommended Council’s approval.

Charles Proctor moved to approve Unfinished Business Item 2.1 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

2.2 Eiland Blvd. Mixed Use PUD Rezoning – Ordinance 1449-22

First Reading **ORDINANCE NO. 1449-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, REZONING THE SUBJECT PROPERTY HEREINAFTER DESCRIBED TO CITY ZONING CATEGORY PUD (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 166, FLORIDA STATUTES; APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN; PROVIDING FOR CODIFICATION, CONFLICT SEVERABILITY, AND AN EFFECTIVE DATE. (EILAND MIXED USE PUD).”**

City Attorney Matthew Maggard read Ordinance No. 1449-22 by title. A public hearing was held. Historic Preservation Specialist and Community Planner Audrey McGuire said the applicant is requesting to rezone 29.38 acres to Planned Unit Development (PUD). Two City parcels are zoned R4 (Multi-Family Residential) and OP (Office Professional) and two County parcels are zoned for agriculture uses in the enclave areas. This proposed PUD is different from other PUD’s historically approved within the City where the applicant had a developer onboard with a contractor ready to move ahead with a specific plan for development. This PUD will need

to establish uses, density bulk area in height requirements, creative and flexible zoning and build-in conditions looking at site access based on a maximum of 347 dwelling units (11.98 units per acre) inclusive of the units along Eiland Blvd. This PUD includes language for an enhanced buffer along a portion of the western boundary that abuts a low density existing use, setbacks, parking standards, and specific building orientation standards. The applicant has committed to turn lane improvements onto Eiland Blvd. from Fort King Road as a condition for approval. This PUD is consistent with the City's Comprehension Plan, the City's standards for a PUD as presented in the staff report through data and analysis, Florida Statutes, the City's Land Development Code and is consistent with the intent of a PUD to be creative and flexible. Staff recommended Council's approval. The Planning Commission recommended approval with the condition that traffic be addressed.

Spoke from the floor: Shelly May Johnson, P.A. – 6400 Madison Street – Port Richey, FL

Attorney Johnson referred Council to Exhibit "C" - Conditions of Approval, Item G – Roadway Improvements/Access Management wherein the applicant has committed to one turn lane. She reiterated PUD approvals in the past have come before Council with an end buyer in place, a plan for development and traffic studies completed. In this process, the applicant is presenting a PUD for zoning and a conceptual idea. The City's code will require a traffic engineering study be completed during the Site Plan approval process. A detailed preliminary plan will be brought back to Council with ample opportunity for review.

Conversations ensued relating to traffic, a multi-car storage right hand turn lane, school pickup and drop off locations determined by the Pasco County School Board and a request for the traffic engineer to present their findings to Council when complete.

Lance Smith moved to approve Unfinished Business Item 2.2 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

3. **CONSENT ITEMS**

- 3.1 Approval of CSX Encroachment Easement Agreement 16-22-13
- 3.2 Purchase of Chipper Truck
- 3.3 Purchase of 9 Police Vehicles
- 3.4 Rehabilitation of Lift Stations by RCM Utilities
- 3.5 Award Bid for BGE, Inc. Continuing Services Contract Request for Qualifications 35-22-05 - Professional Services Agreement No. 37-22-12 for CRA, Planning and Public Works
- 3.6 Award Bid for Alfred Benesch & Company Continuing Services Contract Request for Qualifications 35-22-05 - Professional Services Agreement No. 37-22-13 for CRA, Planning and Public Works
- 3.7 Award Bid for CPH, LLC Continuing Services Contract Request for Qualifications 35-22-05 - Professional Services Agreement No. 37-22-14 for CRA, Planning and Public Works
- 3.8 Award Bid for HCP Associates, Inc. Continuing Services Contract Request for Qualifications 35-22-05 - Professional Services Agreement No. 37-22-15 for CRA, Planning and Public Works
- 3.9 Award Bid for G-A-I Consultants, Inc. Continuing Services Contract Request for Qualifications 35-22-05 - Professional Services Agreement No. 37-22-16 for CRA, Planning and Public Works
- 3.10 Approval of November 9, 2022 Special Meeting Minutes

Alan Knight moved to approve all Consent Items. Seconded by Kenneth Burgess. Motion passed unanimously.

4. **BUSINESS ITEMS/PUBLIC HEARING**

- 4.1 Eiland Blvd. Mixed Use PUD – Annexation

Second Reading **ORDINANCE NO. 1447-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, A MUNICIPAL CORPORATION, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF THE CITY OF ZEPHYRHILLS DESCRIBED AS PARCELS 03-26-21-0010-05100-0000 AND 03-26-21-0010-06100-0000; IN ACCORDANCE WITH SECTION 171.44, FLORIDA STATUTES, AS AMENDED.”**

City Attorney Matthew Maggard read Ordinance No. 1447-22 by title. A public hearing was held and there were no comments from the floor.

Lance Smith moved to approve Business Item 4.1 on the Second Reading. Seconded by Alan Knight. Motion passed unanimously.

4.2 38736 CR 54 Annexation

First Reading **ORDINANCE NO. 1450-22- “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER 02-26-21-0000-00200-0000 LOCATED AT 38736 and 38740 CR 54, ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED.”**

City Attorney Matthew Maggard read Ordinance 1450-22 by title. A public hearing was held and there were no comments from the floor. Senior Planner Rodney Corriveau highlighted the right-of-way dedication along CR-54 to provide for a turn lane and said language has been added for the construction of a sidewalk along Calumet Avenue for pedestrians and potential right-of-way if deemed necessary for drivers.

Kenneth Burgess moved to approve Ordinance No. 1450-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

4.3 38736 CR 54 FLUMA and Rezoning

First Reading **ORDINANCE NO. 1451-22 – “AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY’S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP CHANGING FROM COUNTY RES-6 (RESIDENTIAL 6 D/U PER ACRE) TO CITY RU (RESIDENTIAL URBAN) AND THE ZONING DESIGNATION FROM COUNTY AR (AGRICULTURAL-RESIDENTIAL) TO CITY R-4 (HIGH-DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.62 ACRES OF REAL PROPERTY LOCATED AT 38736 AND 38740 CR 54 AND HAVING PARCEL NUMBER 02-26-21-0000-00200-0000; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.”**

City Attorney Matthew Maggard read Ordinance No. 1451-22 by title. A public hearing was held and there were no comments from the floor.

Alan Knight moved to approve Business Item 4.3 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4.4 Zephyr Storage, LLC Conditional Use

First Reading **RESOLUTION NO. 804-22 – “A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF AN INDOOR STORAGE FACILITY IN A C2 ZONING DISTRICT ON PARCEL NO. 03-26-21-0010-00100-0020; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.”**

City Attorney Matthew Maggard read Resolution No. 804-22 by title. A public hearing was held and there were no comments from the floor. Planning Director Todd Vande Berg said the City amended Section 7.09.16 of the Land Development Code to allow one story indoor storage facilities in the CRA and Formed Based Code. Outside of these designated districts, an applicant can submit a conditional use petition to exceed the one story height requirement. The annexation, future land use amendment and rezoning for this item has been approved by Council.

Staff is currently reviewing an engineering site plan as part of the conditional use process. Based on the basis of special concern, trees will be preserved along the southern boundary. Staff is working with the applicant on brick color recommendations, alignment of the front building along US-301 for continuity to the north and south, height, enhanced landscaping, fencing (black, aluminum style) and a connection point to Daughtery Road. The front building has a maximum height of 29 feet, 6 inches and the rear building is 40 feet, 9 inches or three story. A storage facility does not generate a lot of traffic, is exempt from traffic study requirements and has little impact on water.

Lance Smith moved to approve Business Item 4.4 on the First Reading. Seconded by Kenneth Burgess. Motion passed unanimously.

5. PLANNING DIRECTOR'S REPORT

5.1 RZ 14-22 Agape Baptist Church Rezoning

Senior Planner Rodney Corriveau said this proposal is to rezone approximately 10 acres in the airport industrial corridor for a self-storage facility and industrial flex space. Industrial flex space is a warehousing type building with a small retail or office component in the front and final packaging or final light assembly in the back. He narrated a PowerPoint presentation of the 10 acre parcel to be rezoned with an existing zoning of OP (Office Professional) and a proposed zoning of C-3 (General Commercial). The rezoning is consistent with the existing mixed use and will not result in premature development. The area is peppered with residential and residents from the Majestic Oaks RV Park attended the Planning Commission meeting to address site access from Laurel Valley Blvd., stating the road is privately owned. If Council chooses to move forward, the applicant will need to secure permission for access from Laurel Valley Blvd. from the owner, Sun Communities, or have site access exclusively on Chancey Road. A proposed site plan was presented with the industrial flex space fronting Chancey Road with a two story indoor storage facility in the back. The applicant must verify with the Federal Aviation Authority (FAA) that a two story building is allowable per the flight pattern. There is a possibility the applicant will propose heavy industrial which would include automobile service repair, automobile vehicle sales and rentals, heavy vehicle equipment service and repair, etc.

Council President Wilkeson said it appears the applicant may have shown the retention area where it makes sense on the site but the best place for the two story unit would be on the east side of the property. She requested to switch the placement of the retention and the two story building on the site.

Spoke from the floor: Shelly May Johnson, P.A. – 6400 Madison Street – Port Richey, FL

Attorney Johnson said this is a Euclidean conceptual proposal of a two story building with office flex space in the front and storage in the back. There will be landscape buffering around the site required by the City's code with access off of Chancey Road. Laurel Valley Blvd. has not been determined to be a private easement but she does not anticipate proposing access onto that road. She said storage is probably the most de minimis impact to proposed use with low traffic, water and sewer capacity. She said this is a great transitional use to bring in employment opportunities with good non-residential possibilities.

Alan Knight moved to approve the Planning Director's Report Item 5.1. Seconded by Charles Proctor. Motion passed unanimously.

5.2 Historic Facade Grant – American Legion

Historic Preservation Specialist and Community Planner Audrey McGuire said Historic Facade Grants do not normally come before Council for approval since they are traditionally granted by the Historic Preservation Board. This particular project involves the American Legion Hall which is one of the most historically significant buildings in Zephyrhills. It was the first community building, served as the first town hall, was a community meeting space, a dance hall and the location where in November of 1914, a vote was taken and papers were signed to incorporate the Town of Zephyrhills. In the past few years, the building has seen some deterioration which is typical with a building over 100 years of age. The American Legion is asking for a Historic Facade Grant to cover the cost to rehabilitate and repair the front porch and

is requesting the match requirement be waived. This is a matching grant program with a maximum allowed City match of \$2,500 for a non-residential property. The applicant has submitted a quote in the amount of \$1,600 to repair the steps which includes materials and labor and is respectfully requesting the grant cover the entire project cost. Due to the significance of the building, staff recommended approval stating safety concerns with the deterioration of the stairs. The Historic Preservation Board approved the grant with the recommendation that the match be waived. The historical significance of the building plays a vital role in waiving the match.

Kenneth Burgess moved to approve Business Item 5.2. Seconded by Lance Smith. Motion passed unanimously.

6. **CITY MANAGER'S REPORT**

6.1 Proposed City of Zephyrhills Charter Amendments – Ordinance 1452-22

City Manager William Poe said Title XI requires that there be a periodic review of the City's Charter by a review committee every (5) years. The Charter was last reviewed in 2017. The City Council created the Charter Review Committee with Resolution No. 793-22 and the committee completed a report containing recommended changes. Florida Statutes Section 166.031 permits the governing body of a municipality to submit to the electors, the City proposed amendments of the Charter at the next General Election which will be held on April 11, 2023. Should Council vote to include the proposed revisions to the Charter on the ballot, Council must adopt an ordinance prior to February 1, 2023 containing the proposed changes with advertising requirements. Staff's recommendation is to formerly accept the Charter Review Committee's recommendations and discharge the committee members from further duties and responsibilities pursuant to Resolution 793-22. He highlighted the proposed eight (8) amendments below.

Referendum Proposition No. 1

Shall Section 11.01 of the Zephyrhills Charter be amended to provide the date of creation and establishment of the City of Zephyrhills?

This referendum would add November 17, 1914 to the creation date.

Referendum Proposition No. 2

Shall Section 21.031 of the Zephyrhills Charter be amended to provide for four (4) year terms of office for City Council members?

This referendum would change the terms from three (3) year to four (4) year terms for City Council members. If approved, effective April 2023 for Seat 2.

Referendum Proposition No. 3

Shall Section 21.11 of the Zephyrhills Charter be amended to provide for the Finance Director to report money deposits quarterly at Council meetings?

This referendum currently states the City Manager will report money deposits at every Council meeting. The proposed amendment will provide for the Finance Director to report all money deposits at Council meetings quarterly.

Referendum Proposition No. 4

Shall Section 32.03 of the Zephyrhills Charter be amended to provide for four (4) year terms for the office for Mayor?

This referendum would change the terms for the Mayor from three (3) year to four (4) year terms. If approved, effective April 2023.

Referendum Proposition No. 5

Shall Section 51.01 of the Zephyrhills Charter be amended to provide that elected officers shall take office at the next regularly scheduled Council meeting after the canvas is received from the County Canvassing Board?

This referendum would be amended to eliminate the Mayor's Caucus and place the canvas of vote on the next regularly scheduled Council meeting.

Referendum Proposition No. 6

Shall Section 51.041 of the Zephyrhills Charter be amended to remove the time constraints to obtain signatures to qualify for election?

The Charter currently states candidates cannot obtain signatures for qualifying prior to 60 days of the election which leaves candidates with 1 ½ to 2 days to obtain the required signatures. The request is to remove the time constraints.

Referendum Proposition No. 7

Shall Section 51.07 of the Zephyrhills Charter be amended to provide that City Council will accept and declare the results of the election at the next regularly scheduled Council meeting?

This referendum would eliminate a special meeting and place the canvas of vote on the next regularly scheduled Council meeting.

Referendum Proposition No. 8

Shall TITLE XI of the Zephyrhills Charter be amended to provide that City Council shall formally review the Charter every ten (10) years?

This referendum would change a formal review of the Charter from every five (5) years to every ten (10) years but does not prohibit Council from reviewing every year.

Alan Knight moved to approve Business Item 6.1. Seconded by Charles Proctor. Motion passed unanimously.

7. CITY ATTORNEY'S REPORT

7.1 Florida Association of City Clerk's (FACC) 50th Anniversary

First Reading **RESOLUTION NO. 805-22 – "A RESOLUTION BY THE CITY OF ZEPHYRHILLS RECOGNIZING THE 50TH ANNIVERSARY OF THE FLORIDA ASSOCIATION OF CITY CLERKS (FACC) AND HONORING THIS ACHIEVEMENT."**

City Attorney Matthew Maggard read Resolution No. 805-22 by title. City Clerk Lori Hillman said the resolution recognizes and expresses appreciation to all City Clerks within the FACC organization.

Lance Smith moved to approve Resolution No. 805-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

Councilman Knight recognized City Clerk Lori Hillman and said she is an asset to the City.

8. CITIZEN COMMENTS

8.1 Cliff McDuffie - 6130 17th Street – Zephyrhills, FL

Mr. McDuffie said the corner of North Avenue and 12th Street is a dangerous intersection with traffic zooming from the north at a good rate of speed toward the curve. He asked about the possibility of improving the intersection with a traffic signal, four way stop signs, or erecting a barrier on the corner in the right-of-way to keep vehicles from entering the Masonic Lodge property. He said the porch has been removed twice. Seniors leaving the building in the evening are fearful to go onto 12th Street from the parking lot due to the inability to judge the speed of the cars traveling from the north when they enter the curve. He said he was at the mercy of Council to request something be done.

Council President Wilkeson suggested City Manager Poe and Public Works Director LeBlanc work with Mr. McDuffie to explore possible options for a solution such as a stop light, four way stop signs, or a barricade at the intersection of North Avenue and 12th Street.

8.2 President/CEO, Vicki Wiggins, Greater Zephyrhills Chamber of Commerce – Sale of Alcohol at the Annual Pigz in Z'hills / Barbecue and Blues Event January 13 and 14, 2023.

Ms. Wiggins requested Council's approval to sell alcohol at the Chamber's upcoming 13th Annual Barbecue and Blues event to be held January 13th and 14th, 2023. Alcohol will be sold Friday night with beer-like items sold Saturday. The Zephyrhills Police Department and Pasco County Sheriff's posse will be roaming the event to assure site security. The entire event within the gates of the venue is wet with I.D. checks at kiosks. One (1) kiosk will be open Friday night and two (2) kiosks will be open on Saturday through 5 p.m.

Kenneth Burgess moved to approve the sale of alcohol at the Barbecue and Blues January 2023 event. Seconded by Lance Smith. Motion passed unanimously.

Spoke from the floor: Eileen Westermann – 5522 17th Street – Zephyrhills, FL

Ms. Westerman said she is a member of the City's Historic Preservation Board and researched Oakside Cemetery which was founded in 1911, deeded to the City in 1934 with the planter installed and pillars and gates erected at the entrance in 1939. She said cemetery hours are from dawn to dusk but it is not possible to maintain these hours without gates or fencing to keep out locals frequenting the cemetery to play Pokemon. She said there are Civil War, Spanish American War, WWI and WWII Veterans and past City leaders such as Captain Jeffries buried at the cemetery. She said this is our history and we need to take better care of the cemetery. She said the City has received \$338,720.00 over the past ten years from the sale of graves and asked where the money went because the City has not reinvested the money into the cemetery in the form of fencing, landscaping, or irrigation. She would like Oakside Cemetery to look as pretty as it did in 1939 with funds budgeted for improvements to freshen up the appearance for our loved ones. She said she was very impressed with Plant City's cemetery presentation, their maintenance crew, and their headstone restoration crew for five (5) cemeteries.

Council Vice President Smith asked staff to look at the cost to maintain the cemetery and bring back recommendations.

Spoke from the floor: Kim Earle – 37741 Phelps Road – Zephyrhills, FL

Ms. Earle presented photographs that were passed around to all Council members to view. She said the rain on November 10, 2022 flooded her property for the fourth time. She said City Manager Poe called her on October 4, 2022 to advise the contractor would replace the rip-rap within 30 days, take pictures of the four feet of sand below the rip-rap, and lay sod and all drainage pipes by the end of the year. She said it has been more than 30 days and no sod has been laid, the rip-rap has not been replaced and there are no pictures of the sand below the rip-rap. Before the hurricane on November 10th, the contractor put in a plastic covert pipe that drained the retention pond into the rip-rap that overflowed onto her property. She said the rip-rap slowed the water but it was still draining 24 hours later. She said this is the fourth time she has been flooded since July 5, 2022.

City Manager William Poe responded to Ms. Earle and confirmed the pond did discharge into the rip-rap and overflow. He referred to an email from the engineer on July 12, 2022 that spoke about storm events that would discharge into the rip-rap. He said this property has been dealing with water intrusion from the existing site for 15 years and the engineering shows a

reduction in water flow. He said he requested to be notified by the contractor when the drainage swale is over excavated by four feet and backfilled with beach sand and permanent rip-rap is installed for the opportunity to take pictures and verify it has been built per design.

Council President Wilkeson said the bottom line is that when the developer purchased the property and began the process of moving dirt around, their obligation was to keep the water that flows through their property on their property.

Mr. Poe said Ms. Earle needs to retain an attorney and address the developer. City staff are looking at a set of plans from the design engineer based on the pre and post development. He said berms have been built in an effort to redirect water to prevent as much flow from entering the sites below. He said he has reached out to the developer multiple times who is present tonight to speak and address the issue.

Council Vice President Smith extended his sympathy to Ms. Earle but said the City has to rely on staff and the engineer. The City's responsibility is to ensure the development is constructed to the standards signed off by the engineer and said SWFWMD has no issues.

Spoke from the floor: Director of Land Development for American Homes Development (Trotter's Crossing Project) Joe Guttuso – 2927 Pointeview Drive – Tampa, FL

Mr. Guttuso said there are two rain gauges on the site; one collected 5" of rain and one collected 6.49" of rain on November 10, 2022. He addressed the rip-rap issue stating he has incurred a problem getting rip-rap to the site and used the beach sand during Hurricane Ian for sand bags. He instructed the contractor to use temporary rip-rap in lieu of actual rip-rap material to assist with the water issue. He said his attorney has reached out to Ms. Earle's attorney and he has requested a meeting with the engineers to review the project details. He said he did not remember the 30 day time line. The contractor is currently erecting a retaining wall on the top of the hill and are in the process of completing the storm drainage on site. There is a lot to be done with the storm drainage but the pipe is on site.

City Manager William Poe addressed Mr. Guttuso and said the email he received from Mr. Guttuso dated 10-4-2022 said, "the rip-rap material is not final but temporary to accommodate the fast moving storm. The contractor will be replacing, removing and installing the correct material in the next three weeks," for the record.

MAYOR ANNOUNCEMENTS – Mayor Whitfield thanked City Manager Billy Poe and Councilman Alan Knight for attending the Veterans' Day event on Friday, 9/11.

CITY MANAGER ANNOUNCEMENTS - City Manager William Poe announced the Old School Reggaeton event scheduled for the upcoming weekend was cancelled.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Knight congratulated Officer Lorenzo Limoge and his K-9 partner, Bolt, for capturing a second place finish in K-9 detection at the Southern Coast K-9's 25th annual Explosive & Narcotic Seminar in Daytona. He commended Mayor Whitfield for a great Veterans' Day event.

Councilman Proctor thanked the Planning Department staff for working with Council to address traffic, turn lanes and less density.

Council Vice President Smith congratulated K-9 Officer Limoge for placing second in the K-9 detection event with Bolt and the amount of dedicated training involved. He acknowledged Government Liaison Amber Smith with SWFWMD who was in attendance.

Councilman Burgess said he received a lot of compliments on the smoothness of 7th Street and noticed the new arrows that make a big difference to serve as a reminder to stay in your lane. He said the City is going through a rebranding and one of the things that is always brought up is how we are losing our small town. We are growing and one way to continue the small town experience, the small town feel and vibe, is to rally around the local schools in our community. Friday nights is high school football and what better way to create and keep that small town feel than to attend a Friday night football game. Our football team won their playoff game last week in record setting fashion. The quarter back set a Pasco County record with eight

touchdown passes. Zephyrhills is playing Lecanto at home this Friday. If they win, they will play Lake Wales to ascend to the state playoff system, the final four. He encouraged everyone to support the Zephyrhills Bulldogs. He said there are star players on the team that are the sons of star players from 20 years ago. Let's have a big crowd there Friday night at 7:30 p.m.

Council President Wilkeson thanked Public Works Director Shane LeBlanc and his team for their work. She said Council has authorized the expenditure of Penny for Pasco funds at Hercules Park but there are other parks in the community that are heavily used. She requested money be set aside for all the dog lovers in our community for Gunner Paw Park maintenance improvements. She said we need to maintain the parks we have, we need to improve police presence when we know that there are problems and make those parks what they were once again because that is impactful for quality of life.

9. NOTED ITEMS

- 9.1 41-22-37 Critical Mention
- 9.2 41-22-40 MobileTec Contract Renewal
- 9.3 37-22-11 ClearGov
- 9.4 Depository Deposit Listing

Meeting adjourned: 7:58 p.m.
Submitted by Lori Hillman

BUSINESS ITEMS/PUBLIC HEARING 3.1

38736 CR 54 Annexation

Second Reading **Ordinance 1450-22 - AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER 02-26-21-0000-00200-0000 LOCATED AT 38736 and 38740 CR 54, ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED.**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1450-22 on the Second Reading

Issue:

The subject property is located along CR 54 approximately 1,500 feet from Wire Road in a mostly built-out area bordered to the west by 16th Street. To the east and south is the Florida Trailer Estates mobile home park, and to the north is the Sleepy Hollow mobile home park across from CR 54. The subject property consists of approximately 4.62 acres. The proposal remedies a County enclave within the City while applying a land use of RU (Residential Urban) and a zoning of High Density (R-4), which is reflective of the general neighborhood, adjacencies and anticipated growth patterns for the City. The anticipated use of the property will be a 65-unit townhome community (14 dwelling units per acre), as indicated in an updated site plan presented to the Planning Department.

Background:

Project highlights include:

- The installation of a left-turn lane (heading west) on CR 54.
- The installation of a sidewalk on CR 54 as part of the general CR 54 improvements.
- Subject property connectivity to Calumet Ave.
- Improvements to the portion of Calumet Ave. that abuts subject property.
- 14 Dwelling Units per acre, as proposed.
- The City's remaining WUP (Water Use Permit) allocation can accommodate the anticipated additional water usage. Please see the Utilities Department for more details.

Attachment(s):

1. ANX13-22 Staff Report for CR 54 Annx FLUMA Rezone City Council_1

2. Ordinance 1450-22 Calumet Annexation

Fiscal Impact:

Staff Recommendation:

Staff recommends approval of this petition for annexation into the jurisdictional boundaries of the City of Zephyrhills, Future Land Use classification change to Residential Urban (RU) and rezoning to R-4.

Staff Report Memorandum

To: City Council

From: Rodney Corriveau, AICP – Senior Planner

RE: ANX 13-22 – ANX/FLU/RZ
38736 County Road 54 Annexation, Land Use Map Amendment, and Rezoning
Planning Report

Date: October 24th 2022

I. BACKGROUND & INFORMATION

A. History | Application Summary

Annexation, Future Land Use Map Amendment (FLUMA), and Rezoning Petitions have been presented to the City by Beacon Engineering on behalf of the property owner, Quill115, LLC for a 4.70 acre (mol), parcel on County Road 54 (roadway currently being upgraded) east of Wire Road. The petition(s) were heard by the SPRC and Planning Commission, both of which recommended approval of the three-pronged petition.

Project highlights include:

- The Installation of a left-turn lane (heading west) on CR 54.
- Subject property proposed to connect to Calumet Ave.
- Improvements to the portion of Calumet Ave. that abuts subject property.
- 14 Dwelling Units per acre, as proposed.
- The City's remaining WUP (Water Use Permit) allocation can accommodate the anticipated additional water usage. Please see the Utilities Department, and analysis contained herein for more details.

B. Site Information

<u>Applicant Owner:</u>	Quill115, LLC.
<u>Location:</u>	County Road 54, approximately 1,500 feet east of Wire Road.
<u>Parcel ID Number(s):</u>	02-26-21-0000-00200-0000
<u>Acreage:</u>	4.62 Acres
<u>Existing Land Use:</u>	Single-Family home
<u>Existing Future Land Use:</u>	County Res. 9

Proposed Future Land Use: RU (Residential Urban)
Existing Zoning: County AR

Proposed Zoning: R-4 High Density Residential

Maximum Height: 30 feet

Maximum Density: 20 Dwelling Units per Acre/proposed at 14 units per acre

II. DATA & ANALYSIS REVIEW

A. Character Analysis

The subject property is located along CR 54 approximately 1,500 feet from Wire Road in a mostly built-out area bordered to the west by 16th Street. To the east and south is the Florida Trailer Estates mobile home park, and to the north is the Sleepy Hollow mobile home park across from CR 54. The subject property consists of approximately 4.62 acres. The proposal remedies a County enclave within the City while applying a land use of RU (Residential Urban) and a zoning of High Density (R-4), which is reflective of the general neighborhood, adjacencies and anticipated growth patterns for the City. The anticipated use of the property will be a 65-unit townhome community (**14 dwelling units per acre**), as indicated in an updated site plan presented to the Planning Department. Please note that a full compliance review of the site plan has not taken place. The site shall be designed in full accordance with all provisions of the LDC. For the purposes of the discussion contained herein, Staff utilized the 70-unit figure as all documentation provided by the applicant is based off this figure. This in no way shall be construed as an approval by Staff or the Council of this configuration. . The property contains no wetlands or other environmentally sensitive features.

North – Sleepy Hollow MHP

West – 16th Street

East – Florida Trailer Estates MHP

South – Florida Trailer Estates MHP

B. Compatibility Analysis

1. Future Land Use Map (FLUMA) Amendment

- (a) The subject property (4.62) qualifies as a small-scale plan amendment;
- (b) The request is to change the subject property's future land use designation from Res-9 to Residential Urban and is consistent with the abutting properties, which are:
 - i. City Mobile Home/Recreational Vehicle to the north
 - ii. County Res-9
 - iii. County Res-9
 - iv. County Res-9;

- (c) The proposed change is consistent with the City of Zephyrhills Comprehensive Plan Goals, Objectives, and Policies;
- (d) The Utilities Department has indicated that utility capacity is available for the proposed petition, please see the Utilities Department for questions or comments;
- (e) Transportation:
 - (1) Subject parcel abuts County Road 54 and a County ROW use permit and ROW dedication will be required. Additionally, a County ROW use permit will be required for Calumet Ave, and that portion of Calumet abutting the subject property shall be improved as well. (the applicant stated at the Planning Commission meeting that they are currently in the coordination process with the County, and have agreed to install a left-turn lane into the project from CR 54 heading west);
 - (2) Residential development is projected to have a de minimus impact at 472 average daily trips based on "...up to 70 townhomes as a worst case scenario." City of Zephyrhills LDC defines de minimum at less than 1,200 average daily trips. As previously discussed, the City is in the process of updating the traffic review criteria, however, this update has not been completed.

The proposed future land use map amendment (FLUMA) is consistent with Chapter 163, Part II, FS, the City of Zephyrhills Comprehensive Plan, and the City's Land Development. It is also consistent and compatible with the land use/development trends of the area as it provides an essential recreational element to the public. See attached FLU Map.

2. Rezoning

- (a) The request is to change the subject property's zoning classification from County AR to R-4;
- (b) The requested zoning designation is consistent with the development patterns and zoning designations of the area and surrounding properties. The surrounding properties are:
 - i. City M-2 to the north
 - ii. County RMH to the east
 - iii. County RMH to the south
 - iv. County C2 and R1MH to the west;
- (c) The subject petition and subsequent development will not exhibit premature development based on the development patterns in the general vicinity and utility infrastructure availability.

The proposed zoning is consistent with the City of Zephyrhills Comprehensive Plan, Land Development Code, and City codes and ordinances. It is also compatible/consistent with the growth and development trends of the area. As the City grows, the need for higher density fee simple ownership opportunities becomes greater. Furthermore, attached single-family fee simple dwelling units adds ownership opportunities at a market-rate oriented solution. This rezoning and FLUMA furthers these goals and objectives of the Comprehensive Plan while remaining consistent with the adjacent zoning. See attached zoning map. The subject site shall be in conformance with all applicable LDCs at the time of development. Actual unit count will more than likely be lower that indicated in and throughout this analysis based on an LDC review.

C. Natural & Historic Resources Analysis

The following site characteristics are provided:

1. Soil Types – Tavares fine sand, urban land complex 0-5% slope. This type of soil is described as very deep, well-drained and is well-suited for development.
2. Flood Plain – The subject property is located in Flood Zone “X” and is outside the 100-year flood zone. There is no identified apparent flood related threat.
3. Wetlands | Water Bodies – There are not wetlands or bodies of water located on the subject property.
4. Historic | Archaeological Resources – The subject property is located outside of the Zephyrhills Historic District and is not projected to impact any identified historic resources. If archaeological resources are found onsite during development, notification should be made to the Florida Department of Historical Resources.
5. Natural Resources – A Protected Species Assessment produced by Clementi Environmental Consulting assumedly performed in the second quarter of 2022 has been submitted by the applicant. There appears to be gopher tortoise, Southeastern Kestrel, sand sink and burrowing owl. Proper permits shall be obtained prior to construction activities, as well as a full report and mitigation and/or relocation plan shall be submitted to the City.

D. Public Services Analysis | Impact

POLICE	Projected general police service demand is within the City’s existing service capabilities.
FIRE	It is anticipated that the projected general fire service demand is within the County’s existing service capabilities. The City is currently coordinating with the County.
WATER	Water service is available to the subject property along Wire Road. Any future development of the property will require connection. Projected general water service demand is 21,000 GPD (70 units at 300 GPD = 21,000) average daily flow. The City is in the process of exploring routes to increase capacity for the potable water system. Planning has coordinated with Utilities and ascertained the following information specific to the water issue(s) pertaining to the subject petition: “Our annual average water use is approximately 2,400,000 gallons per day (GPD). Our permitted capacity is 3,300,000 leaving an estimated availability of 900,000 gallons per day. The 21,000 you mentioned will have a minimal effect on the approximate availability of 900,000 gallons.” Specific questions/concerns should be directed to the Utilities Department.
SEWER	Sewer services are available along County Road 54, within proximity of subject property. Projected waste water service demand is 17,500 GPD (70 units at 250 GPD = 17,500 GPD). According to the Utilities Department, “Capacity is 4.5 MGD (Million Gallons Daily) and we use 1.7 MGD, leaving 2.8 MGD”

	Specific questions/concerns should be directed to the Utilities Department.
SANITATION	Future development will be required to utilize City Sanitation services. The City partners with Pasco County for use of their landfill site. Anticipated impact is minimal.
TRANSPORTATION	The proposal meets the City's de-minimus threshold. Residential development is projected to generate 382 average daily trips. City of Zephyrhills LDC defines de minimum at less than 1,200 average daily trips. <i>Staff is currently working with the City's transportation consultant in an effort to update the de-minimus threshold, among other transportation-related impacts from development. The threshold will more than likely be reduced as a result of that effort.</i>
SCHOOL	The City and applicant have begun the coordination process with the Pasco County School Board. A 70 unit project is anticipated to generate a total of ten students (6 elementary, 3 middle school, and 4 high school students).

E. Comp Plan and LDC Analysis and Verified Response

The requested annexation, re-zoning, and future land use amendment appears to be consistent with the Goals, Objectives, and Policies of the City of Zephyrhills Comprehensive Plan. A review of the Comprehensive Plan and the Land Development Code has been conducted City Staff. Relevant goals, objectives, and policies are identified below and a brief statement regarding consistency of the proposed amendment has been provided.

Goal LU-1 - To achieve an economically and diversified tax base that ensures:

- a. That the residential/family character of the City of Zephyrhills is maintained and protected while recognizing the economic benefits of a diversified economic base;**
- b. That recognition of the City of Zephyrhills as a retirement community, a medical/clean industry destination, and an airport community offering recreational and industrial opportunities;**
- c. That enjoyment of natural and man-made recreational resources by citizens and visitors alike; and**
- d. That threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation are minimized.**

Response: Consistent with the above stated goals, the proposed development will bring a new townhome community to the City of Zephyrhills. Site amenities will include landscape buffering, open space and recreational areas for its residences. And with the project being surrounded by other single and multi-family developments, it is anticipated that the development will blend well with the neighborhood. It is anticipated that the proposed development, when annexed into the City, will further the goal.

Objective LU 1-1 - To encourage efficient development in areas which will have the capacity to contribute more to the City in revenue than it will consume in services that meet the above-mentioned goals and consistent with this adopted plan.

Response: The existing property currently has one single-family home, and the proposed development will consist of approximately 50-70 townhome units, increasing the tax and utility service revenue of the City.

Policy LU 1-1-1 - The City shall continue to enforce land development regulations to ensure orderly development, that at a minimum, contain provisions which

- a. regulate the subdivision of land;**
- b. regulate signage**
- c. provide for drainage and storm water management**
- d. provide requirements for the provision of open space, traffic flow and parking**
- e. coordinate future land uses with soil conditions, topography and availability of facilities and services**
- f. ensure that development orders and permits are issued only when it is documented that there is an adequate level of service**
- g. protect limited amount of wetlands and environmentally sensitive land**

Response: The proposed development shall be fully designed and permitted in accordance with the City of Zephyrhills Land Development Code. No construction will begin until all relevant permits have been applied for and obtained by the City of Zephyrhills and other applicable state and local authorities. In an environmental assessment performed by Clementi Environmental Consulting, LLC, wildlife of concern could include the **gopher tortoise, Southeastern Kestrel, sand sink and burrowing owl**. Further studies and assessments shall be performed and submitted to the City. All relocation/remediation shall be performed prior to the issuance of clearing/building permits. There are no wetland or environmentally sensitive areas on the property. It is anticipated that the proposed development, when annexed into the City, and zoned as proposed, will further this goal.

Policy LU 1-2-1 - Residential development shall be consistent with the following residential density: Residential Urban up to 20 units per acre

Response: The proposed development will fall into the Residential Urban future land use category, with an approximate 14 dwelling units per gross acre. The maximum developable per acre under the R-4 zoning category is 20 units per acre. Considering bulk regulations, stormwater retention, roadways, amenities and the townhomes regulations found within the LDC, this will reduce the overall net density of the site, as previously discussed. The only route to achieve full maximum density would be an increased height. An increased height in this circumstance would not be reflective of the adjacent development patterns, nor the promoted development patterns in this area of the City and County.

Objective LU 1-4 - The City will develop mechanisms to ensure the protection of archaeological and historical resources.

Response: Per the Florida Master Site File, no cultural resources have been located on the subject development. In the event of these resources being discovered, the contractor will be instructed to halt all activity on site and contact City of Zephyrhills and State authorities before proceeding with further work.

Policy LU 1-6-1 - Encourage traditional neighborhood development (TND) techniques and alternative transportation design requirements.

Response: The proposed development will be compact allowing a higher density of homes per acre than single family uses. The development incorporates pedestrian movement throughout the property via open space and 5' sidewalks. The proposed is 20-foot wide units. The townhome community will be equipped with amenities in accordance with the City of Zephyrhills LDC (one tot lot plus a minimum of two (2) other amenities at a minimum).

Objective LU 1-9 - Improve and enhance the visual appearance of neighborhoods and commercial areas in the City.

Response: The subject development shall be designed with architectural standards in accordance with the City of Zephyrhills LDC, and shall be approved by the City to ensure that the visual appearance is in accordance with requirements. The subject development will utilize landscape buffer along the front of the property enhancing the visual appearance of the neighborhood from County Road 54. Additionally Landscape Buffers will be utilized along the rear and sides.

Consistency with LDC and City Ordinances

Response: The subject development shall be designed in accordance with the City of Zephyrhills Land Development Code and City Ordinances. The townhome development shall be designed in accordance with City of Zephyrhills LDC 2.01.03.06.01 TOWNHOMES.

2.01.03.06.01 (B) – Subdivision Plat

Response: The subject development, as required, will supply a subdivision plat complying with all applicable requirements of this section, and will be approved by the City Council and recorded with the Clerk of Circuit Court of Pasco County

2.01.03.06.01 (C) – Mandatory Property Association

Response: The subject development shall create a property association and create deed covenants to ensure the maintenance and upkeep of open space areas and facilities retained in common ownership. The HOA documents shall be provided to the City prior to final plat approval.

2.01.03.06.01 (F) – Minimum Townhouse Project Area

Response: The subject development has an area of 4.62 Acres, and a project frontage of 334 feet. The minimum area requirements are met.

2.01.03.06.01 (G) – Townhouse Unit Grouping

Response: The subject development shall group the buildings in accordance to City of Zephyrhills maximum and minimum townhome unit grouping requirements. No less than two dwellings, and no more than eight dwellings shall be contiguous.

2.01.03.06.01 (H) – Supporting Infrastructure and Access

Response: The subject development abuts County Road 54 and provides access to the County road for vehicular and pedestrian access. An on-site drainage system shall be designed to serve the proposed development. Internal roadways shall be private and constructed in accordance with the minimum requirements pertaining to drive, aisle, and parking width standards. The internal private roads shall be maintained via HOA. All townhome lots have frontage and access to the internal private road. Each unit shall have one parking space in a private garage, and one space on the private driveway. Additional guest parking spaces shall be provided on-site.

2.01.03.06.01 (I) – Lot and Building Standards

Response: The proposed development shall be developed at a minimum width of 20 feet. The Minimum lot area for all lots shall be 1700 SF, and minimum living area shall be a minimum of 1,000 square feet. The maximum building height is 35’.

2.01.03.06.01 (J) – Exterior Front Garage Façade Walls

Response: The exterior garage façade wall shall not occupy more of 70% of the entire front building façade as required by LDC.

2.01.03.06.01 (K) – Building Setback Requirements

Response: The proposed townhome unit front setback shall be 30’ from all internal roadways. A 20’ setback shall be provided between all townhome unit groupings. A 15’ side setback shall be provided between townhome units and any internal private drives.

2.01.03.06.01 (M) – Landscaping

Response: The subject development shall be designed in accordance to City of Zephyrhills LDC Landscaping as required. Lot landscaping and street landscaping shall be in conformance with all applicable LDCs. Landscaping plans shall be submitted to the City of Zephyrhills for review at the time of site plan review.

2.01.03.06.01 (N) – Sidewalks Required

Response: The proposed townhome development shall offer a continuous sidewalk path around the entire project, on both sides of the proposed internal drives. This includes pedestrian connection from the connection along County Road 54 to all townhome dwelling units, common parking areas, open spaces, and amenities. Sidewalk width shall be no less than 5’ in the proposed townhome development.

2.01.03.06.01 (O) – Parking Requirements

Response: Two parking spaces shall be provided for each townhome units. Additional guest parking shall be provided on-site according to LDC requirements.

2.01.03.06.01 (Q) – Recreation, Open Space, and Environmentally Sensitive Areas

Response: The common recreation area shall be buffered in accordance with the City’s LDC. The proposed development shall provide Open Space areas equivalent to 30% of the total project area. Since the proposed development consists of 70 Townhome units, the LDC requires the applicant to provide a total of 3 amenity

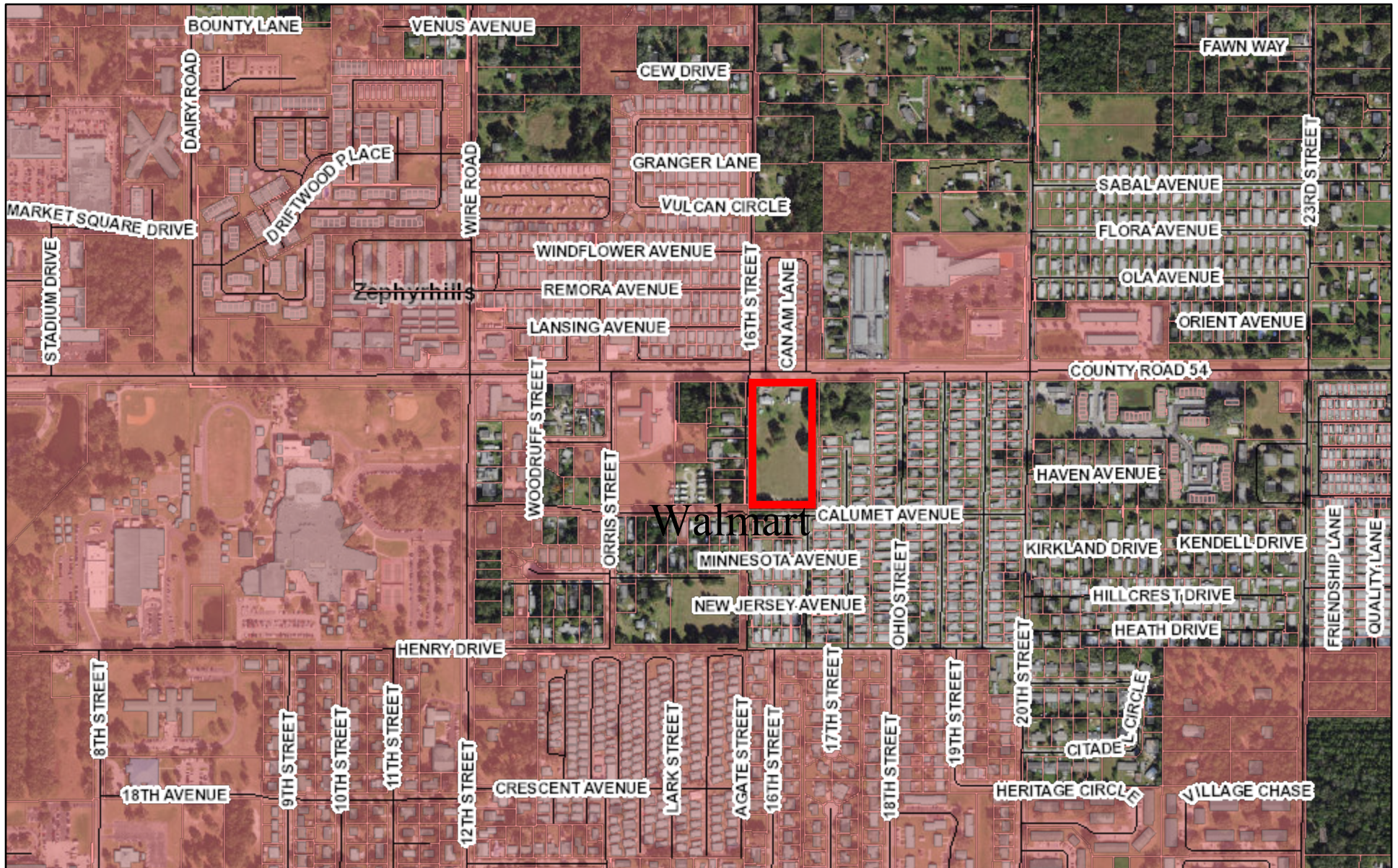
spaces. The required play area / tot-lot shall be provided, and two additional amenities shall be and submitted to the City of Zephyrhills for approval prior to construction.

III. PREVIOUS ACTION AND STAFF RECOMMENDATION

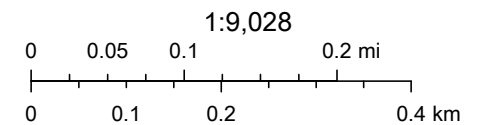
- A. **Site Plan Review Committee** – The SPRC recommended approval of the petition for annexation, rezoning and future land use map amendment
- B. **Planning Commission** – The Planning Commission recommended approval of the petition for annexation, rezoning and future land use map amendment to the City Council. based upon the following:

Therefore based upon the analysis contained herein, along with supporting documentation and previous actions by the SPRC and Planning Commission to recommend approval, **Staff recommends approval of this petition for annexation into the jurisdictional boundaries of the City of Zephyrhills, future land use classification change to Residential Urban (RU) and rezoning to R-4.**

LOCATION MAP



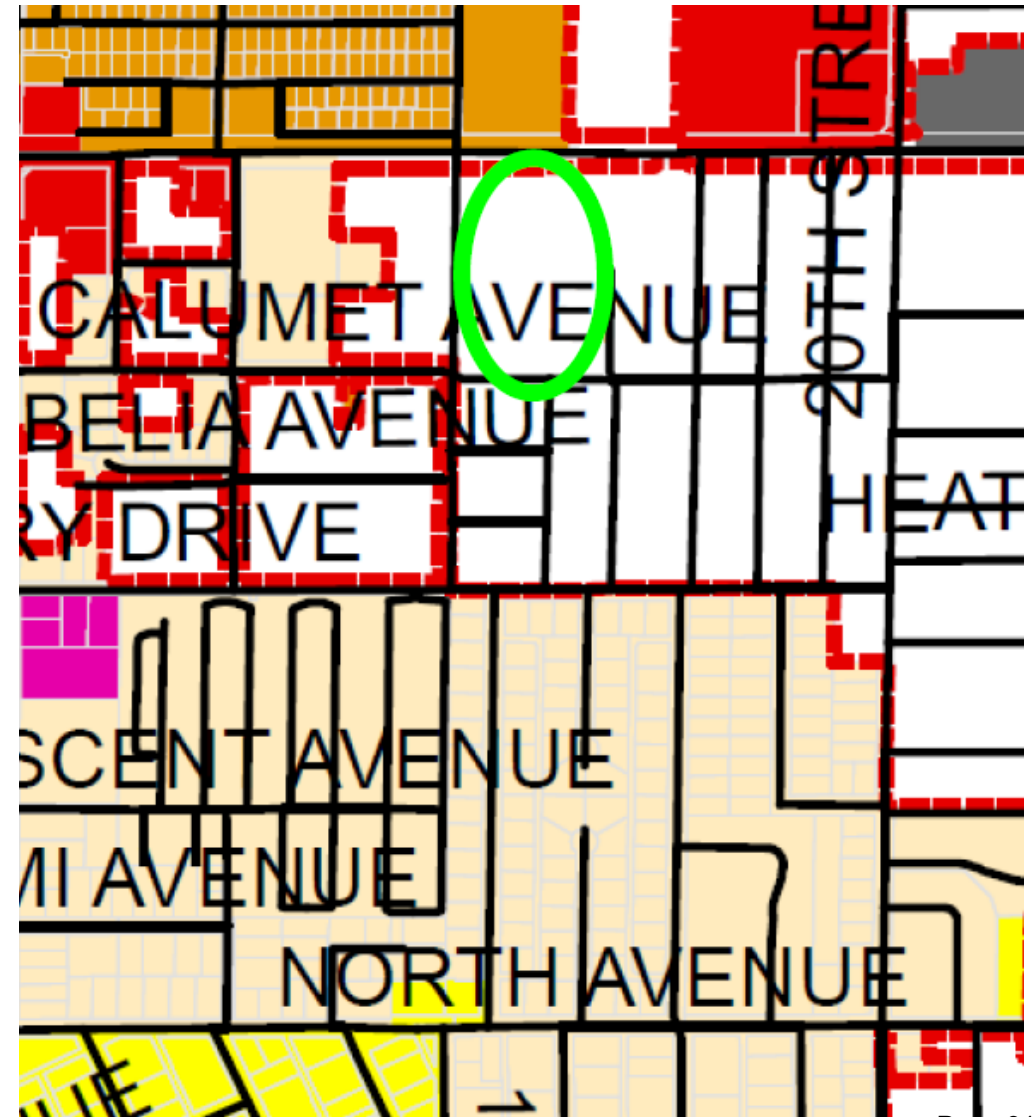
Subject Property



Future Land Use – Proposed Residential Urban

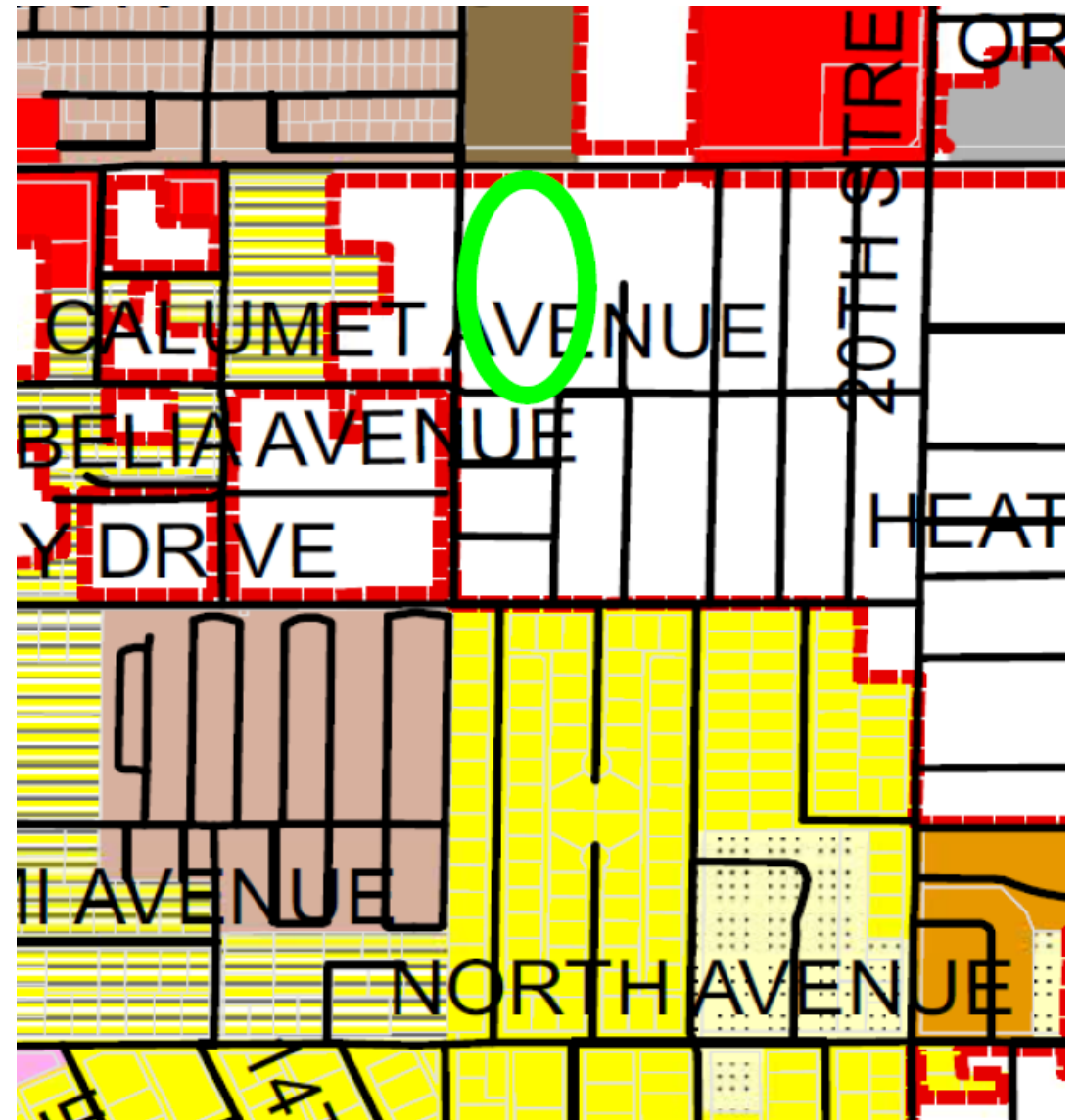
Classifications

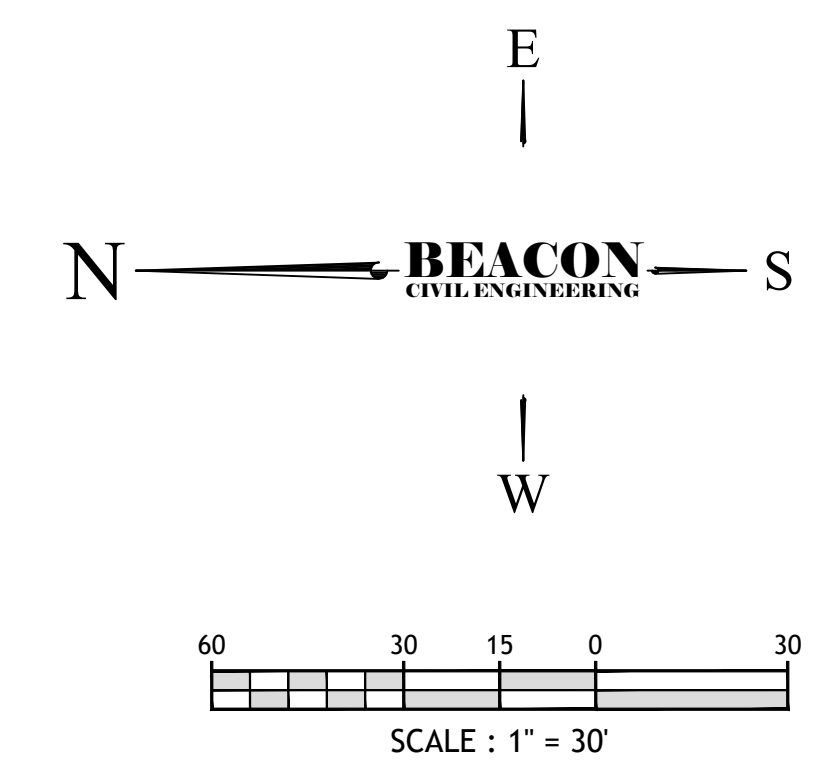
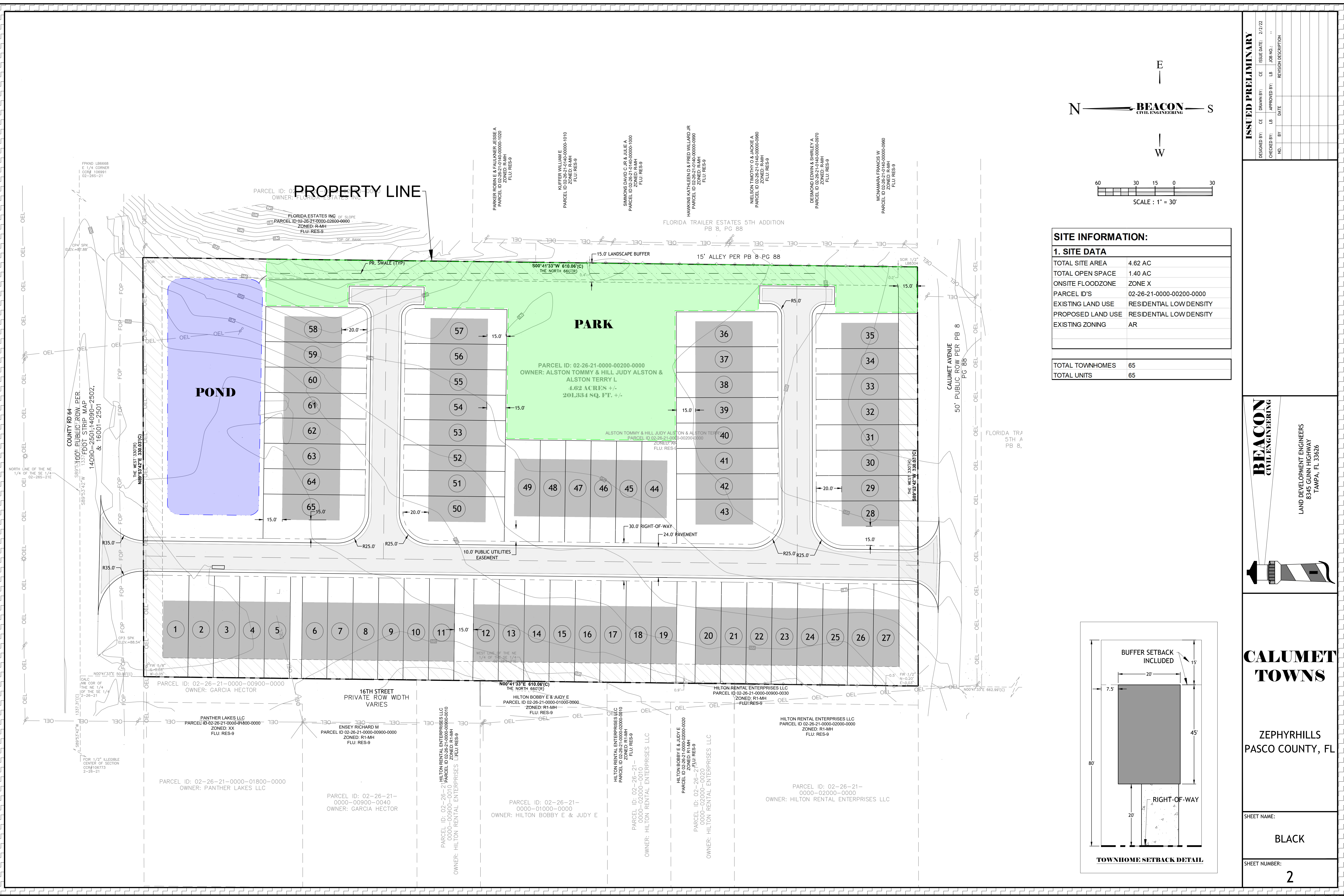
	Residential Estate
	Residential Suburban
	Residential Urban
	Mobile Home/Recreational Vehicle
	Mixed Use



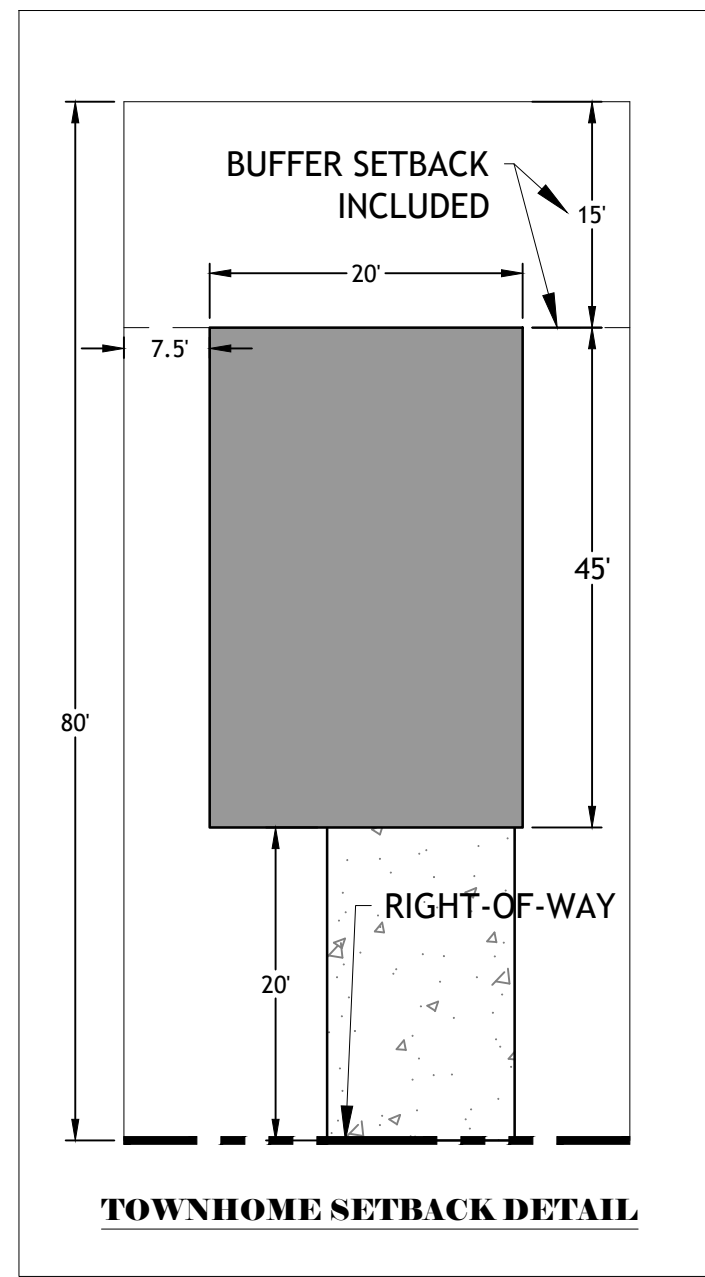
Zoning – Proposed R-4

	R1 - Low-Density Residential
	R2 - Single-Family Residential
	R3 - Medium-Density Residential
	R4 - Multi-Family Residential
	M1 - Mobile Home Subdivison
	M2 - Mobile Home Park
	M3 - Recreational Vehicle Park
	C2 - Community Commerical





SITE INFORMATION:	
1. SITE DATA	
TOTAL SITE AREA	4.62 AC
TOTAL OPEN SPACE	1.40 AC
ONSITE FLOODZONE	ZONE X
PARCEL ID'S	02-26-21-0000-00200-0000
EXISTING LAND USE	RESIDENTIAL LOW DENSITY
PROPOSED LAND USE	RESIDENTIAL LOW DENSITY
EXISTING ZONING	AR
TOTAL TOWNHOMES	65
TOTAL UNITS	65



ISSUED PRELIMINARY

DESIGNED BY:	CE	DRAWN BY:	CE	ISSUE DATE:	7/2/22
CHECKED BY:	LB	APPROVED BY:	LB	JOB NO.:	..
NO.	BY	DATE	REVISION DESCRIPTION		

BEACON CIVIL ENGINEERING

LAND DEVELOPMENT ENGINEERS
8345 GUNN HIGHWAY
TAMPA, FL 33626

CALUMET TOWNS

ZEPHYRHILLS
PASCO COUNTY, FL

SHEET NAME:

BLACK

SHEET NUMBER:

2

ORDINANCE NO. 1450-22

**AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA
ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN
THE BOUNDARIES OF SAID CITY DESCRIBED AS PARCEL NUMBER
02-26-21-0000-00200-0000 LOCATED AT 38736 and 38740 CR 54,
ZEPHYRHILLS FLORIDA 33542 IN ACCORDANCE WITH SECTION
171.044, FLORIDA STATUTES, AS AMENDED.**

WHEREAS, Judy Alston Hill and Tommy E. Alston, owners of the lands hereinafter described in Section 1 below, have authorized Beacon Engineering to authorize the annexation by the City of Zephyrhills of the lands herein described in Section 1, below; and

WHEREAS, the City is authorized by Chapter 171, Florida Statutes, to annex contiguous and infill area, and to extend the City limits upon receipt of written consent of the land owner, together with the approval of the City Council after notice and public hearing; and,

WHEREAS, the City Council has reviewed and evaluated the applications submitted, and has determined that the annexation of said lands into the City is in the public interest and is consistent with the City's Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. The following described lands, lying and being situated in Pasco County, to wit:.

Parcel/Tax I.D. NUMBERS: 02-26-21-0000-00200-0000

Physical Address: 38736 and 38740 CR 54, ZEPHYRHILLS FLORIDA 33542

Legal Description:

Begin at the Northwest corner of the East ½ of the Southeast ¼ on the South line of the ROW for SR 54, Section 2, T26S, R21E, Pasco County, Florida and run thence East 330.00 feet; thence South 660.00 feet; thence West 330.00; thence North 660.00 feet to the Point of Beginning.

Acreage: 4.62 Acres, MORE OR LESS.

Section 2. Said lands are contiguous to or is infill of the present City limits of the City of Zephyrhills. That said lands are now unincorporated and lie in the same County as said City, and when annexed would form a compact addition to the incorporated territory of said City. That the owners of said lands contained in the said area to be annexed have given written consent to have such annexation for said area. This annexation is subject to the following conditions:

- i. ROW dedication along CR 54 to achieve 62 feet from center line, per County requirements
- ii. Subject to review and approval by Pasco County, the developer shall construct a left-turn lane on CR 54
- iii. The developer shall improve Calumet ROW by installing a sidewalk along portion of ROW abutting subject property AND provide ROW dedication, if required by County
- iv. Subject property shall provide pedestrian and vehicular access to Calumet Ave.

Section 3. The City of Zephyrhills, Florida, is authorized by the legislature of the State of Florida, pursuant to Section 171.044, F.S., and pursuant to the Charter of the City of Zephyrhills, to annex contiguous or infill areas and to extend the City limits or territorial boundaries upon receipt of written consent of all owners of land contained in the area to be annexed, together with the approval of the City Council of the City of Zephyrhills, of said annexation duly expressed by Ordinance.

Section 4. It is the intention of the City Council of the City of Zephyrhills, Florida to annex the above-described lands to said City within its territorial limits and the boundary lines of said

City are hereby redefined and extended so as to include said area of lands within its territorial limits upon the final passage of this Ordinance.

Section 5. This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1450-22 was read and passed on the first reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 14th day of November, 2022.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1450-22 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of December, 2022.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1450-22 was approved by me this 12th day of December, 2022.

Gene Whitfield, Mayor

Approved as to legal form and legal content

Matthew E. Maggard, City Attorney

BUSINESS ITEMS/PUBLIC HEARING 3.2

38736 CR 54 FLUMA and Rezoning

Second Reading **Ordinance 1451-22 - AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP CHANGING FROM COUNTY RES-6 (RESIDENTIAL 6 D/U PER ACRE) TO CITY RU (RESIDENTIAL URBAN) AND THE ZONING DESIGNATION FROM COUNTY AR (AGRICULTURAL-RESIDENTIAL) TO CITY R-4 (HIGH-DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.62 ACRES OF REAL PROPERTY LOCATED AT 38736 AND 38740 CR 54 AND HAVING PARCEL NUMBER 02-26-21-0000-00200-0000; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1451-22 on the Second Reading

Issue:

The subject property is located along CR 54 approximately 1,500 feet from Wire Road in a mostly built-out area bordered to the west by 16th Street. To the east and south is the Florida Trailer Estates mobile home park, and to the north is the Sleepy Hollow mobile home park across from CR 54. The subject property consists of approximately 4.62 acres. The proposal remedies a County enclave within the City while applying a land use of RU (Residential Urban) and a zoning of High Density (R-4), which is reflective of the general neighborhood, adjacencies and anticipated growth patterns for the City. The anticipated use of the property will be a 65-unit townhome community (14 dwelling units per acre), as indicated in an updated site plan presented to the Planning Department.

Background:

Project highlights include:

- The installation of a left-turn lane (heading west) on CR 54.
- The installation of a sidewalk on CR 54 as part of the general CR 54 improvements.
- Subject property connectivity to Calumet Ave.
- Improvements to the portion of Calumet Ave. that abuts subject property.
- 14 Dwelling Units per acre, as proposed.
- The City's remaining WUP (Water Use Permit) allocation can accommodate the anticipated additional water usage. Please see the Utilities Department for more details.

Attachment(s):

1. ANX13-22 Staff Report for CR 54 Annx FLUMA Rezone City Council_1
2. Ordinance 1451-22 Calumet SM Scale FLU and Zoning

Fiscal Impact:

Staff Recommendation:

Staff recommends approval of this petition for annexation into the jurisdictional boundaries of the City of Zephyrhills, Future Land Use classification change to Residential Urban (RU) and rezoning to R-4.

Staff Report Memorandum

To: City Council

From: Rodney Corriveau, AICP – Senior Planner

RE: ANX 13-22 – ANX/FLU/RZ
38736 County Road 54 Annexation, Land Use Map Amendment, and Rezoning
Planning Report

Date: October 24th 2022

I. BACKGROUND & INFORMATION

A. History | Application Summary

Annexation, Future Land Use Map Amendment (FLUMA), and Rezoning Petitions have been presented to the City by Beacon Engineering on behalf of the property owner, Quill115, LLC for a 4.70 acre (mol), parcel on County Road 54 (roadway currently being upgraded) east of Wire Road. The petition(s) were heard by the SPRC and Planning Commission, both of which recommended approval of the three-pronged petition.

Project highlights include:

- The Installation of a left-turn lane (heading west) on CR 54.
- Subject property proposed to connect to Calumet Ave.
- Improvements to the portion of Calumet Ave. that abuts subject property.
- 14 Dwelling Units per acre, as proposed.
- The City's remaining WUP (Water Use Permit) allocation can accommodate the anticipated additional water usage. Please see the Utilities Department, and analysis contained herein for more details.

B. Site Information

<u>Applicant Owner:</u>	Quill115, LLC.
<u>Location:</u>	County Road 54, approximately 1,500 feet east of Wire Road.
<u>Parcel ID Number(s):</u>	02-26-21-0000-00200-0000
<u>Acreage:</u>	4.62 Acres
<u>Existing Land Use:</u>	Single-Family home
<u>Existing Future Land Use:</u>	County Res. 9

Proposed Future Land Use: RU (Residential Urban)
Existing Zoning: County AR

Proposed Zoning: R-4 High Density Residential

Maximum Height: 30 feet

Maximum Density: 20 Dwelling Units per Acre/proposed at 14 units per acre

II. DATA & ANALYSIS REVIEW

A. Character Analysis

The subject property is located along CR 54 approximately 1,500 feet from Wire Road in a mostly built-out area bordered to the west by 16th Street. To the east and south is the Florida Trailer Estates mobile home park, and to the north is the Sleepy Hollow mobile home park across from CR 54. The subject property consists of approximately 4.62 acres. The proposal remedies a County enclave within the City while applying a land use of RU (Residential Urban) and a zoning of High Density (R-4), which is reflective of the general neighborhood, adjacencies and anticipated growth patterns for the City. The anticipated use of the property will be a 65-unit townhome community (**14 dwelling units per acre**), as indicated in an updated site plan presented to the Planning Department. Please note that a full compliance review of the site plan has not taken place. The site shall be designed in full accordance with all provisions of the LDC. For the purposes of the discussion contained herein, Staff utilized the 70-unit figure as all documentation provided by the applicant is based off this figure. This in no way shall be construed as an approval by Staff or the Council of this configuration. . The property contains no wetlands or other environmentally sensitive features.

North – Sleepy Hollow MHP

West – 16th Street

East – Florida Trailer Estates MHP

South – Florida Trailer Estates MHP

B. Compatibility Analysis

1. Future Land Use Map (FLUMA) Amendment

- (a) The subject property (4.62) qualifies as a small-scale plan amendment;
- (b) The request is to change the subject property's future land use designation from Res-9 to Residential Urban and is consistent with the abutting properties, which are:
 - i. City Mobile Home/Recreational Vehicle to the north
 - ii. County Res-9
 - iii. County Res-9
 - iv. County Res-9;

- (c) The proposed change is consistent with the City of Zephyrhills Comprehensive Plan Goals, Objectives, and Policies;
- (d) The Utilities Department has indicated that utility capacity is available for the proposed petition, please see the Utilities Department for questions or comments;
- (e) Transportation:
 - (1) Subject parcel abuts County Road 54 and a County ROW use permit and ROW dedication will be required. Additionally, a County ROW use permit will be required for Calumet Ave, and that portion of Calumet abutting the subject property shall be improved as well. (the applicant stated at the Planning Commission meeting that they are currently in the coordination process with the County, and have agreed to install a left-turn lane into the project from CR 54 heading west);
 - (2) Residential development is projected to have a de minimus impact at 472 average daily trips based on "...up to 70 townhomes as a worst case scenario." City of Zephyrhills LDC defines de minimum at less than 1,200 average daily trips. As previously discussed, the City is in the process of updating the traffic review criteria, however, this update has not been completed.

The proposed future land use map amendment (FLUMA) is consistent with Chapter 163, Part II, FS, the City of Zephyrhills Comprehensive Plan, and the City's Land Development. It is also consistent and compatible with the land use/development trends of the area as it provides an essential recreational element to the public. See attached FLU Map.

2. Rezoning

- (a) The request is to change the subject property's zoning classification from County AR to R-4;
- (b) The requested zoning designation is consistent with the development patterns and zoning designations of the area and surrounding properties. The surrounding properties are:
 - i. City M-2 to the north
 - ii. County RMH to the east
 - iii. County RMH to the south
 - iv. County C2 and R1MH to the west;
- (c) The subject petition and subsequent development will not exhibit premature development based on the development patterns in the general vicinity and utility infrastructure availability.

The proposed zoning is consistent with the City of Zephyrhills Comprehensive Plan, Land Development Code, and City codes and ordinances. It is also compatible/consistent with the growth and development trends of the area. As the City grows, the need for higher density fee simple ownership opportunities becomes greater. Furthermore, attached single-family fee simple dwelling units adds ownership opportunities at a market-rate oriented solution. This rezoning and FLUMA furthers these goals and objectives of the Comprehensive Plan while remaining consistent with the adjacent zoning. See attached zoning map. The subject site shall be in conformance with all applicable LDCs at the time of development. Actual unit count will more than likely be lower that indicated in and throughout this analysis based on an LDC review.

C. Natural & Historic Resources Analysis

The following site characteristics are provided:

1. Soil Types – Tavares fine sand, urban land complex 0-5% slope. This type of soil is described as very deep, well-drained and is well-suited for development.
2. Flood Plain – The subject property is located in Flood Zone “X” and is outside the 100-year flood zone. There is no identified apparent flood related threat.
3. Wetlands | Water Bodies – There are not wetlands or bodies of water located on the subject property.
4. Historic | Archaeological Resources – The subject property is located outside of the Zephyrhills Historic District and is not projected to impact any identified historic resources. If archaeological resources are found onsite during development, notification should be made to the Florida Department of Historical Resources.
5. Natural Resources – A Protected Species Assessment produced by Clementi Environmental Consulting assumedly performed in the second quarter of 2022 has been submitted by the applicant. There appears to be gopher tortoise, Southeastern Kestrel, sand sink and burrowing owl. Proper permits shall be obtained prior to construction activities, as well as a full report and mitigation and/or relocation plan shall be submitted to the City.

D. Public Services Analysis | Impact

POLICE	Projected general police service demand is within the City’s existing service capabilities.
FIRE	It is anticipated that the projected general fire service demand is within the County’s existing service capabilities. The City is currently coordinating with the County.
WATER	Water service is available to the subject property along Wire Road. Any future development of the property will require connection. Projected general water service demand is 21,000 GPD (70 units at 300 GPD = 21,000) average daily flow. The City is in the process of exploring routes to increase capacity for the potable water system. Planning has coordinated with Utilities and ascertained the following information specific to the water issue(s) pertaining to the subject petition: “Our annual average water use is approximately 2,400,000 gallons per day (GPD). Our permitted capacity is 3,300,000 leaving an estimated availability of 900,000 gallons per day. The 21,000 you mentioned will have a minimal effect on the approximate availability of 900,000 gallons.” Specific questions/concerns should be directed to the Utilities Department.
SEWER	Sewer services are available along County Road 54, within proximity of subject property. Projected waste water service demand is 17,500 GPD (70 units at 250 GPD = 17,500 GPD). According to the Utilities Department, “Capacity is 4.5 MGD (Million Gallons Daily) and we use 1.7 MGD, leaving 2.8 MGD”

	Specific questions/concerns should be directed to the Utilities Department.
SANITATION	Future development will be required to utilize City Sanitation services. The City partners with Pasco County for use of their landfill site. Anticipated impact is minimal.
TRANSPORTATION	The proposal meets the City's de-minimus threshold. Residential development is projected to generate 382 average daily trips. City of Zephyrhills LDC defines de minimum at less than 1,200 average daily trips. <i>Staff is currently working with the City's transportation consultant in an effort to update the de-minimus threshold, among other transportation-related impacts from development. The threshold will more than likely be reduced as a result of that effort.</i>
SCHOOL	The City and applicant have begun the coordination process with the Pasco County School Board. A 70 unit project is anticipated to generate a total of ten students (6 elementary, 3 middle school, and 4 high school students).

E. Comp Plan and LDC Analysis and Verified Response

The requested annexation, re-zoning, and future land use amendment appears to be consistent with the Goals, Objectives, and Policies of the City of Zephyrhills Comprehensive Plan. A review of the Comprehensive Plan and the Land Development Code has been conducted City Staff. Relevant goals, objectives, and policies are identified below and a brief statement regarding consistency of the proposed amendment has been provided.

Goal LU-1 - To achieve an economically and diversified tax base that ensures:

- a. That the residential/family character of the City of Zephyrhills is maintained and protected while recognizing the economic benefits of a diversified economic base;**
- b. That recognition of the City of Zephyrhills as a retirement community, a medical/clean industry destination, and an airport community offering recreational and industrial opportunities;**
- c. That enjoyment of natural and man-made recreational resources by citizens and visitors alike; and**
- d. That threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation are minimized.**

Response: Consistent with the above stated goals, the proposed development will bring a new townhome community to the City of Zephyrhills. Site amenities will include landscape buffering, open space and recreational areas for its residences. And with the project being surrounded by other single and multi-family developments, it is anticipated that the development will blend well with the neighborhood. It is anticipated that the proposed development, when annexed into the City, will further the goal.

Objective LU 1-1 - To encourage efficient development in areas which will have the capacity to contribute more to the City in revenue than it will consume in services that meet the above-mentioned goals and consistent with this adopted plan.

Response: The existing property currently has one single-family home, and the proposed development will consist of approximately 50-70 townhome units, increasing the tax and utility service revenue of the City.

Policy LU 1-1-1 - The City shall continue to enforce land development regulations to ensure orderly development, that at a minimum, contain provisions which

- a. regulate the subdivision of land;**
- b. regulate signage**
- c. provide for drainage and storm water management**
- d. provide requirements for the provision of open space, traffic flow and parking**
- e. coordinate future land uses with soil conditions, topography and availability of facilities and services**
- f. ensure that development orders and permits are issued only when it is documented that there is an adequate level of service**
- g. protect limited amount of wetlands and environmentally sensitive land**

Response: The proposed development shall be fully designed and permitted in accordance with the City of Zephyrhills Land Development Code. No construction will begin until all relevant permits have been applied for and obtained by the City of Zephyrhills and other applicable state and local authorities. In an environmental assessment performed by Clementi Environmental Consulting, LLC, wildlife of concern could include the **gopher tortoise, Southeastern Kestrel, sand sink and burrowing owl**. Further studies and assessments shall be performed and submitted to the City. All relocation/remediation shall be performed prior to the issuance of clearing/building permits. There are no wetland or environmentally sensitive areas on the property. It is anticipated that the proposed development, when annexed into the City, and zoned as proposed, will further this goal.

Policy LU 1-2-1 - Residential development shall be consistent with the following residential density: Residential Urban up to 20 units per acre

Response: The proposed development will fall into the Residential Urban future land use category, with an approximate 14 dwelling units per gross acre. The maximum developable per acre under the R-4 zoning category is 20 units per acre. Considering bulk regulations, stormwater retention, roadways, amenities and the townhomes regulations found within the LDC, this will reduce the overall net density of the site, as previously discussed. The only route to achieve full maximum density would be an increased height. An increased height in this circumstance would not be reflective of the adjacent development patterns, nor the promoted development patterns in this area of the City and County.

Objective LU 1-4 - The City will develop mechanisms to ensure the protection of archaeological and historical resources.

Response: Per the Florida Master Site File, no cultural resources have been located on the subject development. In the event of these resources being discovered, the contractor will be instructed to halt all activity on site and contact City of Zephyrhills and State authorities before proceeding with further work.

Policy LU 1-6-1 - Encourage traditional neighborhood development (TND) techniques and alternative transportation design requirements.

Response: The proposed development will be compact allowing a higher density of homes per acre than single family uses. The development incorporates pedestrian movement throughout the property via open space and 5' sidewalks. The proposed is 20-foot wide units. The townhome community will be equipped with amenities in accordance with the City of Zephyrhills LDC (one tot lot plus a minimum of two (2) other amenities at a minimum).

Objective LU 1-9 - Improve and enhance the visual appearance of neighborhoods and commercial areas in the City.

Response: The subject development shall be designed with architectural standards in accordance with the City of Zephyrhills LDC, and shall be approved by the City to ensure that the visual appearance is in accordance with requirements. The subject development will utilize landscape buffer along the front of the property enhancing the visual appearance of the neighborhood from County Road 54. Additionally Landscape Buffers will be utilized along the rear and sides.

Consistency with LDC and City Ordinances

Response: The subject development shall be designed in accordance with the City of Zephyrhills Land Development Code and City Ordinances. The townhome development shall be designed in accordance with City of Zephyrhills LDC 2.01.03.06.01 TOWNHOMES.

2.01.03.06.01 (B) – Subdivision Plat

Response: The subject development, as required, will supply a subdivision plat complying with all applicable requirements of this section, and will be approved by the City Council and recorded with the Clerk of Circuit Court of Pasco County

2.01.03.06.01 (C) – Mandatory Property Association

Response: The subject development shall create a property association and create deed covenants to ensure the maintenance and upkeep of open space areas and facilities retained in common ownership. The HOA documents shall be provided to the City prior to final plat approval.

2.01.03.06.01 (F) – Minimum Townhouse Project Area

Response: The subject development has an area of 4.62 Acres, and a project frontage of 334 feet. The minimum area requirements are met.

2.01.03.06.01 (G) – Townhouse Unit Grouping

Response: The subject development shall group the buildings in accordance to City of Zephyrhills maximum and minimum townhome unit grouping requirements. No less than two dwellings, and no more than eight dwellings shall be contiguous.

2.01.03.06.01 (H) – Supporting Infrastructure and Access

Response: The subject development abuts County Road 54 and provides access to the County road for vehicular and pedestrian access. An on-site drainage system shall be designed to serve the proposed development. Internal roadways shall be private and constructed in accordance with the minimum requirements pertaining to drive, aisle, and parking width standards. The internal private roads shall be maintained via HOA. All townhome lots have frontage and access to the internal private road. Each unit shall have one parking space in a private garage, and one space on the private driveway. Additional guest parking spaces shall be provided on-site.

2.01.03.06.01 (I) – Lot and Building Standards

Response: The proposed development shall be developed at a minimum width of 20 feet. The Minimum lot area for all lots shall be 1700 SF, and minimum living area shall be a minimum of 1,000 square feet. The maximum building height is 35’.

2.01.03.06.01 (J) – Exterior Front Garage Façade Walls

Response: The exterior garage façade wall shall not occupy more of 70% of the entire front building façade as required by LDC.

2.01.03.06.01 (K) – Building Setback Requirements

Response: The proposed townhome unit front setback shall be 30’ from all internal roadways. A 20’ setback shall be provided between all townhome unit groupings. A 15’ side setback shall be provided between townhome units and any internal private drives.

2.01.03.06.01 (M) – Landscaping

Response: The subject development shall be designed in accordance to City of Zephyrhills LDC Landscaping as required. Lot landscaping and street landscaping shall be in conformance with all applicable LDCs. Landscaping plans shall be submitted to the City of Zephyrhills for review at the time of site plan review.

2.01.03.06.01 (N) – Sidewalks Required

Response: The proposed townhome development shall offer a continuous sidewalk path around the entire project, on both sides of the proposed internal drives. This includes pedestrian connection from the connection along County Road 54 to all townhome dwelling units, common parking areas, open spaces, and amenities. Sidewalk width shall be no less than 5’ in the proposed townhome development.

2.01.03.06.01 (O) – Parking Requirements

Response: Two parking spaces shall be provided for each townhome units. Additional guest parking shall be provided on-site according to LDC requirements.

2.01.03.06.01 (Q) – Recreation, Open Space, and Environmentally Sensitive Areas

Response: The common recreation area shall be buffered in accordance with the City’s LDC. The proposed development shall provide Open Space areas equivalent to 30% of the total project area. Since the proposed development consists of 70 Townhome units, the LDC requires the applicant to provide a total of 3 amenity

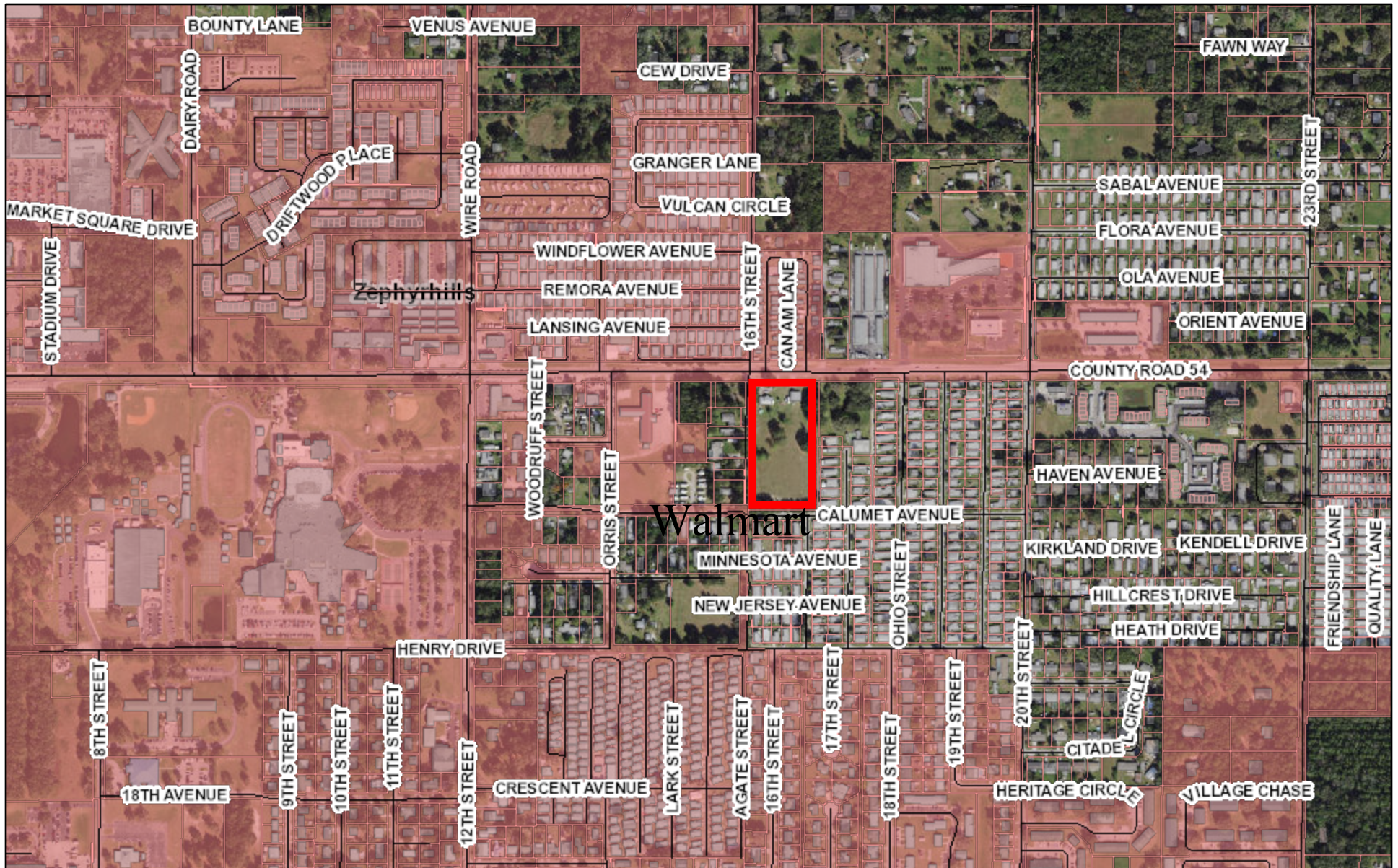
spaces. The required play area / tot-lot shall be provided, and two additional amenities shall be and submitted to the City of Zephyrhills for approval prior to construction.

III. PREVIOUS ACTION AND STAFF RECOMMENDATION

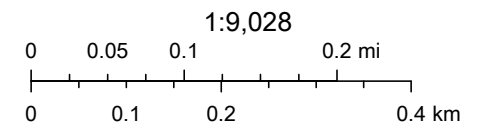
- A. **Site Plan Review Committee** – The SPRC recommended approval of the petition for annexation, rezoning and future land use map amendment
- B. **Planning Commission** – The Planning Commission recommended approval of the petition for annexation, rezoning and future land use map amendment to the City Council. based upon the following:

Therefore based upon the analysis contained herein, along with supporting documentation and previous actions by the SPRC and Planning Commission to recommend approval, **Staff recommends approval of this petition for annexation into the jurisdictional boundaries of the City of Zephyrhills, future land use classification change to Residential Urban (RU) and rezoning to R-4.**

LOCATION MAP



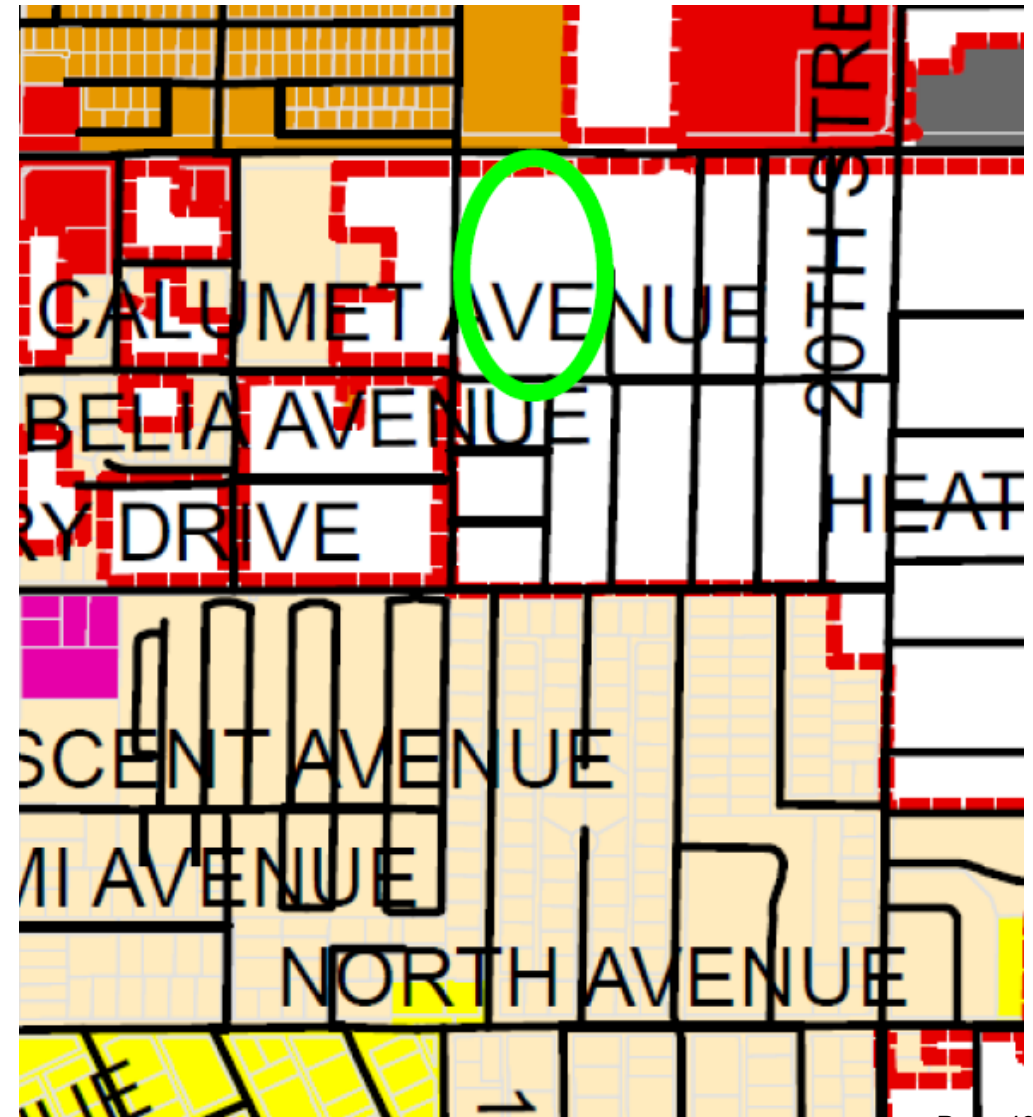
Subject Property



Future Land Use – Proposed Residential Urban

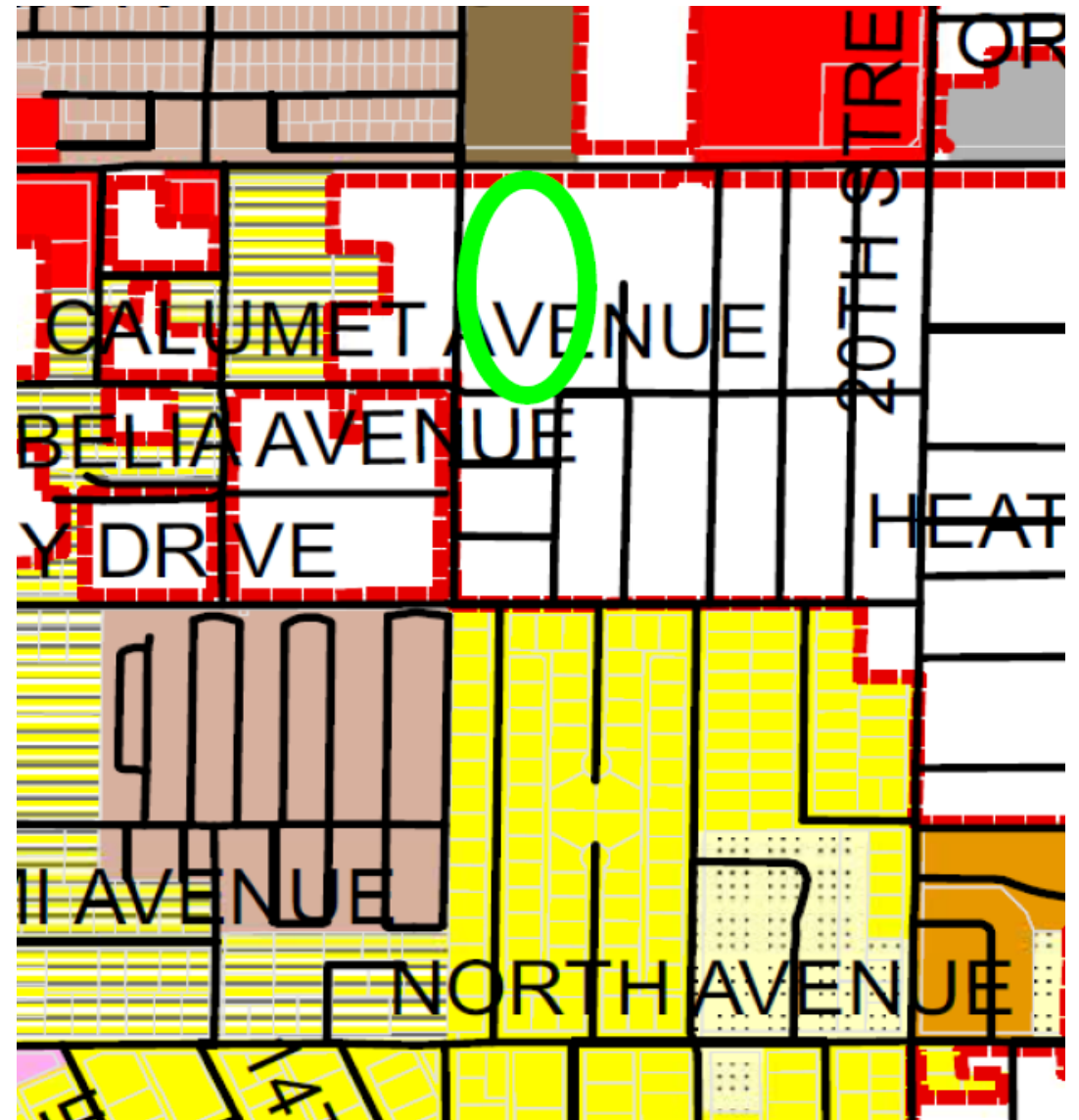
Classifications

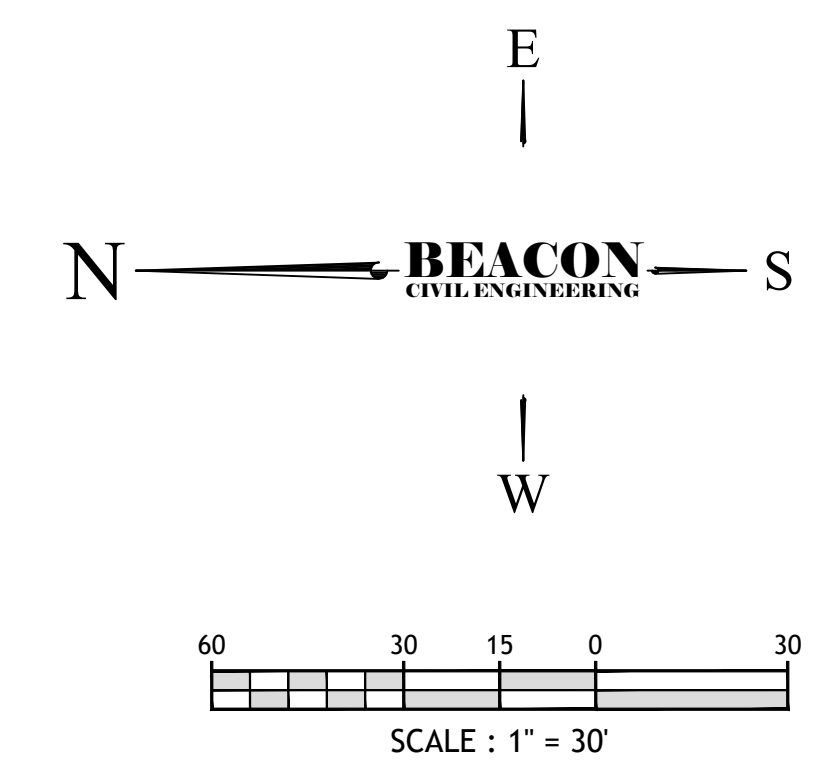
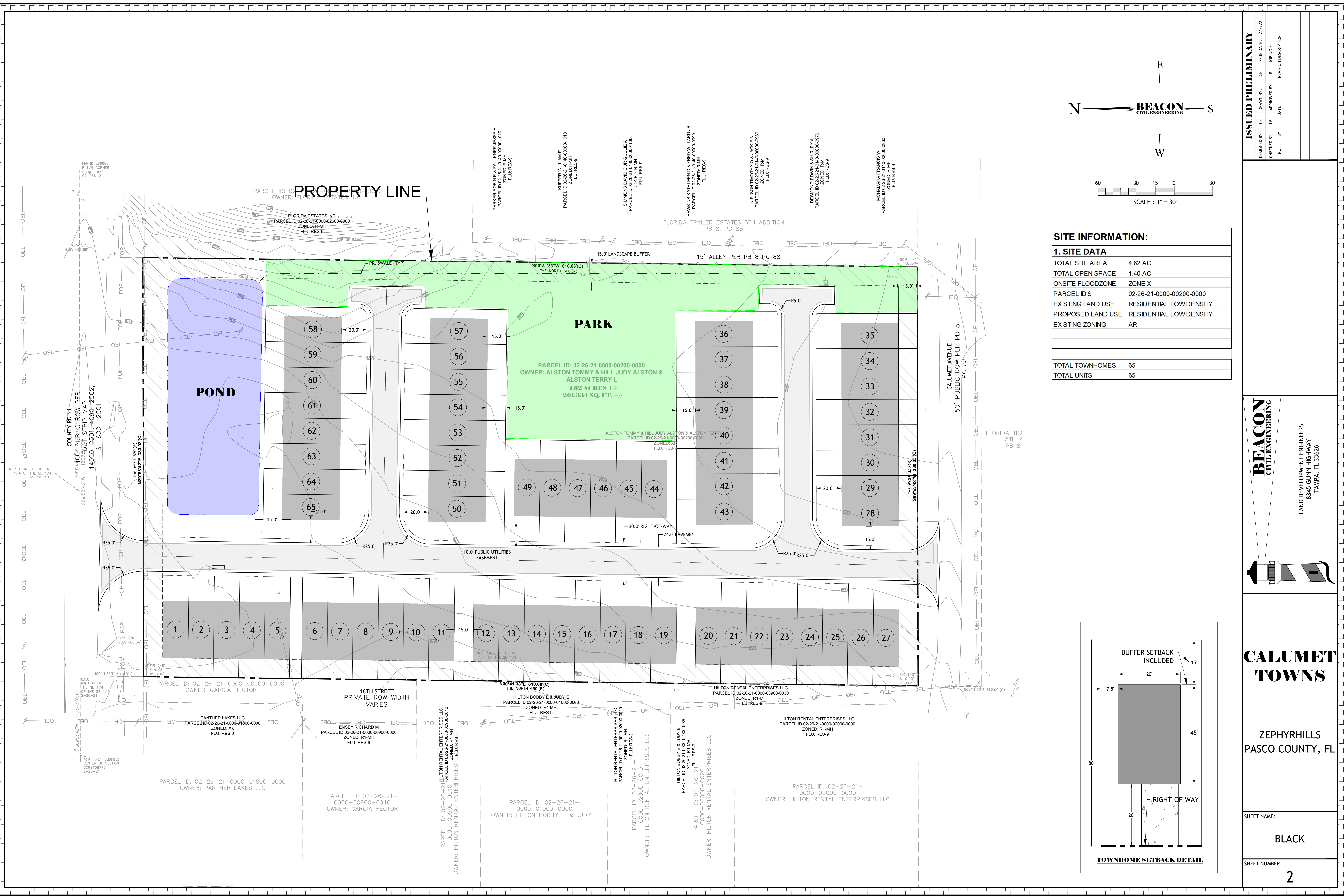
	Residential Estate
	Residential Suburban
	Residential Urban
	Mobile Home/Recreational Vehicle
	Mixed Use



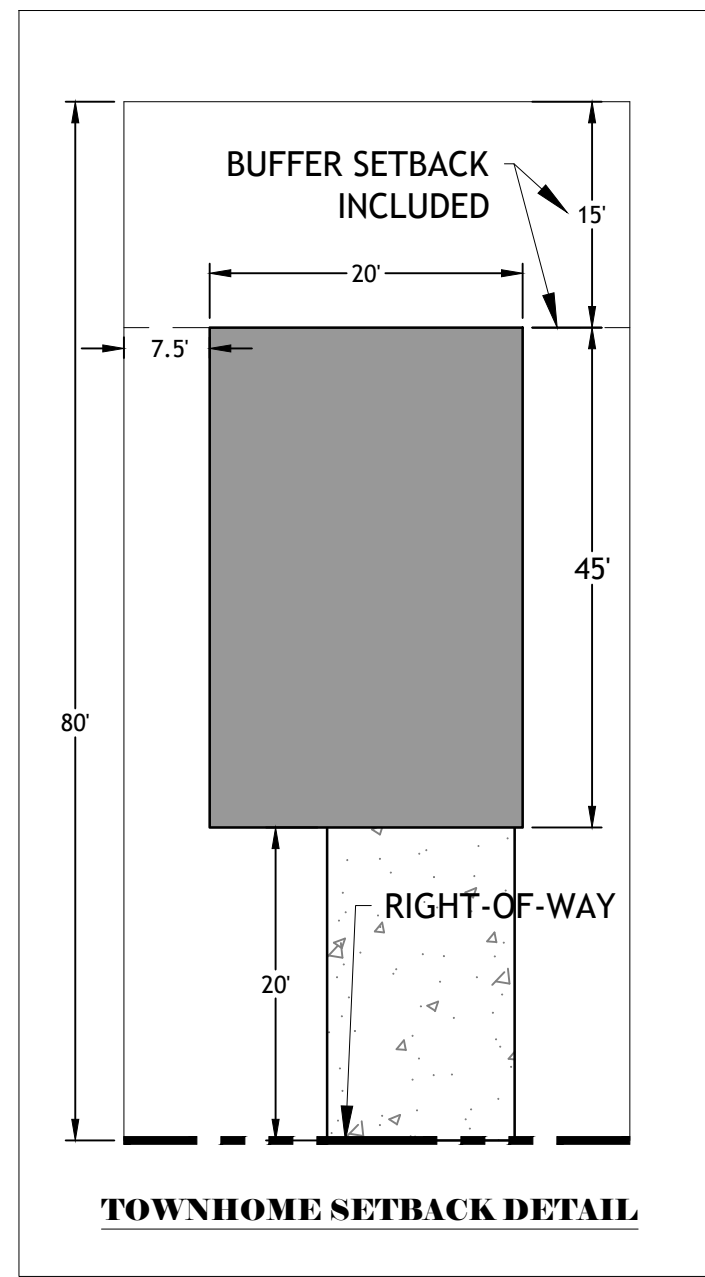
Zoning – Proposed R-4

	R1 - Low-Density Residential
	R2 - Single-Family Residential
	R3 - Medium-Density Residential
	R4 - Multi-Family Residential
	M1 - Mobile Home Subdivison
	M2 - Mobile Home Park
	M3 - Recreational Vehicle Park
	C2 - Community Commerical





SITE INFORMATION:	
1. SITE DATA	
TOTAL SITE AREA	4.62 AC
TOTAL OPEN SPACE	1.40 AC
ONSITE FLOODZONE	ZONE X
PARCEL ID'S	02-26-21-0000-00200-0000
EXISTING LAND USE	RESIDENTIAL LOW DENSITY
PROPOSED LAND USE	RESIDENTIAL LOW DENSITY
EXISTING ZONING	AR
TOTAL TOWNHOMES	65
TOTAL UNITS	65



ISSUED PRELIMINARY

DESIGNED BY:	CE	DRAWN BY:	CE	ISSUE DATE:	7/2/22
CHECKED BY:	LB	APPROVED BY:	LB	JOB NO.:	..
NO.	BY	DATE	REVISION DESCRIPTION		

BEACON
CIVIL ENGINEERING

LAND DEVELOPMENT ENGINEERS
8345 GUNN HIGHWAY
TAMPA, FL 33626

CALUMET
TOWNS

ZEPHYRHILLS
PASCO COUNTY, FL

SHEET NAME:

BLACK

SHEET NUMBER:

2

ORDINANCE NO. 1451-22

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP CHANGING FROM COUNTY RES-6 (RESIDENTIAL 6 D/U PER ACRE) TO CITY RU (RESIDENTIAL URBAN) AND THE ZONING DESIGNATION FROM COUNTY AR (AGRICULTURAL-RESIDENTIAL) TO CITY R-4 (HIGH-DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.62 ACRES OF REAL PROPERTY LOCATED AT 38736 AND 38740 CR 54 AND HAVING PARCEL NUMBER 02-26-21-0000-00200-0000; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163 Florida Statutes, authorize the City Council of the City of Zephyrhills to prepare and enforce a Comprehensive Plan for the development of the City; and the City Council desires to amend the City of Zephyrhills' Comprehensive Plan, and;

WHEREAS, the City Council has determined that the proposed amendment meets the criteria for a Small-Scale Comprehensive Plan Amendment pursuant to Section 163.3184, Florida Statutes, and the Zephyrhills Comprehensive Plan; and

WHEREAS, the Zephyrhills Planning Commission, sitting as the Local Planning Agency, on March 15, 2022, held a public meeting on the proposed amendment to the Comprehensive Plan with due public notice, pursuant to Section 125.55(2), Florida Statutes, and recommended approval to the City Council; and

WHEREAS, based upon the recommendations of the Zephyrhills Planning Commission to the City Council, said Council has prepared the amendment to the City's Comprehensive Plan, and;

WHEREAS, the proposed Future Land Use Map amendment meets the criteria of a small-scale Future Land Use Map amendment and is consistent with the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, the City Council has determined that the RU (Residential Urban) future land use classification would be appropriate, would promote the general welfare, and would encourage proper development within the City; and

WHEREAS, the City Council has determined that the R4 Zoning Designation would be appropriate, would promote the general welfare, and encourage proper development within the City; and

WHEREAS, the City Council desires to hereby formally adopt the amendment to the City's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. Recitals.

The Whereas Clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

Section 2. Authority.

This Ordinance is enacted pursuant to Chapter 163, Florida Statutes, and under the home rule powers of the City.

Section 3. Amendment.

The following described lands, lying and being situated in the City of Zephyrhills, to wit:

Physical Address: 38736 and 38740 CR 54, ZEPHYRHILLS FLORIDA 33542

Parcel /Tax ID Number: 02-26-21-0000-00200-0000

Legal description: Begin at the Northwest corner of the East ½ of the Southeast ¼ on the South line of the ROW for SR 54, Section 2, T26S, R21E, Pasco County, Florida and run thence East 330.00 feet; thence South 660.00 feet; thence West 330.00; thence North 660.00 feet to the Point of Beginning.

Acreage: 4.95 Acres, MORE OR LESS.

The Future Land Use classification is hereby amended from County RES-6 to City RU (Residential Urban) and the Zoning Designation is hereby rezoned from County AR to City R4 (Multi-Family Residential) and included within the boundaries of the City of Zephyrhills, Florida.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date.

This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1451-22 was read and passed on the first reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 14th day of November, 2022.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

the foregoing Ordinance No. 1451-22 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of December, 2022.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1451-22 was approved by me this 12th day of December, 2022.

Gene Whitfield, Mayor

Approved as to legal form and legal content

Matthew E. Maggard, City Attorney

BUSINESS ITEMS/PUBLIC HEARING 3.3

Charter Amendments

Second Reading **ORDINANCE NO. 1452-22 - "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON APRIL 11, 2023, PROPOSING TO THE ELECTORATE OF THE CITY THAT SECTIONS 11.01, 21.031, 21.11, 32.03, 51.01, 51.041, 51.07 AND TITLE XI OF THE CITY CHARTER BE AMENDED; PROVIDING THAT THESE AMENDMENTS SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY IN THE FORM OF EIGHT PROPOSITIONS ON THE REFERENDUM BALLOT; FIRST PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THE DATE OF CREATION AND ESTABLISHMENT OF THE CITY OF ZEPHYRHILLS AS SET FORTH IN SECTION 1 OF THIS ORDINANCE BE ADOPTED; SECOND PROPOSITION BEING, SHALL COUNCIL MEMBERS BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 2 OF THIS ORDINANCE BE ADOPTED; THIRD PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE FINANCE DIRECTOR TO REPORT MONEY DEPOSITS AT QUARTERLY COUNCIL MEETINGS AS SET FORTH IN SECTION 3 OF THIS ORDINANCE BE ADOPTED; FOURTH PROPOSITION BEING, SHALL THE MAYOR BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 4 OF THIS ORDINANCE BE ADOPTED; FIFTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED FOR ELECTED OFFICIALS TO TAKE OFFICE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AFTER THE CANVAS OF VOTE AS SET FORTH IN SECTION 5 OF THIS ORDINANCE BE ADOPTED; SIXTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO REMOVE TIME CONSTRAINTS TO OBTAIN SIGNATURES TO QUALIFY FOR ELECTION AS SET FORTH IN SECTION 6 OF THIS ORDINANCE BE ADOPTED; SEVENTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THAT CITY COUNCIL ACCEPT AND DECLARE THE RESULTS OF THE ELECTION AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AS SET FORTH IN SECTION 7 OF THIS ORDINANCE BE ADOPTED; EIGHTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FORMAL REVIEW OF THE CHARTER EVERY TEN (10) YEARS AS SET FORTH IN SECTION 8 OF THIS ORDINANCE BE ADOPTED; SETTING FORTH THE FORM OF THE QUESTIONS TO BE VOTED UPON AT SUCH ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; AND PROVIDING FOR AN EFFECTIVE DATE."**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1452-22 on the Second Reading

Issue:

City Council will consider Ordinance No. 1452-22 establishing referendum questions to amend the Charter

Background:

At the November 14, 2022 meeting, City Council voted to request an ordinance be drafted to establish referendum questions to amend the City Charter. On November 28th, Council approved Ordinance 1452-22 on the first reading. The eight issues were: 1) include the date of creation and establishment of the City of Zephyrhills; 2) extend the term of City Council members from 3 years to 4 years; 3) Provide for the Finance Director to report money deposits quarterly at Council meetings; 4) extend the term of Mayor from 3 years to 4 years; 5) provide that elected officers take office at the next regularly scheduled Council meeting after the canvas is received from the County Canvassing Board; 6) to remove the time constraints to obtain signatures to qualify for election. The current language only allows candidates a couple days to obtain signatures.; 7) Council will accept and declare the results of the election at the next regularly scheduled Council meeting; 8) provide that City Council shall formally review the Charter every 10 years.

Passage of the ordinance will give to voters the decision to make these proposed changes.

Attachment(s):

1. Ordinance 1452 -22 Charter Revisions - Referendum

Fiscal Impact:

The fiscal impact will be determined once referendum questions are submitted to the Pasco County Supervisor of Elections for review.

Staff Recommendation:

Staff recommends approval of Ordinance No. 1452-22 on the second reading.

ORDINANCE NO. 1452-22

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA, CALLING FOR A REFERENDUM TO BE HELD ON APRIL 11, 2023, PROPOSING TO THE ELECTORATE OF THE CITY THAT SECTIONS 11.01, 21.031, 21.11, 32.03, 51.01, 51.041, 51.07 AND TITLE XI OF THE CITY CHARTER BE AMENDED; PROVIDING THAT THESE AMENDMENTS SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY IN THE FORM OF EIGHT PROPOSITIONS ON THE REFERENDUM BALLOT; FIRST PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THE DATE OF CREATION AND ESTABLISHMENT OF THE CITY OF ZEPHYRHILLS AS SET FORTH IN SECTION 1 OF THIS ORDINANCE BE ADOPTED; SECOND PROPOSITION BEING, SHALL COUNCIL MEMBERS BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 2 OF THIS ORDINANCE BE ADOPTED; THIRD PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE FINANCE DIRECTOR TO REPORT MONEY DEPOSITS AT QUARTERLY COUNCIL MEETINGS AS SET FORTH IN SECTION 3 OF THIS ORDINANCE BE ADOPTED; FOURTH PROPOSITION BEING, SHALL THE MAYOR BE ELECTED TO A TERM OF FOUR YEARS AS SET FORTH IN SECTION 4 OF THIS ORDINANCE BE ADOPTED; FIFTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED FOR ELECTED OFFICIALS TO TAKE OFFICE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AFTER THE CANVAS OF VOTE AS SET FORTH IN SECTION 5 OF THIS ORDINANCE BE ADOPTED; SIXTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO REMOVE TIME CONSTRAINTS TO OBTAIN SIGNATURES TO QUALIFY FOR ELECTION AS SET FORTH IN SECTION 6 OF THIS ORDINANCE BE ADOPTED; SEVENTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE THAT CITY COUNCIL ACCEPT AND DECLARE THE RESULTS OF THE ELECTION AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AS SET FORTH IN SECTION 7 OF THIS ORDINANCE BE ADOPTED; EIGHTH PROPOSITION BEING, SHALL THE CHARTER BE AMENDED TO PROVIDE FORMAL REVIEW OF THE CHARTER EVERY TEN (10) YEARS AS SET FORTH IN SECTION 8 OF THIS ORDINANCE BE ADOPTED; SETTING FORTH THE FORM OF THE QUESTIONS TO BE VOTED UPON AT SUCH ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Zephyrhills has reviewed the City Charter and has determined that it would be in the best interest of the City of Zephyrhills to amend the City Charter, as set forth in this Ordinance; and

WHEREAS, The City Council of the City of Zephyrhills deems approval of this Ordinance to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Zephyrhills and the public at large.

WHEREAS, two public hearings were held by the City Council on this Ordinance on

The 28th of November 2022; and

The 12th of December 2022;

WHEREAS, due public notice of hearings was given by the City Council on November 17th, 2022 and December 1st, 2022;

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

Section 1. Section 11.01 – MUNICIPALITY CREATED, of the City Charter shall be amended to read as follows:

That a municipality to be known and designated as the City of Zephyrhills is hereby created and established in Pasco County, November 17, 1914.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 1.

“PROPOSITION ONE”

SHALL SECTION 11.01 – MUNICIPALITY CREATED OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED TO PROVIDE THE DATE OF CREATION AND ESTABLISHMENT OF THE CITY OF ZEPHYRHILLS?

_____ YES - In favor of adopting amendment to City Charter

_____ NO - Not in favor of adopting amendment to City Charter

Section 2. **Section 21.031 - - Elections and Terms, of the City Charter shall be amended to read as follows:**

- (1) Commencing with the regular municipal election of April 11th, 2023, and at the regular municipal election each four (4) years thereafter, one City Council Member shall be elected for a term of four (4) years.*
- (2) Commencing with the regular municipal election of April 9th, 2024, and at the regular municipal election each four (4) years thereafter, two City Council Members shall be elected for a term of four (4) years.*
- (3) Commencing with the regular municipal election of April 8th, 2025, two City Council Members shall be elected for a term of four (4) years and at the regular municipal election each four (4) years thereafter.*

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 2.

“PROPOSITION TWO”

SHALL SECTION 21.031 – ELECTIONS AND TERMS OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED AS SET FORTH IN SECTION 2 OF ORDINANCE NO. 1452-22 OF THE CITY OF ZEPHYRHILLS, TO PROVIDE FOR FOUR (4) YEAR TERMS OF OFFICE FOR CITY COUNCIL MEMBERS?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 3. **Section 21.11 – Designation of Depositories, of the City Charter shall be amended to read as follows:**

The City Council shall, by resolution, designate from time to time such banks to be the depositories of the funds of said City, and the Finance Director shall be required to

deposit day by day such funds of the City as may come into said director's hands in said banks to the credit of the City, and shall be required to present quarterly at Council Meetings a report of all such monies collected and deposited in said banks by the Finance Director; the City Council may, by resolution require such banks acting as City depository, to give such bond as they deem proper, for the safekeeping of all City funds entrusted to their care, said depository only to pay out said funds upon a written order signed by the President of the City Council, attested by the City Manager.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 3.

“PROPOSITION THREE”

SHALL SECTION 21.11 – DESIGNATION OF DEPOSITORIES OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED AS SET FORTH IN SECTION 3 OF ORDINANCE NO. 1452-22 OF THE CITY OF ZEPHYRHILLS, TO PROVIDE FOR THE FINANCE DIRECTOR TO REPORT MONEY DEPOSITS QUARTERLY AT COUNCIL MEETINGS?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 4. Section 32.03 – Election and Term, of the City Charter shall be amended to read as follows:

At the regular municipal election of April 11th, 2023, the Mayor shall be elected by the qualified voters of the City for a term of four (4) years and at the regular municipal election every four (4) years thereafter, the Mayor shall be elected for a term of four (4) years.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 4.

“PROPOSITION FOUR”

SHALL SECTION 32.03 - ELECTION AND TERM OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED TO PROVIDE FOR FOUR (4) YEAR TERMS OF OFFICE FOR THE MAYOR?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 5. Section 51.01 – Time of Holding, of the City Charter shall be amended to read as follows:

A general election for the choosing of officers of said City shall be held on the Second Tuesday in April of each year, and officers elected shall qualify and take office at the next

regularly scheduled Council meeting after the canvas is received from the County Canvassing Board.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 4.

“PROPOSITION FIVE”

SHALL SECTION 51.01 – TIME OF HOLDING OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED TO PROVIDE THAT ELECTED OFFICERS SHALL TAKE OFFICE AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING AFTER THE CANVAS IS RECEIVED FROM THE COUNTY CANVASSING BOARD?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 6. Section 51.041 – Qualification of Candidates, of the City Charter shall be amended to read as follows:

Any person seeking the office of either City Council or Mayor, must be a qualified and registered voter of the City of Zephyrhills and have been a resident of the City for a six-month period immediately preceding the next election to qualify for any City elective office.

Resident. In order for a candidate to be a resident of the City, that candidate must have his or her primary physical residence and dwelling with the boundaries of the City at all times material, prior to election and during the entire term. It is the intent of this Charter that the term “resident” as used herein to describe any period seeking or holding elective office in the City shall be strictly construed.

Filing Fees and Nominating Petitions. The City Council may set filing fees to be paid by candidates at the time of qualifying to run for elective office. The nomination of all candidates for elective offices shall be made by nominating petitions. The name of any elector of the City having the necessary qualifications to hold the office may be nominated for the election to such office when a petition shall be filed with the City Clerk, signed by not less than twenty-five (25) registered voters of the City. The signatures to a nominating petition need not all be on one paper.

Sample Form:

Such nominating petition shall be substantially in the following form:

“We the undersigned, being registered voters of the City of Zephyrhills, hereby present (here write name of candidate) whose residence is in the City of Zephyrhills, as a candidate for election to the office of (here insert name of office) at the election to be held in the City of Zephyrhills on the ____ day of _____, 20__.

(Name and Address of Petitioner) (Date of Signing)”

All papers comprising such petition shall be securely fastened together and filed as one petition with the City Clerk during the designated qualifying period prior to the election.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 6.

“PROPOSITION SIX”

SHALL SECTION 51.041 – QUALIFICATION OF CANDIDATES OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED AS SET FORTH IN SECTION 6 OF ORDINANCE NO. 1452-22 OF THE CITY OF ZEPHYRHILLS, TO REMOVE THE TIME CONSTRAINTS TO OBTAIN SIGNATURES TO QUALIFY FOR ELECTION?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 7. Section 51.07 – Canvass of Returns, of the City Charter shall be amended to read as follows:

The City Council shall receive the returns of all City elections, and shall accept the canvas from the County Canvassing Board of the same at the next regularly scheduled Council meeting after said returns are received by them, and shall declare the results thereof, which shall be spread upon their minutes. The City Council may by resolution extend the time for a period not to exceed five (5) days.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 7.

“PROPOSITION SEVEN”

SHALL SECTION 51.07 – CANVASS OF RETURNS OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED AS SET FORTH IN SECTION 7 OF ORDINANCE NO. 1452-22 OF THE CITY OF ZEPHYRHILLS, TO PROVIDE THAT CITY COUNCIL WILL ACCEPT AND DECLARE THE RESULTS OF THE ELECTION AT THE NEXT REGULARLY SCHEDULED COUNCIL MEETING?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 8. TITLE XI – Charter Amendment, of the City Charter shall be amended to read as follows:

This Charter may be amended in accordance with Section 166.031, Florida Statutes, as amended and shall be formerly reviewed by City Council every ten (10) years.

Said Amendment shall be submitted to the electors of the City for approval or disapproval at the same time, form and manner as set forth in herein of this Ordinance and shall be placed on the ballot in the form of the following proposition.

CITY OF ZEPHYRHILLS REFERENDUM PROPOSITION NO. 8.

“PROPOSITION EIGHT”

SHALL TITLE XI – CHARTER AMENDMENT OF THE CHARTER OF THE CITY OF ZEPHYRHILLS, FLORIDA, BE AMENDED AS SET FORTH IN SECTION 8 OF ORDINANCE NO. 1452-22 OF THE CITY OF ZEPHYRHILLS, TO PROVIDE THAT CITY COUNCIL FORMALLY REVIEW THE CHARTER EVERY TEN (10) YEARS?

_____ YES - In favor of adopting amendment to the City Charter

_____ NO - Not in favor of adopting amendment to the City Charter

Section 9. The City Clerk shall cause of notice of this election called for the purpose of presenting the subject of Charter revision to a vote of the electorate to be published in accordance with the provisions of Section 100.342, Florida Statutes, at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is to be held; provided that the first publication shall take place at least thirty (30) days before the date fixed for the referendum and shall be published in a newspaper of general circulation within the City.

Section 10. All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 11. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 12. Specific authority is hereby given to codify this Ordinance.

Section 13. This Ordinance shall become effective immediately upon adoption. The amended section of the Charter as set forth in Section 1 and Section 2 hereinabove shall become effective upon certification of the election, if the question to be voted upon provided hereinabove receives an affirmative vote of the majority of the votes cast at the election held on April 11, 2023.

The foregoing Ordinance No. 1452-22 was read and passed on the first reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 28th day of November, 2022.

Attest: _____
Lori L. Hillman, City Clerk

Jodi Wilkeson Council President

The foregoing Ordinance No. 1452-22 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of December 12, 2022.

Attest: _____
Lori L. Hillman, City Clerk

Jodi Wilkeson, Council President

The foregoing Ordinance No. 1452-22 was approved by me on this 12th day of December, 2022.

Gene Whitfield, Mayor

Approved as to legal form and content for the
reliance of the City of Zephyrhills only:

Matthew E. Maggard, City Attorney

BUSINESS ITEMS/PUBLIC HEARING 3.4

RZ 14-22 Agape Baptist Church Rezoning - ORDINANCE NO. 1453-23

First Reading **Ordinance No. 1453-23 "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S ZONING MAP DESIGNATION FROM OP (OFFICE PROFESSIONAL) TO C-3 (GENERAL COMMERCIAL) FOR APPROXIMATELY 10.0 ACRES OF REAL PROPERTY LOCATED AT 39735 CHANCEY ROAD AND HAVING PARCEL NUMBER 24-26-21-0000-00100-0050 ; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

- A. Council President opens Public Hearing
- B. Council President closes Public Hearing
- C. City Council considers Ordinance No. 1453-23 on the First Reading

Issue:

The applicant proposes a zoning change from OP (Office Professional) to C-3 (General Commercial). The anticipated use of the property will be, according to the applicant in the application, "warehouse space that could be used as industrial flex space that would allow their offices up front and storage/equipment/supplies in the back of the building". Additionally, a site plan presented to Staff includes a two-story self-storage component to the current proposal.

Background:

The site is currently utilized as a church and a school. The subject property is located in the industrial area, on the periphery of town that is peppered with single-family residential, parkland, industrial, mining and RV/Mobile Home parks. The property is bordered to the west and north by the Majestic Oaks RV Resort, which is a residential community. To the east is the Sam Pasco community park, and to the south is the Emerald Pointe RV Resort, which is a residential community.

Attachment(s):

1. Staff Report Package for Agape Baptist Rezone Dec 12 2022
2. Ordinance 1453-23 Agape Baptist Church Rezoning

Fiscal Impact:

Staff Recommendation:

Please see the concerns of the Planning Commission discussed within the Staff Report. Staff recommends approval of this petition for the rezoning of the property to C-3.

Staff Report Memorandum

To: City Council

From: Rodney Corriveau, AICP – Senior Planner

RE: RZ 14-22 – Rezoning

Date: December 12th 2022

I. BACKGROUND & INFORMATION

A. History | Application Summary

A Rezoning Petition was presented to the City by Shelly Johnson of Shelly May Johnson PA, on behalf of the property owner, Agape Baptist Church of Zephyrhills, INC. for a 10 (ten) acre parcel at Chancy Road and Laurel Valley Boulevard, approximately 1,500 feet east Copeland Drive. Please see Figure 1 and Figure 2 for subject property location. The petition is for a zoning designation change from **OP to C-3**, therefore any single or combination of uses is possible found within Table 2.02.01- Allowable Uses in Zoning Districts¹ (see page 11 for more detail). Within the petition, a site plan was presented that indicates a two story self-storage facility and industrial flex-space.

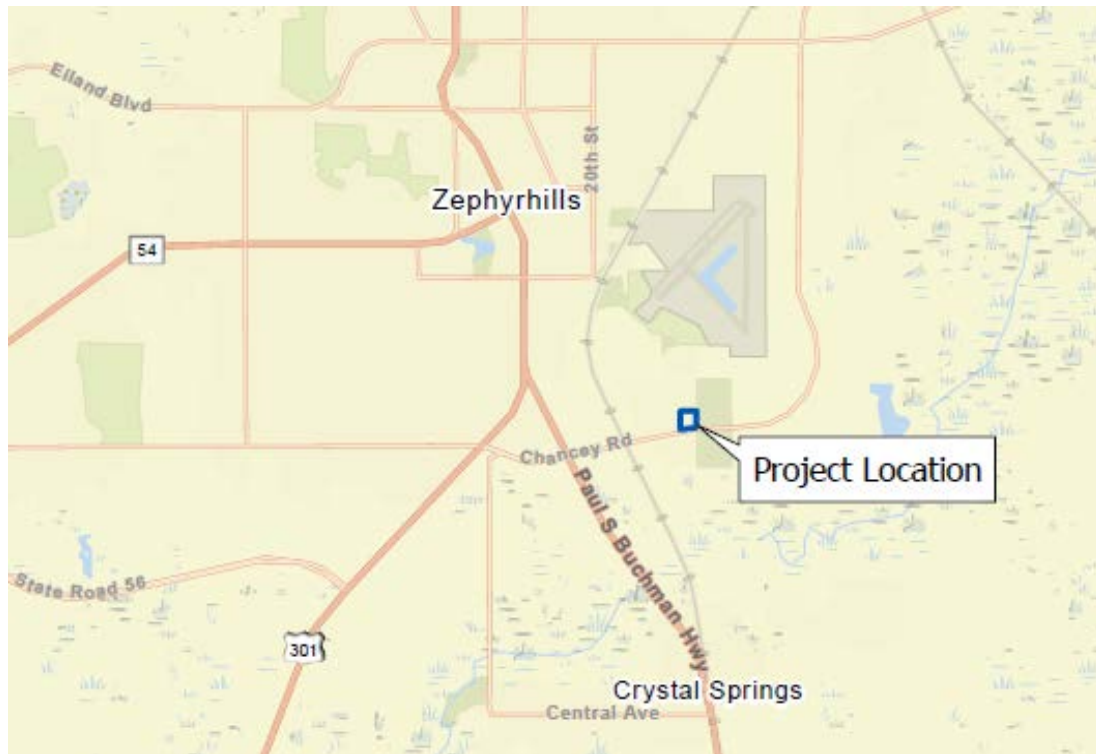


Figure 1 - Location Map *Courtesy of BGE*

¹ Provided in convenient condensed format herein – the full table is attached.

B. Site Information

<u>Applicant Owner:</u>	Agape Baptist Church of Zephyrhills, INC.
<u>Location:</u>	Chancy Road 54 and Laurel Valley Boulevard, approximately 1,500 feet east Copeland Drive
<u>Parcel ID Number(s):</u>	24-26-21-0000-00100-0050
<u>Acreage:</u>	10 (ten) Acres, MOL
<u>Existing Land Use:</u>	House of worship
<u>Existing Future Land Use:</u>	MU (Mixed Use)
<u>Proposed Future Land Use:</u>	Not Applicable
<u>Existing Zoning:</u>	OP (Office Professional)
<u>Proposed Zoning:</u>	C-3 (General Commercial)



Figure 2 – Aerial Project Location *Courtesy of BGE*

II. DATA & ANALYSIS REVIEW

Character Analysis

The subject property is located along Chancey Road approximately 1,500 feet from Copeland Drive in the industrial area on the periphery of town. The area is peppered with single-family residential, parkland, industrial, mining and RV/Mobile Home parks. The property is bordered to the west and north by the Majestic Oaks RV Resort residential community. To the east is the Sam Pasco community park, and to the south is the Emerald Pointe RV Resort residential community. The subject property consists of ten acres, more or less. See Photo 1 below.



Photo 1 – Subject Property Viewed From Chancey Rd - Majestic Oaks in Background. *Google Imagery Mar. 21*

The anticipated use of the property will be, according to the applicant in the application, “warehouse space that could be used as industrial flex space that would allow their offices up front and storage/equipment/supplies in the back of the building”. Additionally, a site plan presented to Staff includes a two-story self-storage component to the proposal (see Figure 6 – Potential Site Uses, page 14). One iteration of the site plan presented to Staff contained a three-story self-storage unit. Staff communicated to the applicant that a three-story self-storage unit would not be supported by Staff (through the conditional use permit petition process) at this time due to adjacent residential uses, the airport, and general scale of other development in the vicinity.

Please see the full-range of development possibilities permissible as-of-right, with a conditional use permit, as-of-right under provisional review (SPRC-only review), or as-of-right with a special exception (Planning Commission review) under the C-3 zoning designation in the Comp Plan/LDC Analysis beginning on page 8. *Table 2.02.01 – Allowable Uses in Zoning Districts* is condensed herein beginning on page 11, the full Table is attached to this report). **As a reminder, if the petition for a zoning designation change from OP to C-3 is approved, any single, or combination of uses from the approved use table is a possibility.** The property does not contain wetlands or other environmentally sensitive features. Please see Figure 2 – Aerial Project Location for adjacent uses indicated below.

North – Majestic Oaks RV Resort Community

West – Laurel Valley Boulevard and Majestic Oaks RV Resort Community

East – Sam Pasco Community Park

South – Emerald Point RV Resort Community

A. Compatibility Analysis

1. Rezoning

- (a) The request is to change the subject property's zoning classification from OP to C-3;
- (b) The requested zoning designation could potentially be consistent with the development patterns and zoning designations of the area and surrounding properties. The surrounding properties are (please refer to Figure 3 – Existing Zoning Map below):

- i. City PUD to the north
- ii. County Agricultural to the east
- iii. City PUD to the south
- iv. City C2 and PUD to the west;



Figure 3 – Existing Zoning Map *Courtesy of BGE*

- (c) The subject petition and subsequent development will not exhibit premature development based on the development patterns in the general vicinity and utility infrastructure availability, especially considering this is an anticipated redevelopment.

The proposed zoning change is potentially compatible/consistent with the growth and development trends of the area – if developed in a ‘sympathetic’ manner under the C-3 zoning designation to the residential and parkland adjacencies, see Figure 4 – Proposed Zoning Map below.



Figure 4 - Proposed Zoning Map *Courtesy of BGE*

Please note that the site, once re-zoned (if approved), could potentially be developed in any combination of uses from Table 2.02.01 – Allowable Uses in Zoning Districts, please see specific uses beginning on page 11.

The assigned Mixed Use Future Land Use (FLU) category purpose is to achieve a more balanced mix of uses to increase convenience and provide greater transportation choices at a wide variety of uses, adding to the vitality of the area. The FLU is not proposed to change. See Figure 5 – Existing Future Land Use map, below.



Figure 5 – Existing Future Land Use Map *Courtesy of BGE*

The subject site shall be in conformance with all applicable LDCs at the time of development. Actual square footage of flex space and storage space may vary at the time of site plan review – if the subject site is developed as such. Only the maximum potential square footage allowable under the LDC shall be permitted given the constraints of the site and bulk regulations under the LDC, including, but not limited to height, setbacks, FAR, etc. As previously stated, Staff has communicated to the applicant that a three-story self-storage unit would not be supported (through the conditional use petition process) at this time due to adjacent residential uses, the airport, and general scale of other development in the vicinity.

B. Natural & Historic Resources Analysis

The following site characteristics are provided:

1. Soil Types – The site currently exhibits Myakka (various), Tavares fine, Sparr Fine, and Newnan Fine sand, 0-5% slope. Please see accompanying soils report for specifics on location and development appropriateness.
2. Flood Plain – The subject property is located in Flood Zone “X” and is outside the 100-year flood zone. There is no identified apparent flood related threat.
3. Wetlands | Water Bodies – There are no wetlands or bodies of water located on the subject property.
4. Historic | Archaeological Resources – The subject property is located outside of the Zephyrhills Historic District and is not projected to impact any identified historic resources. If archaeological resources are found onsite during development, notification should be made to the Florida Department of Historical Resources.
5. Natural Resources – A Protected Species Assessment produced by WRA Consulting assumedly performed in the second quarter of 2022 has been submitted by the applicant. There appears to be no gopher tortoises, no Southeastern Kestrel, no sand sink, or burrowing owls on-site. Proper permits shall be obtained prior to construction activities, as well as a full report and mitigation and/or relocation plan shall be submitted to the City if in fact species are found to exist on the site. As discussed in the recommendations of the WRA report, (and Staff agrees), an updated species-specific survey for gopher tortoises **shall be** conducted prior to construction.

C. Public Services Suitability Analysis | Impact

POLICE	Projected general police service demand is within the City’s existing service capabilities.
FIRE	It is anticipated that the projected general fire service demand is within the County’s existing service capabilities. The City is currently coordinating with the County.
WATER	Water service is available to the subject property along Chancey Road. Any future development of the property will require connection. Projected general water service demand is 10,000 gpd, according to the Utilities Department. (Specific questions/concerns should be directed to the Utilities Department.)
SEWER	Sewer services are available along Chancey Road, within proximity of subject property. According to the Utilities Department, projected waste water service demand is 65% - 80% of potable water use, of which the City has adequate capacity. (Specific questions/concerns should be directed to the Utilities Department.)
SANITATION	Future development will be required to utilize City Sanitation services. The City partners with Pasco County for use of their landfill site. Anticipated impact is minimal.
TRANSPORTATION	The proposal meets the City’s de-minimus threshold. The development is projected to generate 174 average daily trips. City of Zephyrhills LDC defines de minimum at less than 1,200 average daily trips (ADT). <i>Staff is currently working with the City’s transportation consultant in an effort to update the de-minimus threshold, among other transportation-related</i>

	<i>impacts from development. The current threshold of 1,200 ADTs will more than likely be reduced as a result of that effort.</i> Site access and proximity to the adjacent residential uses were also a point of concern. Those concerns were echoed by some of the nearby residents in attendance for the Commission meeting. Laurel Valley Boulevard is a privately owned roadway. The developer of the subject property shall obtain permission/authorization from the owner of Laurel Valley Boulevard and/or obtain a ROW use permit from Pasco County for entrance/egress from subject property.
SCHOOL	Not Applicable for this type of development.

D. Comp Plan and LDC Analysis and Response

Goal LU-1 - To achieve an economically and diversified tax base that ensures:

- That the residential/family character of the City of Zephyrhills is maintained and protected while recognizing the economic benefits of a diversified economic base;
- That recognition of the City of Zephyrhills as a retirement community, a medical/clean industry destination, and an airport community offering recreational and industrial opportunities;
- That enjoyment of natural and man-made recreational resources by citizens and visitors alike; and
- That threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation are minimized.

***Response:* Consistent with the above stated goals, the proposed development could potentially bring a new (anticipated industrial flex space, as indicated by the applicant, but subject to change) development to the City of Zephyrhills. Please see Table 2.02.01 beginning on page 11 for the full range of potential uses under the C-3 district.**

Objective LU 1-1 - To encourage efficient development in areas which will have the capacity to contribute more to the City in revenue than it will consume in services that meet the above-mentioned goals and consistent with this adopted plan.

***Response:* The existing property currently has one church and school facilities, and the proposed development will potentially consist of approximately 120,000 SF of industrial flex space (as indicated within the petition presented to Staff).**

Policy LU 1-1-1 - The City shall continue to enforce land development regulations to ensure orderly development, that at a minimum, contain provisions which

- regulate the subdivision of land;
- regulate signage
- provide for drainage and storm water management
- provide requirements for the provision of open space, traffic flow and parking
- coordinate future land use with soil conditions, topography and availability of facilities and services

- f. ensure that development orders and permits are issued only when it is documents that there is an adequate level of service
- g. protect limited amount of wetlands and environmentally sensitive land

Response: The proposed development shall be fully designed and permitted in accordance with the City of Zephyrhills Land Development Code. No construction will begin until all relevant permits have been applied for and obtained by the City of Zephyrhills and other applicable state and local authorities.

Objective LU 1-4 - The City will develop mechanisms to ensure the protection of archaeological and historical resources.

Response: Per the Florida Master Site File, no cultural resources have been located on the subject development. In the event of these resources being discovered, the contractor will be instructed to halt all activity on site and contact the City of Zephyrhills and State authorities before proceeding with further work.

Objective LU 1-9 - Improve and enhance the visual appearance of neighborhoods and commercial areas in the City.

Response: The subject development shall be designed with architectural standards in accordance with the City of Zephyrhills LDC, and shall be approved by the City to ensure that the visual appearance is in accordance with requirements. The subject development shall, according to the LDC, utilize landscape buffers along the front, sides and rear of the property enhancing the visual appearance. Outdoor lighting is restricted when subject site adjoins a residential district and uses, and according to footnote # 18, Table 7.01.00 Zoning District Performance and Dimensional Standards **“No outdoor lighting shall be directed into adjacent residential areas or at angles that interfere with driver vision on adjacent roadways.”**

Policy PUB – 1-2-2: No building permits will be issued for new residential, office or commercial development which is not served by a public water supply.

Response: The site is serviced by the City’s water supply.

Policy PUB-5-2-1: The design of drainage facilities shall comply with the ambient water quality standards of SWFWMD, DEP, and Chapter 17 – 25 and other applicable water quality regulations for discharge.

Response: The site, through the site plan review process (SPRC) shall be in full conformance with all applicable regulations.

Policy PUB-4-1-2: New development or redevelopment is not permitted unless the finished floor elevation is at least 8 inches above the crown of the adjacent road unless waived by the Building Official and at or above the 100-year flood elevation.

Response: The site, through the site plan review process (SPRC) shall be in full conformance with all applicable regulations.

General Language on Land Use Categories: Mixed Use (MU): MU Purpose The purpose of the Mixed-Use category is to achieve a more balanced mix of uses to increase convenience and provide greater transportation choices. When a wide variety of uses are located in close proximity to each other, walking and bicycling become practical alternatives to automobile travel. Such areas would support objectives for improved mobility and reduced congestion. Infill development success can be enhanced by planning a mutually supportive mix of uses. The mixing of uses can add variety and vitality to an area, making it a more attractive, interesting place to live. In addition, convenient commercial and personal services, readily accessible to work sites and residential areas, and convenient cultural or recreational amenities can enhance the attractiveness of infill development. Infill development can fill gaps to benefit the entire neighborhood including existing residents, for instance by including a grocery store or park where none exists.

Response: The site, through the site plan review process (SPRC) shall be in full conformance with all applicable regulations to ensure the property adheres to the underlying MU land use district.

Locational Characteristics: This category is generally appropriate to locations within the urban area that are appropriate for more intensive residential, office and retail commercial uses. These areas are typically in close proximity to and served by the arterial highway network where mixed use developments allow interaction among land uses and encourage mass transit and non-vehicular trips.

Response: The site, when developed through the site plan review process (SPRC) shall be in full conformance with all applicable regulations within the C-3 zoning district.

Consistency with LDC (Zoning) Ordinances and City Ordinances:

Response: The engineered site plan (at the time it is presented to the City and reviewed by the SPRC) shall be consistent with the applicable comprehensive plan goals and objectives and land development regulations. The intent of the C-3 district is²:

“This category is established to identify areas of the city appropriate for location of commercial activities with potential land use conflicts resulting from truck traffic, materials storage, and emission of noise, odor or air pollutants or other environmental and public safety considerations. The total gross floor area of building(s) shall not exceed 50% of the land area of the site upon which the building(s) is/are erected.”

The Applicant has provided analysis as well as a variety of reports, such as cultural, environmental, transportation (as required by the City of Zephyrhills LDC) that minimally demonstrates that the development will utilize the available land and will protect and preserve to the extent possible, natural features. The development is located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are available and adequate for the uses proposed. As previously stated, the subject property abuts several residential areas, and parkland uses.

² Section 2.01.03.17 - General Commercial (C-3) Zoning Designation - City of Zephyrhills LDC.

Local Development Pattern:

Response: It is anticipated that the rezoning will result in a redevelopment. The property is surrounded primarily by residential uses in the industrial corridor of the City. The information in Table 2.02.01 – Allowable Uses in Zoning Districts was not included in the Staff report for the Planning Commission. The full table, relating to the C-3 Zoning District is presented below. **PLEASE NOTE THAT ANY ONE OR COMBINATION THEREOF MAY TAKE PLACE ON THE SUBJECT SITE IF THIS REZONING PETITION IS APPROVED. USES ARE PERMISSIBLE AS-OF-RIGHT, THROUGH A CONDITIONAL USE, AS-OF-RIGHT PROVISIONAL USE, OR AS-OF-RIGHT SPECIAL EXCEPTION.**

*Table 2.02.01 – Allowable Uses in Zoning Districts*³ - Please note: **Bold highlight** indicates a use not permissible under the subject site's current zoning designation of OP:

Uses permissible as-of-right in the C-3 Zoning District include:

- **Hotel**
- **Automobile Service/Repair**
- **Automobile Vehicle Sales and Rentals**
- **Car Wash/Detailing**
- **Gasoline (Fuel) Service Station**
- **Heavy Vehicle/Equipment Service/Repair**
- **Parts and Accessories Sales**
- **Auction House**
- **Big Box, Large Retail**
- Convenience Store
- **Landscape Supply/Garden Center**
- **Pawnshop**
- Financials Services (Bank, and Commercial Lender, Non-Bank)
- Office (Trades/Fleet)
- **Brewery**
- **Craft Distillery**
- **Distillery**
- **Drinking Establishment, Bar, Tavern**
- Restaurant (Café)
- **Restaurant (Drive-Thru)**
- Restaurant (Full Service)
- **Laundry/Dry-Cleaning Plant**
- Personal Services
- **Veterinary Clinic/Hospital**
- College/University
- Grade School (Public or Private)
- Technical Trade/Vocational
- Government Offices/Facilities
- Blood/Organ Banks
- Funeral Service

³ Table 2.02.01 – Approved under Ordinance # 1431-21, see attached.

- Hospital
- Medical/Dental Clinic or Office
- Rehabilitate Service
- Social Assistance
- Museum
- **Theater**
- Fitness Center, Gym
- **Drug Processing/Manufacturing**
- **Laboratory**
- **Publishing and Printing**
- **Mini-Warehouse/Self-Storage**
- **Warehouse**
- **Freight Transportation Services**
- **Transit Center**

Uses permissible under a Conditional Use in the C-3 Zoning District include:

- **Flea Market (Indoor/Enclosed)**
- **General Retail Sales**
- **Greenhouse**
- **Shopping Center**
- Office (Processional/Corporate)
- **Adult (Regulated Uses)**
- **Kennel**
- **Pet Care Services (Indoor/Outdoor)**
- Association, Non-Profit, Charitable an Philanthropic Organization
- **Sport Shooting Range (indoor)**
- **High Tech Manufacturing**
- **Light Industry/Manufacturing**
- **RV Storage**

Uses permissible as-of-right with a Provisional Review (Level 1 Review (SPRC))) in the C-3 Zoning District include:

- **Liquor Store**
- **Pet Care Service (Indoor)**
- House of Worship
- **Recreation Sport Center**
- **Construction Services**
- **Wholesale Distribution**
- Commercial Parking Structure

Uses permissible as-of-right with a Special Exception (Level 2 Review (Planning Commission)) in the C-3 Zoning District include:

- **Towing Services**
- Private Club/Recreation Facility
- **Paint Booth**

Uses permissible as an Accessory to the principal use (review may be required) in the C-3 Zoning District include:

- Outdoor Merchandise Display
- Outdoor Merchandise Storage
- Outdoor Storage

Uses permissible Temporary (permissible for a specific, set, limited time, review may be required) in the C-3 Zoning District include:

- Mobile/Temporary Sales
- General Retail Sales

Pre-Mature Development:

Response: The proposed zoning district will not create premature development. The subject site is already developed, and is targeted for growth pursuant to the City Comprehensive Plan and serves as infill development for this area.

Further facilities analysis and capacity demands of the proposed development were provided with the petition by the applicant. The following standard condition of approval is anticipated to be included as well for this project addressing public facilities: The City shall provide water and/or wastewater service to the project. A utility service agreement may possibly be required. A master utility plan for the project will be required prior to construction plan approval. The developer shall construct all water and wastewater facilities within the development to current City standards. The site will be served by Pasco County Fire and City Police Services.

Residential Impact Statement:

Response: The property is surrounded by residential development in the industrial corridor. The general area exhibits a mix of uses including mining, industrial, parkland, commercial, and residential uses. At the time of site planning, care shall be taken with specific uses and the placement of such uses on the property to reasonably mitigate impacts to adjacent residential uses. **The C-3 Zoning District contains some uses that may be significantly impactful to the adjacent residential properties. Please see Table 2.02.01 for the full range of uses permissible under the C-3 zoning designation.**

Consistency with LDC and City Ordinances:

Response: The subject development shall be designed in accordance with the City of Zephyrhills Land Development Code and City Ordinances.

The requested re-zoning petition could potentially be consistent with the Goals, Objectives, and Policies of the City of Zephyrhills Comprehensive Plan and could adhere to the principles of rezoning for the City's zoning map. However, a review of the Comprehensive Plan and the Land Development Code was conducted by City Staff to the fullest extent given the nature of rezonings and the applicable relevant LDC's, and as previously stated, some of the potential uses under the C-3 zoning designation could potentially conflict with adjacent residential uses.

[illegible]

14

III. RECOMMENDATION

Site Plan Review Committee – The SPRC approved the petition to rezone the property from OP to C-3 at its regularly scheduled meeting on September 20, 2022.

Planning Commission – The Planning Commission moved to approve the petition to rezone the property from OP to C-3 at its regularly scheduled meeting on October 18, 2022. Concerns from the Commissioners included potential uses that the property could potentially be developed, in the event the petitioner chooses to not develop the site as indicated to Staff, the SPRC, the Planning Commission, and this City Council. (SEE *TABLE 2.02.01* CONTAINED HEREIN ABBREVIATED, AND ATTACHED FULL-FORMAT.)

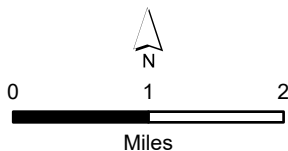
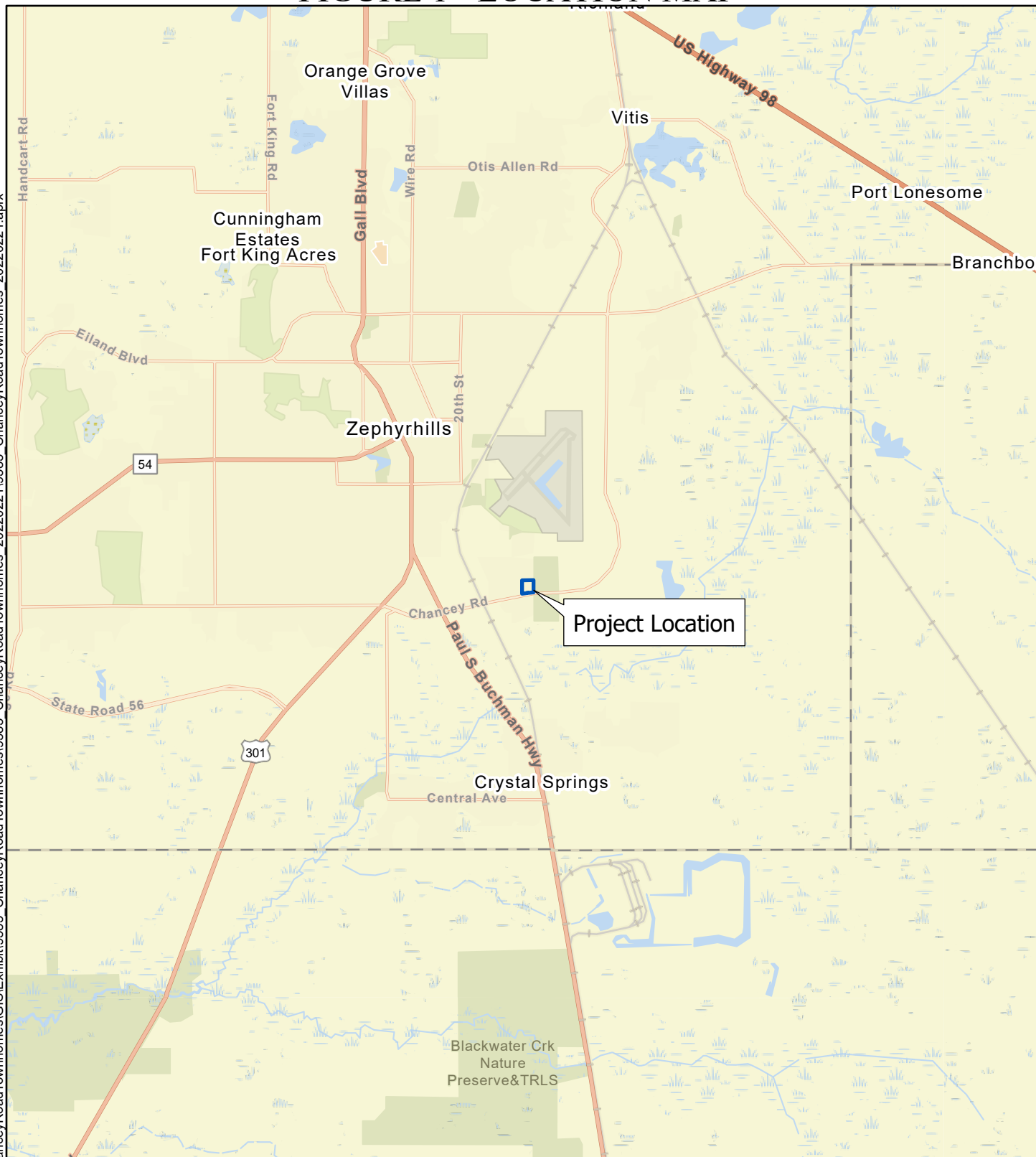
City Council - At its November 14th, 2022 meeting, the Council directed Staff and the City Attorney to craft an ordinance to allow the proposed zoning change. That ordinance is part of this package.

Site access and proximity to the adjacent residential uses were also a point of concern. Those concerns were echoed by some of the nearby residents in attendance for the Commission meeting. Laurel Valley Boulevard is a privately owned roadway. The developer of the subject property shall obtain permission/authorization from the owner of Laurel Valley Boulevard and/or obtain a ROW use permit from Pasco County for entrance/egress from subject property. Appropriate subject site development and corresponding landscape and buffering shall address concerns of adjacent residents.

Based upon the analysis contained herein, along with supporting documentation, **Staff recommends approval of this petition for a rezoning of the property to C-3.**

FIGURE 1 - LOCATION MAP

G:\FLA\Projects\golf coast const\9585-00 ChanceyRoadTownhomes\GIS\Exhibit\9585 ChanceyRoadTownhomes 20220221\9585 ChanceyRoadTownhomes 20220221.aprx



Disclaimer:
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



BGE, Inc.
2203 North Lois Avenue, Suite G300, Tampa, FL 33607
813-848-0901 | www.bgeinc.com

Figure 1: Location Map
Golf Coast Construction
Chancey Road Townhomes
Pasco County, Florida
Page 1 of 7

Prepared By: BGE

Scale: 1:90,000

Job No.: 9585-00

Date: Mar 10, 2022

FIGURE 2 AERIAL PROJECT LOCATION

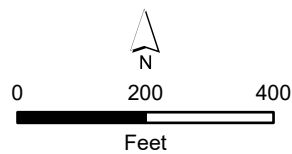
G:\FLA\Projects\golf_coast_const\9585-00_ChanceyRoadTownhomes\GIS\Exhibit\9585_ChanceyRoadTownhomes_20220221.aprx



Legend

Subject Property Boundary

Basemap: NearMap November 14, 2021



Disclaimer:
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



BGE, Inc.
2203 North Lois Avenue, Suite G300, Tampa, FL 33607
813-848-0901 | www.bgeinc.com

Figure 2: Aerial Project Location
Golf Coast Construction
Chancey Road Townhomes
Pasco County, Florida
Page 2 of 7

Prepared By: BGE

Scale: 1:3,600

Job No.: 9585-00

Date: Mar 10, 2022

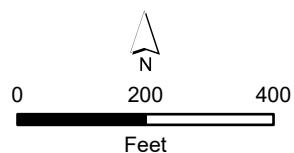
FIGURE 3 EXISTING ZONING MAP

G:\FLA\Projects\golf_coast_const\9585-00_ChanceyRoadTownhomes\GIS\Exhibit\9585_ChanceyRoadTownhomes_20220221.aprx



Legend

- Subject Property Boundary
- Zephyrhills City Zoning**
- Community Commercial
- Light Industrial
- Office/Professional
- Planned Unit Development
- Pasco County Zoning**
- Agricultural



Disclaimer:
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



BGE, Inc.
2203 North Lois Avenue, Suite G300, Tampa, FL 33607
813-848-0901 | www.bgeinc.com

Figure 3
Existing City & County Zoning
Golf Coast Construction
Chancey Road Townhomes
Pasco County, Florida
Page 3 of 7

Prepared By: BGE

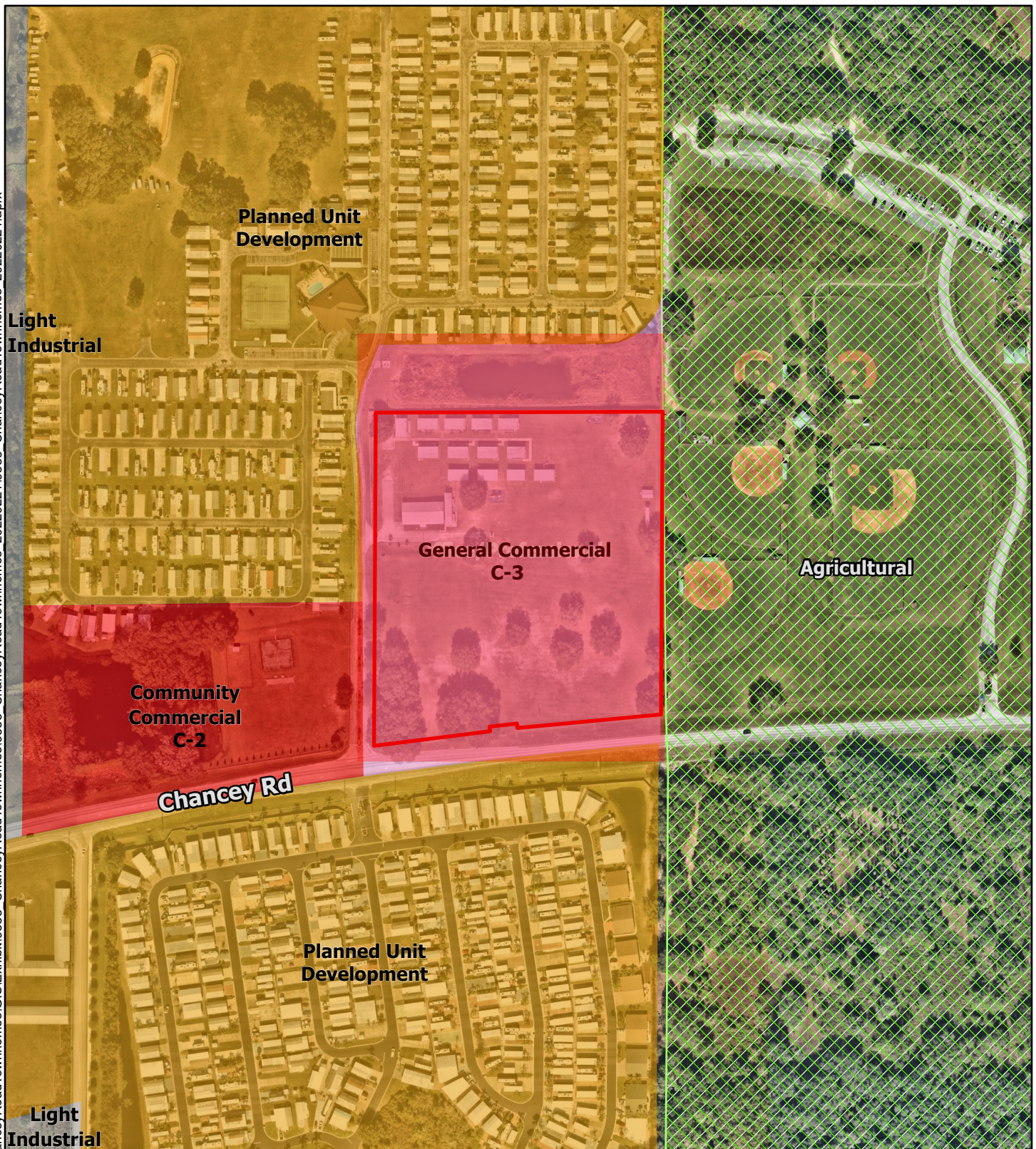
Scale: 1:3,600

Job No.: 9585-00

Date: Mar 10, 2022

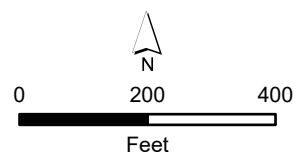
FIGURE 4 PROPOSED ZONING MAP

G:\FLA\Projects\golf_coast_const\9585-00_ChanceyRoadTownhomes\GIS\Exhibit\9585_ChanceyRoadTownhomes\20220221.aprx



Legend

- Subject Property Boundar
- General Commercial
- Community Commercial
- Light Industrial
- Office/Professional
- Planned Unit Development
- Pasco County Zoning
- Agricultural



Disclaimer:
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



BGE, Inc.
2203 North Lois Avenue, Suite G300, Tampa, FL 33607
813-848-0901 | www.bgeinc.com

Figure 4 - Proposed Zoning

Prepared By: BGE

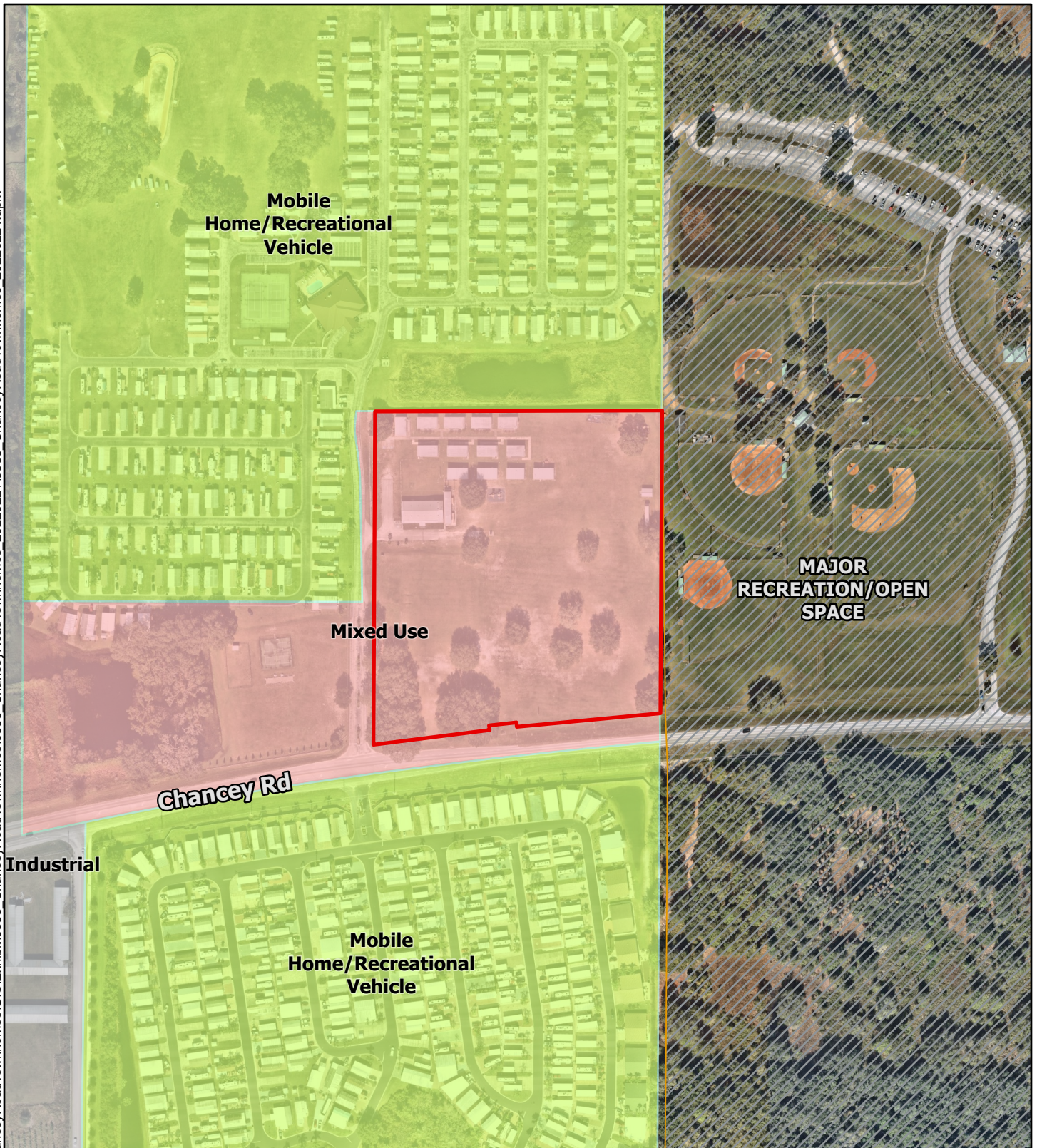
Scale: 1:3,600

Job No.: 9585-00

Date: Mar 10, 2022

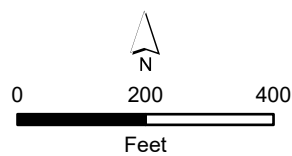
FIGURE 5 EXISTING FUTURE LAND USE MAP

G:\FLA\Projects\golf_coast_const\9585-00_ChanceyRoadTownhomes\GIS\Exhibit\9585_ChanceyRoadTownhomes_20220221.aprx



Legend

- Subject Property Boundary
- Existing Future Landuse (Pasco)
 - MAJOR RECREATION/OPEN SPACE
- Existing Future Landuse (Zephyrhills)
 - Industrial
 - Mixed Use
 - Mobile Home/Recreational Vehicle



Disclaimer:
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



BGE, Inc.
2203 North Lois Avenue, Suite G300, Tampa, FL 33607
813-848-0901 | www.bgeinc.com

Figure 5
Existing Future Land Use
Golf Coast Construction
Chancey Road Townhomes
Pasco County, Florida
Page 4 of 7

Prepared By: BGE

Scale: 1:3,600

Job No.: 9585-00

Date: Mar 10, 2022

FIGURE 6 POTENTIAL SITE USE SITE PLAN

CURRENT SITE DATA

GENERAL SITE DATA	
ADDRESS:	39735 CHANCEY ROAD
CITY / COUNTY	CITY OF ZEPHYRHILLS / PASCO COUNTY
PARCEL ID'S	24-26-21-0000-00100-0050
TOTAL SITE AREA	10.00 AC. - 0.32 AC (FUTURE ROW) = 9.68 AC. (421,661 SF)
TOTAL OPEN SPACE	
ONSITE FEMA FLOODZONE	
ONSITE WETLANDS	
EXISTING LAND USE	
PROPOSED LAND USE	
EXISTING ZONING	R4
PROPOSED ZONING	C3
RIGHT-OF-WAY WIDTH	N/A
NUMBER OF BUILDINGS	5
PHASES	1

SETBACKS / LANDSCAPE BUFFERS

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT		
SIDE		
REAR		

LANDSCAPE BUFFERS	REQUIRED	PROVIDED
NORTH	20'	20'
SOUTH	15'	15'
EAST	15'	15'
WEST	20'	20'

LOT AREA

	TOTAL (AC.)	TOTAL %
LOT AREA	10.000	100
DEVELOPABLE AREA		100
IMPERVIOUS AREA		
PERVIOUS AREA		

AREA RATIOS	REQUIRED	PROVIDED
FAR (FLOOR AREA RATIO)	0.50 (50%) MAX	140,218 / 421,661 = 0.33%

Illustrative Purposes - Subject to Change

POTENTIAL SITE ISSUES

- THE BOUNDARY INFORMATION SHOWN HEREIN IS BASED OFF OF GIS DATA. BGE, INC. MAKES NO GUARANTEES TO THE VALIDITY OF THIS DATA AND IS SUBJECT TO CHANGE UNTIL A BOUNDARY/TOPO SURVEY HAS BEEN PROVIDED.
- A PRE-APPLICATION MEETING WITH PASCO COUNTY IS RECOMMENDED TO FINALIZE ALL ZONING REQUIREMENTS, SETBACKS, STORMWATER REQUIREMENTS, ETC.
- IT IS UNKNOWN AT THIS TIME IF THERE IS A MASTER STORMWATER SYSTEM FOR THIS PARCEL, OR IF ON-SITE DETENTION WILL BE REQUIRED.
- MINIMAL CODE RESEARCH HAS BEEN CONDUCTED. ADDITIONAL CODE RESEARCH MAY REVEAL ADDITIONAL CONSTRAINTS ON THIS SITE, WHICH MAY CAUSE THE SITE PLAN TO CHANGE.

Alex Hulbert, Project Manager
Land/Site Development
Direct: 813-467-7404 - ahulbert@bgeinc.com



BGE, Inc.
2203 N. Lois Ave., Suite G300, Tampa, FL 33607
Tel: 813-848-0901 - www.bgeinc.com
FL Registry No. 32116

TABLE 2.02.01 - ALLOWABLE USES IN ZONING DISTRICTS

Table 2.02.01 | Ord. 1431-21

PERMISSION KEY		TABLE 2.02.01 ALLOWABLE USES IN ZONING DISTRICTS																				A – Accessory (Ancillary to the principal use, review may be required). T – Temporary (Permissible for a specific, set, limited time. Review may be required). Blank Spaces – Indicate that the use is not permitted within zoning districts					
USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION									
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H			
RESIDENTIAL																											
ACCESSORY AND ANCILLARY																											
Accessory Dwelling Unit	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 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																						P	P	P			A single unit (e.g., studio, loft, one-bedroom) consisting of both a commercial/office 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, motor homes and tiny-homes on wheels.

USES	ZONING DISTRICTS																				CODE REFERENCE	DEFINITION			
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	L	RESERVED	AP1	AP2	RC	TCBD	TCBD-H			TMU	TMU-H	
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 dwelling units (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 2 dwelling units, each of which has direct access to the outside for lease under common ownership.
Multiple				P	P					C											S	S		\$7.09.10	Detached structure(s) consisting of between 3 and 10 dwelling units arranged side-by-side and/or stacked, typically with a shared entry from the street. This type has the appearance of a medium-to-large single-family home.
Townhouse, Villa, Condo				S	P					C										C	S	S		\$2.01.03.06.01	Planned arrangement of single-family buildings (dwellings) which touch lot lines and share a wall but are individually owned and occupied for residential purposes; or individually owned units in a single architectural plan.
Single-Family Detached	P	P	P	P						C											S	S			A single-family dwelling structure maintained and used as a single dwelling unit and occupied by a single household.
Mobile/Manufactured Home						P	P																		Factory-built structures designed and/or used as a permanent residence which may or may not be built on a permanent chassis, and which is transportable to a site of placement in one or more sections. This definition shall include dwelling units constructed prior to June 15, 1976, or after June 15, 1976 under the authority of the National Manufactured Home Construction and Safety Standards Act, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS																	CODE REFERENCE	DEFINITION					
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1	AP2			RC	TCBD	TCBD-H	TMU	TMU-H
CONGREGATE LIVING																								
Group Home	P	P	P	P	P																S	S	\$7.09.06	A place of residence whereby unrelated individuals live independently without the need for supervision or assistance to participate in normal activities or meet the demands of daily living. Common areas are shared. Group homes include, but are not limited to, dormitories, boarding houses, hostels and group homes where direct care or supervision is not provided.
Residential Care Facility (RCF)	S	S	S	P	P																S	S	\$7.09.06	A place of residence whereby 24-hour care and supervision is provided to no more than 14 residents, often by live-in caregivers. Residents need assistance to participate in normal activities and meet the demands of daily living, but are not in need of 24-hour nursing supervision. Care and services are provided in a residential setting. RCFs shall include adult family care homes, community residential homes, and assisted living facilities with 14 or fewer residents.
Intensive Care Facility (ICF)				C	P					P	S	C											\$7.09.17	A place of residence whereby 24-hour nursing care or intensive supervision, often by a 24-hour awake staff of professionals, assistants and volunteers is provided. Licensed nurses, doctors, psychiatrists, psychologists, and other licensed professionals are required by the state due to the level of care residents need. Care may include rehabilitation services, counseling, case work, and medical/nursing care and may be provided within an institutional or secure environment. ICFs shall include nursing homes, assisted living facilities with more than 14 residents, intermediate care facilities, hospices, treatment/recovery facilities.
Transient Care Facility (TCF)										C	C	C												An establishment providing supervised room and board, or just a room, on a temporary or emergency basis, whereby clients, on average, stay for less than 6 months. Clients are in immediate need of temporary shelter due to abuse, neglect, abandonment, exploitation, or because they are otherwise homeless and without shelter or necessary basic needs. Facilities may be 24-hour or may be available during certain hours, but have supervisory staff on site at all times the facility is open. Instruction and supervision to assist clients to transition to permanent living situations may be provided. TCFs shall include emergency shelters, homeless shelters, half-way houses, and transitional housing.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H
COMMERCIAL																								
ACCESSORY AND ANCILLARY USES																								
Outdoor Merchandise Display											A	A	A	A							A	A	A	Outdoor area of a designated size used for the display of merchandise or tangible property normally vendible from within the contiguous principal use during regular business hours only. Site plan approval is required. This definition is separate from outdoor merchandise storage and outdoor storage.
Outdoor Merchandise Storage												A	A											Storage, collection, or display of any merchandise, products, materials, appliances or equipment normally vendible from within the contiguous principal use during regular business hours, for more than 24 consecutive hours.
ACCOMMODATIONS																								
Bed & Breakfast						SE	SE	SE	SE						S	C								A transient lodging establishment, generally in a residential dwelling or detached guesthouse, with a maximum of 5 rooms, primarily engaged in providing overnight or otherwise temporary lodging for the general public. This definition shall not include transitional housing, shelters, or other transient care facilities.
Hotel															S	P	P				C			Establishment in which lodging is provided and offered to the public for compensation and which is open to transient guests and is not a rooming or boarding house. This definition shall not include transitional housing, shelters or transient care facilities.
Inn															S	P	P							A transient lodging establishment offering between 6 and 12 bedrooms, primarily engaged in providing overnight and otherwise temporary lodging for the general public. This definition shall not include transitional housing, shelters, or other transient care facilities.
AUTOMOBILE-ORIENTED																								
Automobile Service/Repair																	P	P	C					Any building, structure, improvements or land uses for the repair and maintenance of automobiles, motorcycles and similar vehicles, including but not limited to body, fender, muffler or upholstery work; oil change and lubrication; painting; the service and sales; or installation of car radios, car alarms, stereo equipment.
																								\$7.09.04

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS															CODE REFERENCE	DEFINITION							
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1		AP2	RC	TCBD	TCBD-H	TMU	TMU-H	
Automobile/Vehicle Sales & Rentals													P											The use of any building, land area or other premises or portion thereof, for the display, sale, lease or rental of new or used automobiles (vehicles), panel trucks or vans, trailers or recreational vehicles (motor homes, campers, boats, golf carts, motorcycles, etc.) and including any warranty repair work and other repair service conducted as an accessory use.
Car Wash/Detailing											S	P	P											\$7.09.04 Establishment providing full or self-service washing and/or detailing of motor vehicles and domestic equipment.
Gasoline (Fuel) Service Station												P	P	P			C							Establishment selling automatable fuels (diesel, gasoline, ethanol, etc.) comprised of gas or fuel pumps, overhead canopy and attendant shelter or convenience store.
Heavy Vehicle/Equipment Service/Repair													P	P		S								Any building, structure, improvement or land used for the repair and maintenance of heavy vehicles (tractor-trailers, semi-trucks and the like), recreational vehicles (motorhomes, campers, boats, etc.) and equipment.
Parts & Accessory Sales												P	P	A										Establishment selling automotive parts and accessories. This may be considered ancillary to another principal use.
Towing Services													SE	P										Establishment offering towing services (long-distance or local) for light or heavy motor vehicles. Establishments may provide incidental services such as storage and emergency road repair services.
RETAIL SALES AND SERVICE																								
Auction House													P	P										Establishment for the purpose of buying or selling goods and services by offering them for bid, taking bids, and selling to the highest bidder.
Big Box, Large Retail, etc.												P	P											A singular retailer who occupies no less than 25,000 square feet of gross floor area, typically requiring high parking ratios and has a regional sales market. Regional retail sales can include, but are not limited to, membership warehouse clubs that emphasize bulk sales directly to the consumer, grocery stores, and department stores.

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H
Convenience Store										S	P	P	P							S	C	C		A small retail establishment that offers for sale convenience goods such as prepackaged food items, tobacco products, periodicals, and other household goods. May be ancillary to another use, such as a gasoline (fuel) service station, or standalone such as a neighborhood corner store.
Flea Market (Indoor/Enclosed)												C	C	S										\$7.09.12 Indoor commercial activity, not including shopping centers or individual retail operations or sales conducted by a non-profit or charitable organization, that is open to the public and composed of 5 or more semi-enclosed or indoor stalls, rooms, stands or spaces used for the purpose of display and sale, exchange or barter of merchandise.
Flea Market (Outdoor/Open)																								\$7.09.12 Outdoor commercial activity, not including shopping centers or individual retail operations or sales conducted by a non-profit or charitable organization, that is open to the public and composed of 5 or more outdoor stalls, rooms, stands or spaces to be used for the purpose of display and sale, exchange or barter of merchandise.
General Retail Sales											P	P	C						P	S	S			Sale of goods to the general public and institutions for professional, personal and household consumption. After sale services may be provided (repair and installation services incidental to the sale of goods). This definition does not include automobiles sales, big box/large retail, convenience stores, or other retail sales defined and regulated herein.
Greenhouse													C	C										Indoor/enclosed establishment for the propagation, processing and storage of plants produced for wholesale or retail sales. Uses include growing beds, hoop houses, vertical farming and hydroponic systems. This use does not include nurseries, outdoor gardens or grow beds, tree farms, or other outdoor farming activities.
Landscape Supply/Garden Center											A	C	P	A										Establishment licensed for the retail sale of landscape materials and garden supplies, such as but not limited to, landscape stones, gravel, mulch, potted plants and trees, and the like. This use may be accessory to another retail use.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS															CODE REFERENCE	DEFINITION							
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	RESERVED			AP1	AP2	RC	TC8D	TC8D-H	TMU	TMU-H
Mobile/Temporary Sales										T	T	T	T	T				T		T	T	T	Ch. 120 & 121, Code of Ordinances	The selling or business of selling food or other items from a mobile vending vehicle, cart or stand from which items are sold to the general public; and temporary or seasonal tent sales. All sales shall be in accordance with applicable city codes and regulations.
Pawnshop												S	P										Establishment run by a licensed pawn broker (as defined in FS 539.01) where money is lent in exchange for personal property that can be sold if the loan is not repaid in sufficient time.	
Shopping Center												P	C										A group of 3 or more commercial business establishments within a single architectural plan with common ownership of property or cooperative or condominium ownership.	
FINANCIAL, BUSINESS AND PROFESSIONAL																								
Financial Services (Bank)											P	P	P	P							S		A licensed establishment subject to national and/or international banking regulations, providing financial services including bank cashing, accepting deposits, lending and safeguarding of money or other valuable items.	
Financial Services (Commercial Lender, Non-Bank)												P	P	P									Commercial establishment without a full banking license and not subject to national/international banking regulations, providing financial services, including lending.	
Office (Professional/Corporate)											P	P		C	A					P	P	P	Offices for members of a recognized profession maintained for the conduct of that profession (e.g. law offices, corporate company offices) that do not require the use of fleet vehicles and/or material or equipment storage.	
Office (Trades/Fleet)													P	P	S								The office of a business establishment utilizing light commercial or fleet vehicles, and/or requiring material or equipment storage, to provide off-site/mobile services, including but not limited to, construction offices, pest-control, cable television/internet, plumbing, electrical, lawn care, mobile detailing, tree service.	

A licensed establishment subject to national and/or international banking regulations, providing financial services including bank cashing, accepting deposits, lending and safeguarding of money or other valuable items.

Commercial establishment without a full banking license and not subject to national/international banking regulations, providing financial services, including lending.

Offices for members of a recognized profession maintained for the conduct of that profession (e.g. law offices, corporate company offices) that do not require the use of fleet vehicles and/or material or equipment storage.

The office of a business establishment utilizing light commercial or fleet vehicles, and/or requiring material or equipment storage, to provide off-site/mobile services, including but not limited to, construction offices, pest-control, cable television/internet, plumbing, electrical, lawn care, mobile detailing, tree service.

USES	ZONING DISTRICTS														CODE REFERENCE	DEFINITION										
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI			RESERVED	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H		
FOOD AND BEVERAGE																										
Brewery																P	P								\$7.09.03	Establishment primarily a brewery, producing 405,000 US Gallons (15,000 barrels) of beer per year. Breweries may sell to the public through wholesalers, retailers and directly to the consumer, but do not provide retail carry-out sales or consumption of the product on the premises, outside of tasting rooms.
Brewery (Regional/Small)												P	P	P							S				\$7.09.03	Establishment, primarily a brewery, producing less than 405,000 US Gallons (15,000 barrels) of beer per year. Breweries may sell to the public through wholesalers, retailers, and directly to the consumer by offering tasting rooms, onsite consumption and retail carry-out. Regional/small breweries may include a restaurant or other food services.
Craft Distillery												C	P	P											\$7.09.03	In accordance with chapter 565, Florida Statutes, a craft distillery shall mean a licensed distillery in the state which distills, rectifies or blends 250,000 gallons or less of distilled spirits. Craft distilleries may sell directly to consumers up to 75,000 gallons per calendar year of branded products that are manufactured on its premises. Craft distilleries may sell directly to the consumer for on-site consumption or retail carry out only in the distillery's souvenir gift shop or tasting room.
Distillery														P	P										\$7.09.03	In accordance with chapter 565, Florida Statutes, a distillery shall mean a licensed distillery in the state which distills, rectifies or blends distilled spirits and which does not otherwise meet the requirements for a Craft Distillery.
Drinking Establishment, Bar, Tavern												S	S	P							S	S	S		\$7.09.03	Establishment serving alcoholic beverages for on-premises consumption in conjunction with or without a form of entertainment, or any establishment selling alcoholic beverages to be called for or taken out by customers, or to be delivered. A food service establishment which derives at least 51% of its gross revenue from the sale of food and non-alcoholic beverages shall not be considered a bar, tavern or other drinking establishment.

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION									
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	L	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H			
Liquor Store											S	S	S												\$7.09.03	Retail establishment licensed to sell beer, wine and liquor, and/or beverages containing more than 14% alcohol by weight, for off-premises consumption.	
Restaurant (Café)											S	P	P	P			SE				P	P	P	P		A small restaurant establishment serving or selling food, baked goods, and/or beverages prepared on and/or off the premises, for immediate consumption on or off site, typically utilizing existing buildings or spaces less than 2500 square feet. This definition includes, but is not limited to, cafés, coffee shops, bakeries, boutique restaurants, and the like. Restaurants utilizing drive-thru facilities are regulated separately.	
Restaurant (Drive-Thru Service)												S	P	P												Establishment serving or selling food and beverages prepared on the premises for immediate consumption on or off site, utilizing a drive-thru facility allowing customers in vehicles to transact business with persons inside the principal building.	
Restaurant (Full Service)												S	S	P	P		SE				P	S	S	S		Establishment serving or selling food and beverages prepared on the premises for immediate consumption on or off site. Restaurants utilizing drive-thru facilities are regulated separately.	
PERSONAL SERVICES																											
Adult (Regulated Uses)																										\$7.09.02	Uses, including adult arcades, adult book stores, adult dancing establishments, adult entertainment, adult theaters, and/or adult massage establishments.
Barbershop/Salon												P	P	P							P	P	P	P		Commercial establishment, wherein cosmetology and/or barber services are offered or practices by a licensed professional on a regular basis; may include training of apprentices under regulation of a board.	
Laundromat, Dry-Cleaner													P	P	P						C					Establishment providing self-service laundry, or dry-cleaning services, directly to the public with on-premises pick-up.	
Laundry/Dry-Cleaning Plant																						P	P				Establishment providing laundry/dry-cleaning services at a mass scale to the public with pick-up and drop-off locations off-site.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H
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 non-prescription 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 section 381.986, Florida Statutes, and is authorized by the State of Florida 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 defined herein.
PET/ANIMAL-ORIENTED																								
Kennel											A	C	C	P										Establishment where the primary use is for the long-term keeping of 5 or more domestic dogs and/or 10 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 care services, grooming and accessory retail sales for a period not to exceed 24 hours. Outdoor areas are prohibited.
Pet Care Services (Indoor/Outdoor)											C	C	C	P										Establishment providing individual and personal functions, including pet care services, training, grooming accessory retail sales and accessory overnight boarding services. Outdoor play areas may be permitted.

USES	ZONING DISTRICTS														CODE REFERENCE		DEFINITION								
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1		AP2	RC	TCBD	TCBD-H	TMU	TMU-H		
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.
HEALTH, 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, etc.)
Child Day Care Services/Pre-School										P	S	C									S	S	S	\$7.09.08	Establishment providing custodial, educational or development 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		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 building.

Page 96 of 193

12

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION							
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	L	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H	
ARTS, ENTERTAINMENT, RECREATION AND OPEN SPACE																									
Museum											P	P	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	S		Establishments for the enactment of live performances. <i>This definition specifically excludes adult (regulated) uses such as adult theaters.</i>
Studio												P	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. <i>This definition specifically excludes adult (regulated) uses such as adult theaters.</i>
Fitness Center, Gym, etc.											S	P	P	P						P	S	S	S		Establishment offering memberships to the general public for use of exercise equipment, rooms, classes or 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, etc.
Private Club/Recreation Facility	SE	SE	SE	SE	SE	SE	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. <i>This definition does not include commercial rec centers or gyms without memberships.</i>
Sport Shooting Range (Indoor)												C	C	C	C										An indoor/enclosed, specialized facility designed and licensed for practicing, training and educational use of firearms and archery, including target practices and competitions.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS														CODE REFERENCE	DEFINITION									
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI			RESERVED	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H	
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 distribution to pharmacies and other retail outlets, excluding a retail pharmacy component.
Heavy Industry/Manufacturing																									Uses engaged in the basic processing and manufacturing 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 or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. This term includes the manufacture and compounding of raw materials and activities or processes necessitating the storage or 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, fiber-optic cables, electron tubes, circuit boards, capacitors, etc.) and machinery utilized for the manufacturing of such goods.
Laboratory (Testing)															S	P	P								Establishment for the 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.

Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS																CODE REFERENCE	DEFINITION						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED	AP1			AP2	RC	TCBD	TCBD-H	TMU	TMU-H
Mini-Warehouse/Self-Storage												S	P	C										Establishment consisting of separate storage or warehouse units (generally less than 430 square feet each) used for the storage of personal property and leased to the general public.
Outdoor Storage												A	A	A										The storage, collection or display for 3 or more consecutive days, of any products, materials, equipment, appliances and/or personal property of any kind, or materials that are a byproduct of a permitted use, on an unenclosed and/or uncovered area. This definition shall include material lay down areas/yards.
Recreational Vehicle Storage												C	C	C										Area or facility used for the temporary storage of recreational vehicles including, but not limited to, boats, motorhomes, camping trailers, truck campers and other equipment. Recreational vehicles stored onsite shall be operable and/or in working condition. This definition shall not be construed to include the storage of recreational vehicles or any type of vehicle, which is dilapidated, inoperable or otherwise determined to be in a deteriorated state; nor shall this definition include similar uses to a junkyard.
Tank Farm																								Area or facility used for the storage of petroleum products prior to distribution to consumers and retail facilities. This definition excludes oil deposit and installation of oil terminals.
Warehouse												P	P	P										Establishment for the storing, distributing and shipping of goods within a completely enclosed structure. A range of services may be provided, such as labeling, break bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marketing and ticketing, and transportation arrangements.
Wholesale Distribution												S	S	S										Establishment operating from a warehouse building, specializing in the distribution of bulk products to retailers; industrial, commercial, institutional or other professional users; or directly to the consumer.



Table 2.02.01 | Ord. 1431-21

USES	ZONING DISTRICTS														CODE REFERENCE	DEFINITION									
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	U	RESERVED		AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H		
TRANSPORTATION RELATED																									
Airport Related Services															S		P	P						Ord. 1358-18	Uses related directly and indirectly to the airport. Uses may include those relating to take-off and landing, maintenance facilities for aircraft, transit terminals and other related services.
Commercial Parking Structure											S	S	S	S	S						S	S	S		Any area of land or any building or part thereof intended for the lawful parking of motor vehicles, generally for a fee, which is available to the public and/or private use as an accommodation for tenants, employees, clients or customers.
Freight Transportation Services															P	P		P							Establishments providing transportation services for general freight via ground, air or rail transportation. These establishments may provide local pick-up, local sorting and terminal operations, line-haul, destination sorting, and terminal operations, and local delivery.
Transit Center											S	P	P	P	S						S	S	S		Local and suburban ground passenger transit system utilizing more than one mode of transportation over regular routes and on regular schedules.

ORDINANCE NO. 1453-23

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY’S ZONING MAP DESIGNATION FROM OP (OFFICE PROFESSIONAL) TO C-3 (GENERAL COMMERCIAL) FOR APPROXIMATELY 10.0 ACRES OF REAL PROPERTY LOCATED AT 39735 CHANCEY ROAD AND HAVING PARCEL NUMBER 24-26-21-0000-00100-0050 ; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council has been given authority by the State of Florida pursuant to Chapters 163 and 166, Florida Statutes, to rezone property within the City limits upon receipt of written consent of the landowner, together with approval of the City Council of said rezoning duly expressed by Ordinance; and

WHEREAS, the City Council gave due public notice of hearings on the proposed rezoning as required by the Zephyrhills Land Development Code, as amended, and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency, did hold public hearing on the 18th day of October, 2022 to consider the proposed rezoning and has recommended approval; and

WHEREAS, the City Council has determined that the C-3 zoning category is consistent with the assigned Future Land Use Classification of MU (Mixed Use) as established in the adopted Comprehensive Plan and would promote the general welfare of the public and would encourage proper development within the City; and

WHEREAS, the zoning amendment is consistent with the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, the City Council desires to hereby formally adopt the amendment to the City’s Zoning Map.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. Recitals.

The Whereas Clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

Section 2. Authority.

This Ordinance is enacted pursuant to Chapter 163, Florida Statutes, and under the home rule powers of the City.

Section 3. Amendment.

The following described lands, lying and being situated in the City of Zephyrhills, to wit:

Physical Address: 39735 Chancey Road, Zephyrhills, FL 33542

Parcel /Tax ID Number: 24-26-21-0000-00100-0050

Legal description: See Exhibit “A”

Assessed in Section 24, Township 26 South, Range 21 East of Pasco County Florida, and being 10.0 Acres, MORE OR LESS.

The Zoning Designation is hereby rezoned from OP to C-3 and is included within the boundaries of the City of Zephyrhills, FL.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date.

This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1453-23 was read and passed on the first reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of December, 2022.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1453-23 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 9th day of January, 2023.

Attest: _____
Lori L. Hillman, City Clerk Jodi Wilkeson, Council President

The foregoing Ordinance No. 1453-23 was approved by me this 9th day of January, 2023.

Gene Whitfield, Mayor

Approved as to legal form and legal content

Matthew E. Maggard, City Attorney

EXHIBIT "A"

For a point of Reference commence at the Northeast corner of the west 1/2 of the Northeast 1/4 of Section 24, Township 26 South, Range 21 East, Pasco County, Florida. Thence S. W16'02" W., along the East boundary thereof, a distance of 1272.50 feet for a POINT OF BEGINNING; Thence continue G. 00'16'02" W., along said East boundary, a distance of 663.44 feet to the Northerly Right-of-Way line of Zephyrhills Bypass East; Thence along said Right-of-Way line and along the arc of a curve to the left a distance of 316.01 feet (said curve having a radius of 11,519.16 feet, delta of 34'19", and a chord bearing and distance of S. 84°26'57" W., 316.00 feet); Thence N. 06°20'11" W., a distance of 10.00 feet; Thence S. 83°13'49" W., a distance of 60.37 feet; Thence S. 08°38'11" E., a distance of 10.00 feet; Thence along the arc of a curve to the left a distance of 256.44 feet (said curve having a radius of 11,519.16 feet, delta of 01°46'32", and a chord bearing and distance of S. 82°43'33" W., 256.44 feet); Thence leaving said Northerly Right-of-Way line, N. 00°17'43" E., a distance of 730.93 feet; Thence N. 89°47'04" E., parallel with the North boundary of said Section 24, a distance of 628.15 feet to the Point of Beginning.

Church Property Reverter Clause:

And further to have and to hold said tract or parcel of land, with the appurtenances, estate, title and interest thereto, belonging to AGAPE BAPTIST CHURCH OF ZEPHYRHILLS, INC., a nonprofit corporation, its successors and assigns, forever, for the use and benefit of those of the membership, even though they may be a minority, who adhere to, maintain and propagate the doctrines, faith and practices of the missionary Baptist churches which cooperate with the Florida Baptist Convention and the Southern Baptist Convention; and failure or refusal of the membership of said church, even though they may be a majority, to adhere to, maintain and propagate the doctrines, faith and practices of missionary Baptist churches and to cooperate with the Florida Baptist Convention and the Southern Baptist Convention shall constitute such a deviation from the accepted usage, practices and beliefs of Baptists, that said majority shall no longer constitute the true congregation of said church, the title to the property hereinabove described shall vest in, and be held for, the use and benefit of the majority who do adhere to, maintain and propagate the doctrines, faith and practices of the members of missionary Baptist churches which cooperate with the Florida Baptist Convention and the Southern Baptist Convention; and, in the event the entire membership of the AGAPE BAPTIST CHURCH OF ZEPHYRHILLS, INC. should fail or refuse to follow, or should renounce the doctrines, faith and practices of members of Baptist churches which cooperate with said Conventions, then the title to the above described property shall revert to and become vested in FLORIDA BAPTIST CONVENTION, or its successor, to be used for church and mission purposes.

PLANNING DIRECTOR'S REPORT 4.1

ACME Development Corp. - Chancey Road / SR-39 Petition Annexation, Future Land Use
Amendment and Rezoning

Issue:

See attached staff report

Background:

See attached Staff report

Attachment(s):

1. 1. ANX, FLU, RZ Application Zhills Hwy 39 5.27.22
2. Zhills Hwy 39 PUD Master Plan REV .2022.08.08
3. Acme Dev Anex- FLU Zoning staff report
4. Chancey Road PUD Narrative and Justification 8.9.22
5. Response Letters
6. Industrial Plan Exec Summary
7. Gagne - Letter of Support

Fiscal Impact:

See attached Staff report

Staff Recommendation:

SPRC & Planning Commission recommended Denial.



City of Zephyrhills

Planning Department
5335 8th Street | Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0006

PETITION – SIMULTANEOUS REVIEW

Annexation | Future Land Use Map Amendment(s) | Rezoning

This process is intended to ensure that requests meet the requirements of the City of Zephyrhills Land Development Code and adopted Comprehensive Plan pertaining to Annexations, Future Land Use Map amendments, and Zoning map amendments.

PLEASE NOTE: Site development/amendment plans, commercial checks, and other processes, permits, authorizations and fees may be applicable after the approval of a comprehensive plan amendment.

Procedure

Pre-application Meetings: Pre-application meetings are required prior to submitting this petition. To set up a pre-application meeting, please call the Planning Department at 813-780-0006. Petitions will not be accepted without a meeting.

Petition Submission: The deadline to submit petitions is the last business day of the month at 4:00 PM. Incomplete petitions will not be accepted unless written permission is received from the Planning Director or City Manager. Petitions received after the filing deadline will be held until the next Site Plan Review cycle unless written permission is received from the Planning Director or City Manager.

Site Plan Review Committee Meeting: Complete petitions filed at or before the deadline will be scheduled for review by the Site Plan Review Committee (SPRC). The SPRC will provide a recommendation or deny forwarding the petition to the Planning Commission. The SPRC meets regularly on the third (3rd) Tuesday of the month at 9:30 AM. An authorized representative must be in attendance for this meeting.

Planning Commission: Planning Commission meetings are held the 3rd Tuesday of the month at 6:00 PM. The Planning Department will give due public notice that a public hearing will be held by the Planning Commission to consider the petition request. Owners of property within 200 feet of the subject site will be notified of the request and invited to comment. The Petitioner, and/or his authorized representative(s) shall appear at the Planning Commission meeting. The Petitioner should be prepared to address the guidelines and standards for the petition. After considering the request, recommendation of the SPRC, and comments by the petitioner and public, the Planning Commission will make a recommendation to City Council to approve the petition as presented, approve the petition with conditions, or deny the request.

City Council: The recommendations of the Planning Commission and SPRC will be forwarded to the City Council. Staff will give a planning report where City Council will consider the recommendations of the Planning Commission and SPRC, and review the request. The City Council may then recommend that the City Attorney prepare an Ordinance for first reading and public hearing.

If the petition is for a large scale amendment (over 10 acres), the future land use petition, supporting documentation and ordinance will be forwarded to the Department of Economic Opportunity (DEO) and other applicable agencies for review and comment prior to adoption.

If the petition is for a small-scale amendment (under 10 acres), the ordinance will be scheduled for second reading and adoption at the next available City Council Meeting.

The City Council may vote to deny or approve the ordinance(s). City Council may impose conditions in addition to those of the Planning Commission.

Application Checklist

All required materials listed below shall be submitted in unison as one complete package. The City of Zephyrhills reserves the right to refuse incomplete applications and will not accept partial applications to meet filing deadline requests unless written approval is received from the Planning Director or City Manager prior to submittal.

REQUIRED MATERIALS

One (1) hard copy and (1) electronic copy, provided on a CD/DVD or flashdrive, or via a Dropbox or similar link, of the following information is required:

- ☐ **Petition Form, Permission to reproduce and applicable Agent Authorizations**
- ☐ **Petition Fees**
PLEASE NOTE: For in-unison applications, multiple fees will be assessed.
- ☐ **Proof of Ownership**
- ☐ **Boundary Survey and Legal Description**
- ☐ **Surrounding Property Owners List and Envelopes**

For the purpose of public notice, petitioners are required to provide the following:

- (1) A list of properties within a 200-foot radius of the subject property with the property address, parcel identification number, and owner's name and mailing address.
- (2) Stamped envelopes address to the property owners.

- ☐ **Environmental Report**
To include an inventory of all Federal and State listed plant and animal species on the property.
- ☐ **Historic and Archaeological Resources Report**
To include a map and inventory of all properties that may be impacted by the proposed project.
- ☐ **Justification Report**

(1) Analysis for Compliance

- Consistency with the Comprehensive Plan
- Consistency with FL Statute Ch. 177
- Consistency with the Land Development Code and City Ordinances
- Surrounding Future Land Use and Zoning Analysis
- Local Development Pattern: must show that the proposed amendment(s) will allow for logical and orderly development
- Premature Development: must show that the proposed amendment(s) will not create premature development.

(2) Suitability Analysis – data and analysis to support the project's suitability/compatibility relative to the site, adjacent uses, and public facilities (including water, sewer, fire, police, schools, and EMS).

(3) Residential Impact Statement

(4) Traffic Study – Please see the city's Land Development Code, Article VII, Part 7.03.00, Section 7.03.01

(5) Utility Report – based on existing and proposed water/sewer capacity analysis.

(6) Map Series

- Recent aerial photograph of the site and surrounding area showing boundaries, source and date;
- Location map;
- Existing Future Land Use and Zoning maps;
- Proposed Future Land Use and Zoning maps;
- Natural Resource maps – soils, flood zones, aquifer recharge, wetlands, biological hotspots, etc.;
- Transportation maps.



City of Zephyrhills
Planning Department
5335 8th Street | Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0006

OFFICE USE ONLY

File No. _____

Submittal Date _____

Project Name _____

PETITION – SIMULTANEOUS REVIEW

Annexation | Future Land Use Map Amendment(s) | Rezoning

PROJECT INFORMATION

PETITION TYPE: ☐ Annexation ☐ Future Land Use Map Amendment ☐ Rezoning
Mark all that apply.

SUBJECT PROPERTY ADDRESS:

Northeast quadrant of SR 39 (Paul S. Buchman Highway) and Chancey Road
South of Tucker Road and east of CSX Railroad

PARCEL ID NUMBER(S): 23-26-21-0020-00200-0000; 23-26-21-0020-00200-0010; 23-26-21-00200-01300-0020;
24-26-21-0010-03900-0010

ACREAGE/SQ. FOOTAGE: 110.32 **EXISTING FUTURE LAND USE:** Industrial

CURRENT LAND USE: Vacant **PROPOSED FUTURE LAND USE:** Mixed-Use

PROPOSED USE: Mixed-Use **EXISTING ZONING DESIGNATION:** Light Industrial

PROPOSED ZONING DESIGNATION: PUD

CONTACT INFORMATION

PROPERTY OWNER: Clyde A. Biston

FIRM: Acme Development Corporation

ADDRESS: PO Box 1299 Crystal Springs, FL 33524

PHONE NUMBER(S): _____ **EMAIL:** cab@crossenv.com

PETITIONER: Zhills HWY 39, LLC c/o Richard Sacchi

FIRM: Zhills HWY 39, LLC

ADDRESS: 1409 Tech Blvd. Suite 1, Tampa, FL 33619

PHONE NUMBER(S): 727-488-1718 **EMAIL:** rsacchi@ripaconstruction.com

AUTHORIZED AGENT*: Clarke Hobby, Esq. and Justyna Gale, FDC

FIRM: Florida Design Consultants

ADDRESS: 20525 Amberfield Drive Suite 201 Land O Lakes, FL 34638

PHONE NUMBER(S): 813-223-3338 and 727-849-7588 **EMAIL:** clarke.hobby@hobbylaw.net; jgale@fldesign.com

The Petitioner, as owner of the above described land does respectfully request the City of Zephyrhills to take all action necessary to process the COMPREHENSIVE PLAN/MAP AMENDMENT PETITION. The Petitioner, as owner and/or representative of the above described land agrees to pay all related costs associated with this petition, including but not limited to: advertisement fees and consultant review fees as well as future required development fees, permit fees, impact fees and other review process fees.

Submitted by (firm): Florida Design Consultants

Signature: J. Gale

Print Name: Justyna Gale

Date: 5/25/2022

Owner Signature: Clyde A. Biston

Print Name: Clyde A. Biston

Date: 5/26/2022



City of Zephyrhills
5335 8th Street | Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
(813) 780-0006

AFFIDAVIT

Power of Attorney

I, Clyde A. Biston certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief.

KNOW ALL MEN THAT I, Clyde A. Biston, do hereby constitute and appoint Clarke G. Hobby, Esq. my true and lawful attorney, to execute the foregoing instrument in my name, place, and stead this 26th day of May, 2022.

Clyde A. Biston
Signature of owner or authorized agent
5/26/2022
Date

Clyde A. Biston
Print or type name of person signing above

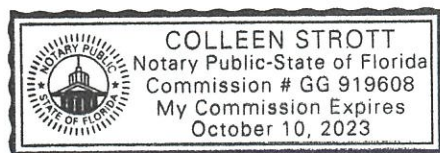
Acme Development
Name of owner/agent entity if a corporation, LLC, Partnership or Trust

President
Representative Capacity of person signing Affidavit:
President or Vice President of Corporation
Managing Member of LLC
General Partner
Trustee

STATE OF FLORIDA)

COUNTY OF PASCO)

The foregoing instrument was acknowledged before me this 26th day of May, 2022, by Clyde A. Biston who is personally known to me or who has produced as identification and who did not take an oath.



Colleen Strott
Notary Public
Colleen Strott
Print or type name

My Commission Expires Oct. 10, 2023



City of Zephyrhills
5335 8th Street | Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
(813) 780-0006

AFFIDAVIT

Permission to Reproduce

KNOW ALL MEN THAT I, Justyna Gale, Vice President of Planning (title), of the firm of Florida Design Consultants, do hereby grant the City of Zephyrhills permission to reproduce all or a portion of all plans, drawings, etc., submitted in connection with the foregoing petition.

J. Gale
Signature
Vice President of Planning
Title
5/25/2022
Date

STATE OF FLORIDA)

COUNTY OF PASCO)

The foregoing instrument was acknowledged before me this 27 day of May, 2022, by Justyna Gale, who is personally known to me or who has produced as identification and who did not take an oath.



Megan Russell-Bean
Notary Public
Megan Russell-Bean
Print or type name
My Commission Expires 12/12/2022



City of Zephyrhills
5335 8th Street | Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
(813) 780-0006

CONFIRMATION OF OWNERSHIP BY OWNER; AND Authorization for Agent or Petitioner, when a different entity

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of the record of property commonly known as See attached List of Parcel ID Numbers.
And legally described in Exhibit A attached hereto.

The property described herein is the subject of a land use application for development. We hereby designate Clarke G. Hobby, Esq. and Justyna Gale, FDC as the legal representative of the property in the course of seeking approval of this application. This representative will remain the only entity to authorize development activity until such time as a new or amended authorization is delivered to the city.

Clyde A. Biston
Owner Signature
Acme Development Corporation
Name of owner entity if a Corporation, LLC, Partnership, or Trust

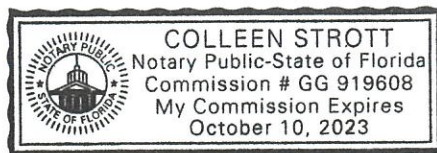
Clyde A. Biston
Printed Name

President
Representative Capacity of person signing:
President or Vice President of a Corporation
Managing Member of LLC
General Partner
Trustee
PO Box 1299 Crystal Springs FL 33524
Address of Owner

STATE OF FLORIDA)

COUNTY OF PASCO)

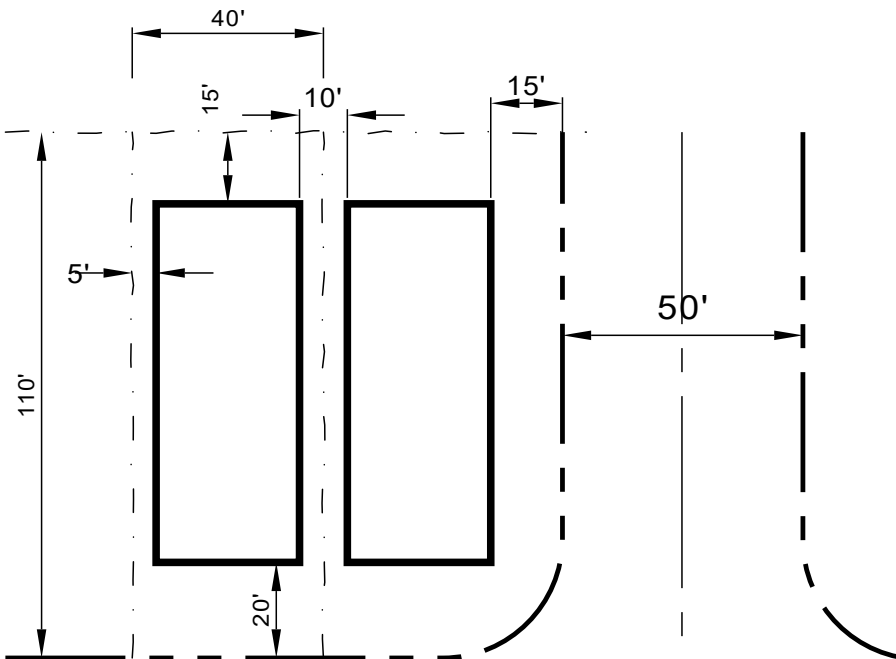
Sworn to (or affirmed) and subscribed before me this 26th day of May, 2022, by
Clyde A. Biston () who is personally known to me or
(capacity, if applicable)
produced _____ as identification.



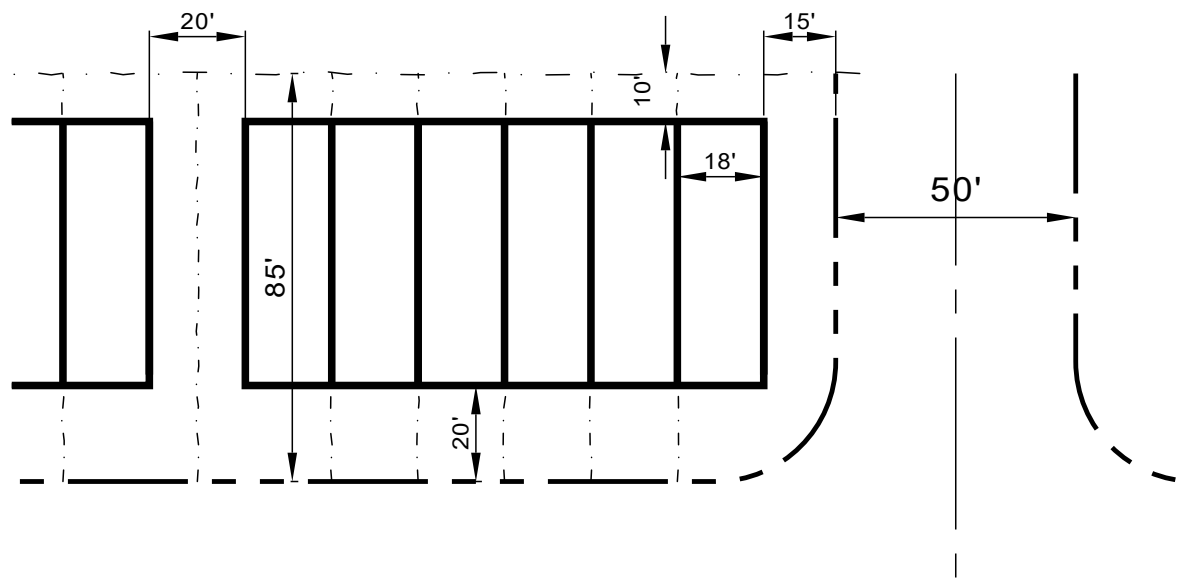
Colleen Strott
Notary Public
Notary Public - State of Florida
My Commission Expires Oct 10, 2023
Colleen Strott
Name typed, stamped or printed

NOTES

1. TIMING OF DEVELOPMENT: THE TIMING OF DEVELOPMENT FOR EACH PHASE OF THE PROJECT WILL BE ESTABLISHED BY THE DEVELOPER IN RESPONSE TO MARKET CONDITIONS AND PARCELS MAY BE DEVELOPED IN ANY ORDER AS DETERMINED BY THE DEVELOPER.
2. ENVIRONMENTAL: WETLAND INFORMATION WAS PROVIDED BY HORNER ENVIRONMENTAL PROFESSIONALS. THE SITE CONTAINS ± 3.94 AC. OF ESTIMATED WETLANDS, WITH ± 3.77 AC. OF ESTIMATED PRESERVED WETLANDS SHOWN ON THE PRELIMINARY DEVELOPMENT PLAN, WITH ± 0.17 AC. OF PROPOSED WETLAND IMPACTS.
3. WATER AND WASTEWATER UTILITIES: TO BE PROVIDED BY PASCO COUNTY AND CITY OF ZEPHYRHILLS.
4. PROVISION FOR MAINTENANCE OF COMMON AREAS: THE DEVELOPER SHALL ESTABLISH LEGAL ENTITIES FOR THE MAINTENANCE OF COMMON AREAS WITHIN THE PROJECT.
5. INTERIM USES: AGRICULTURAL USES ARE ALLOWED ON THE SITE PRIOR TO CONSTRUCTION AND UNTIL THE SITE IS DEVELOPED.
6. PEDESTRIAN/BICYCLE CONNECTIVITY: SIDEWALKS AND MULTI-USE TRAIL CONNECTIVITY SHALL BE PROVIDED AS DEPICTED ON THE PRELIMINARY DEVELOPMENT PLAN. SIDEWALKS AND MULTI-USE PATHS INTERNAL TO THE PROJECT SHALL BE IN COMPLIANCE WITH LDC REQUIREMENTS.
7. NEIGHBORHOOD PARKS: THERE SHALL BE 7.50 ACRES OF NEIGHBORHOOD PARK PROVIDED FOR THE DEVELOPMENT AS DEPICTED ON THE PRELIMINARY DEVELOPMENT PLAN. RECREATION SITE DEVELOPMENT STANDARDS SHALL BE IN ACCORDANCE WITH THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE AND THE PARK IMPACT FEE ORDINANCE AS AMENDED.
8. ACCESS POINTS: THE ACCESS POINTS SHOWN ON THE PRELIMINARY DEVELOPMENT PLAN ARE CONCEPTUAL ONLY. PERMANENT PLACEMENT OF EACH ACCESS POINT SHALL BE DETERMINED AT THE TIME OF REVIEW WITH THE CORRESPONDING FINAL DEVELOPMENT PLAN AND SHALL MEET ESTABLISHED ACCESS-MANAGEMENT CRITERIA.
9. LANDSCAPE BUFFERS: ALL LANDSCAPE BUFFERS SHALL BE PROVIDED AS SHOWN ON THE PRELIMINARY DEVELOPMENT PLAN. DETAILED LANDSCAPE BUFFERS AND FENCING SHALL BE SHOWN ON THE FINAL DEVELOPMENT PLAN.
10. SIGNAGE: ENTRY FEATURES AND SIGNAGE SHALL BE SHOWN ON FINAL DEVELOPMENT PLAN.
11. LIGHTING: STREET LIGHTS SHALL BE OPERATED AND MAINTAINED BY A STREET LIGHTING DISTRICT OR HOMEOWNER'S ASSOCIATION.
12. ACREAGES ARE APPROXIMATE AND SUBJECT TO CHANGE DURING FINAL DEVELOPMENT REVIEW.
13. THE LOT LAYOUT SHOWN ON THIS MASTER PLAN IS CONCEPTUAL AND SINGLE FAMILY ATTACHED AND DETACHED USES ARE INTERCHANGEABLE WITHIN THE LIMITS OF THE PUD.



TYPICAL SINGLE FAMILY LAYOUT
40' MINIMUM WIDTH X 115' MINIMUM DEPTH
NOT TO SCALE



TYPICAL TOWNHOME LAYOUT
4,6 & 8 UNIT BUILDINGS, 35' MAXIMUM HEIGHT
NOT TO SCALE

DEVELOPMENT STANDARDS

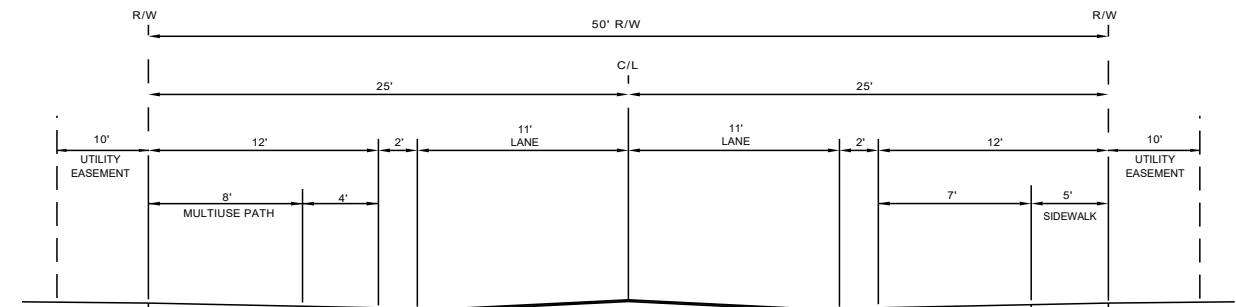
DESCRIPTION	MIN. LOT WIDTH	MIN. LOT SIZE	YARD SETBACKS				MIN. BUILDING SEPARATION	MAX. HEIGHT
			FRONT	SIDE	CORNER SIDE	REAR		
SINGLE FAMILY DETACHED	40'	4,600	20'	5'	15'	10'	10'	35'
SINGLE FAMILY ATTACHED-TOWNHOMES	18'	1,530	20'	10'	15'	10'	20'	35'
MULTI-FAMILY*	N/A	N/A	20'	N/A	N/A	20'	20'	52'
COMMERCIAL*	N/A	N/A	20'	N/A	N/A	20'	N/A	35'

NOTE: * FRONT AND REAR SETBACKS ARE FROM THE PROPERTY LINE OR RIGHT-OF-WAY

LAND USE SUMMARY

PROPOSED USE	SQUARE FOOTAGE (SF)	DWELLING UNITS (DU)
COMMERCIAL	30,000	
MULTI-FAMILY		450
SINGLE FAMILY ATTACHED-TOWNHOMES		110
SINGLE FAMILY DETACHED		200
TOTAL	30,000	760

NOTE: SINGLE FAMILY ATTACHED AND DETACHED ARE INTERCHANGEABLE WITHIN MAXIMUM DU LIMITS.



TYPICAL ROADWAY CROSS-SECTION 50' ROW
NOT TO SCALE

SITE DATA

DESCRIPTION	±Ac.
TOTAL SITE AREA	110.32
SINGLE FAMILY DETACHED AND ATTACHED	42.87
MULTI-FAMILY	24.75
COMMERCIAL	6.00
STORMWATER PONDS	11.89
ESTIMATED CONSERVED WETLANDS	3.77
PARKS	7.60
OTHER OPEN SPACE	13.44
TOTAL	110.32

FUTURE LAND USE - EXISTING:
INDUSTRIAL
EXISTING ZONING: **LIGHT INDUSTRIAL**

FUTURE LAND USE - PROPOSED:
MIXED USE
PROPOSED ZONING: **PUD**

LEGEND

- SINGLE FAMILY DETACHED
- 40'S
- 50'S
- SINGLE FAMILY ATTACHED-TOWNHOMES
- MULTI-FAMILY
- COMMERCIAL
- PONDS/FLOODPLAIN/WETLAND MITIGATION
- PARKS
- LANDSCAPE BUFFER
- OPEN SPACE
- 8' MULTI-USE PATH
- 5' SIDEWALK
- ESTIMATED WETLAND
- PROPOSED WETLAND IMPACT
- ACCESS POINT
- INTERNAL CROSS-ACCESS POINT
- EMERGENCY ACCESS
- INDUSTRIAL** FUTURE LAND USE
- LI** EXISTING ZONING

DRAWING INDEX

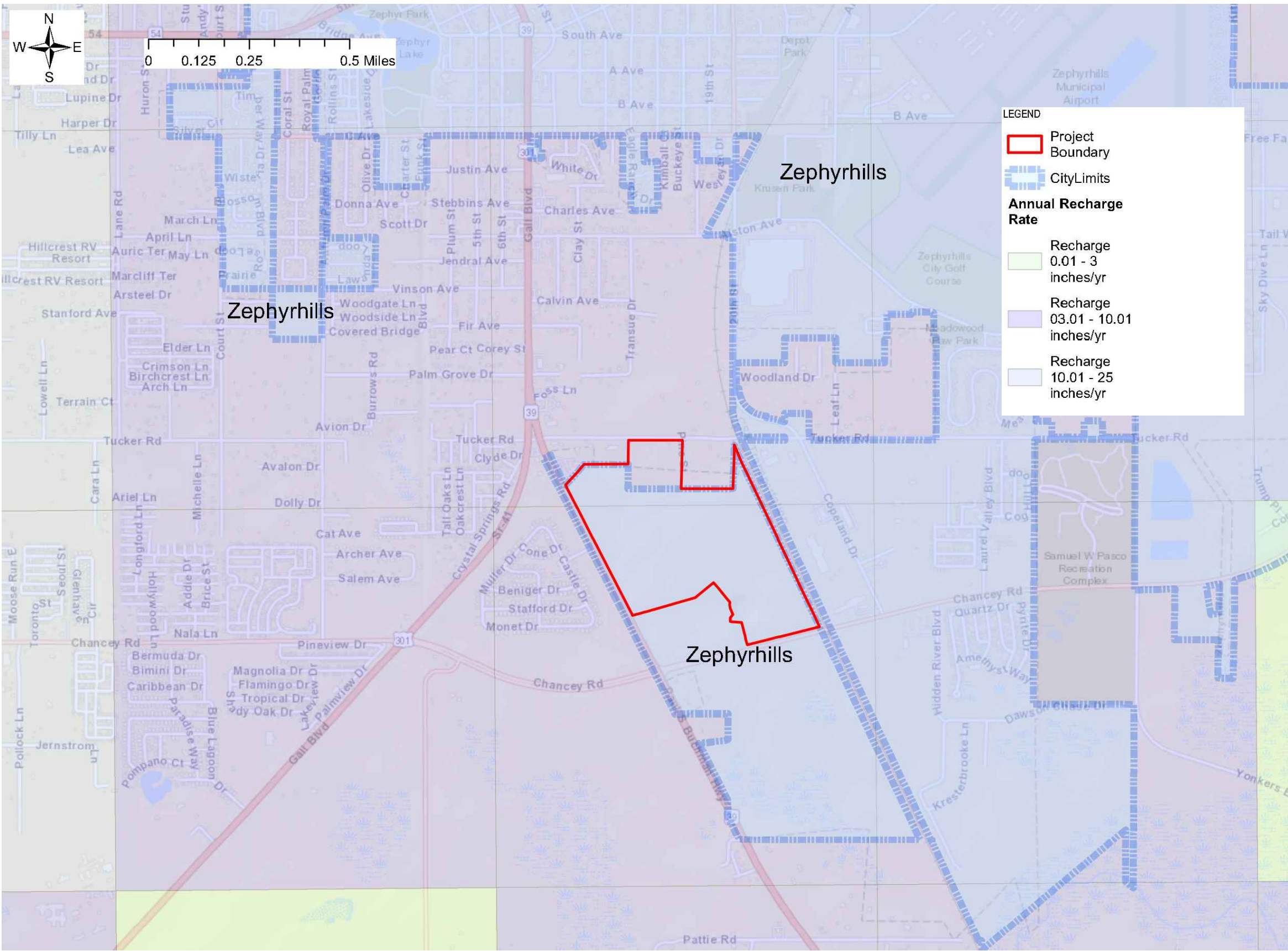
PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



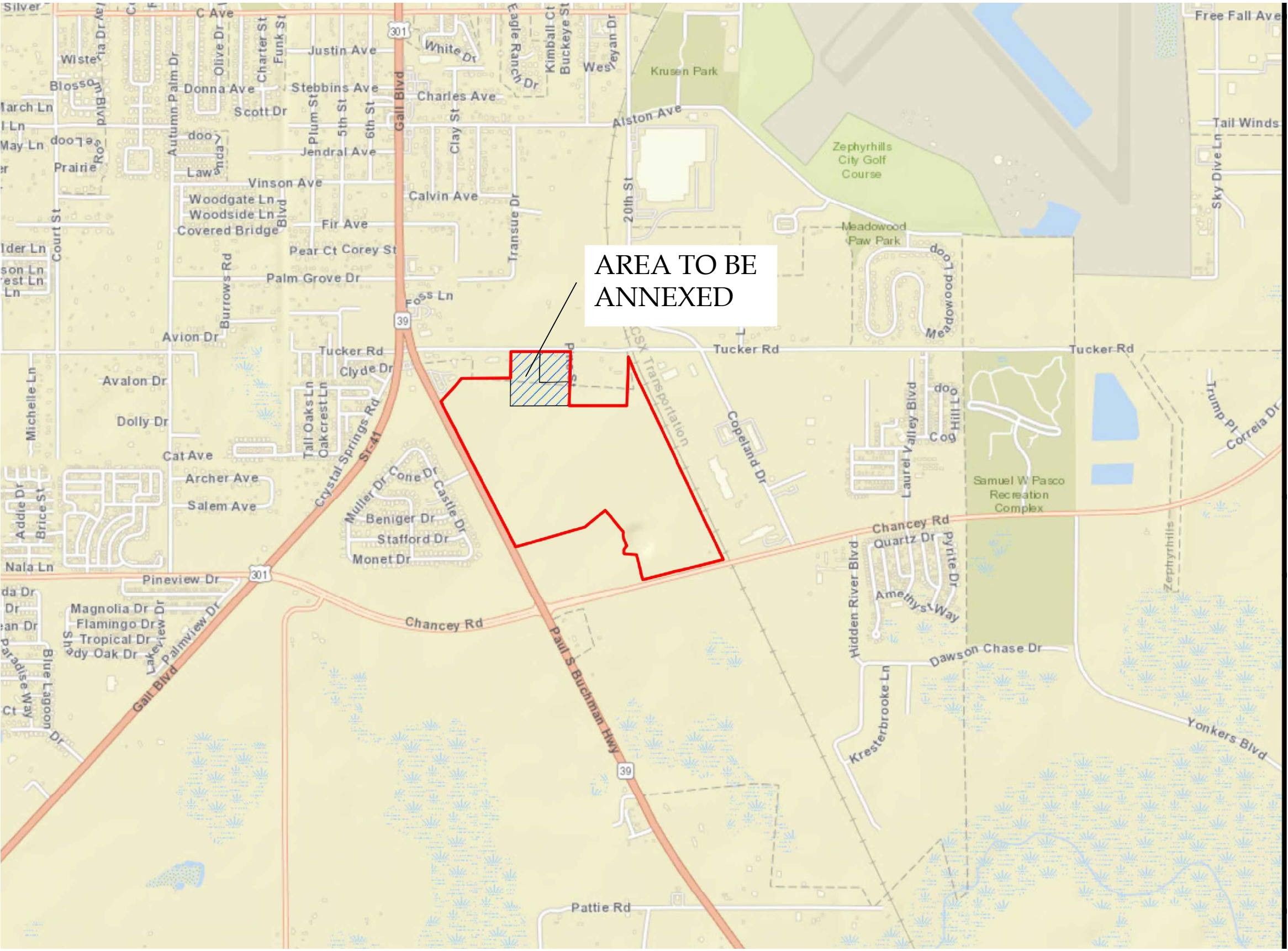
FLORIDA DESIGN CONSULTANTS, INC.
— THINK IT. ACHIEVE IT. —

20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 849 - 7588 FAX: (727) 848 - 3648 WWW.FLDESIGN.COM

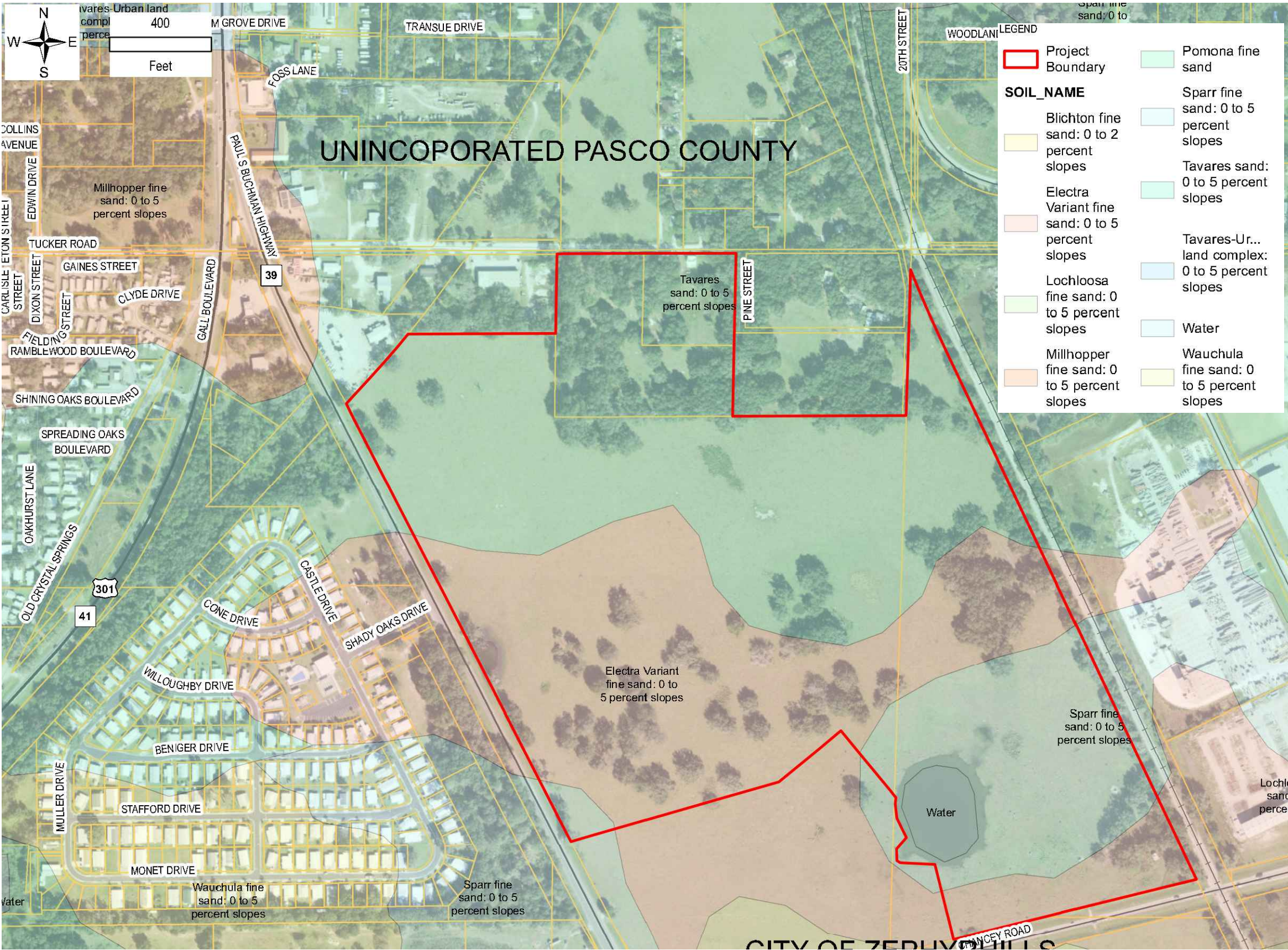
CREATION DATE:	REVISED DATE:	DRAWN BY:	SHEET NUMBER:
05/25/2022	08/08/2022	BRK	1 OF 7



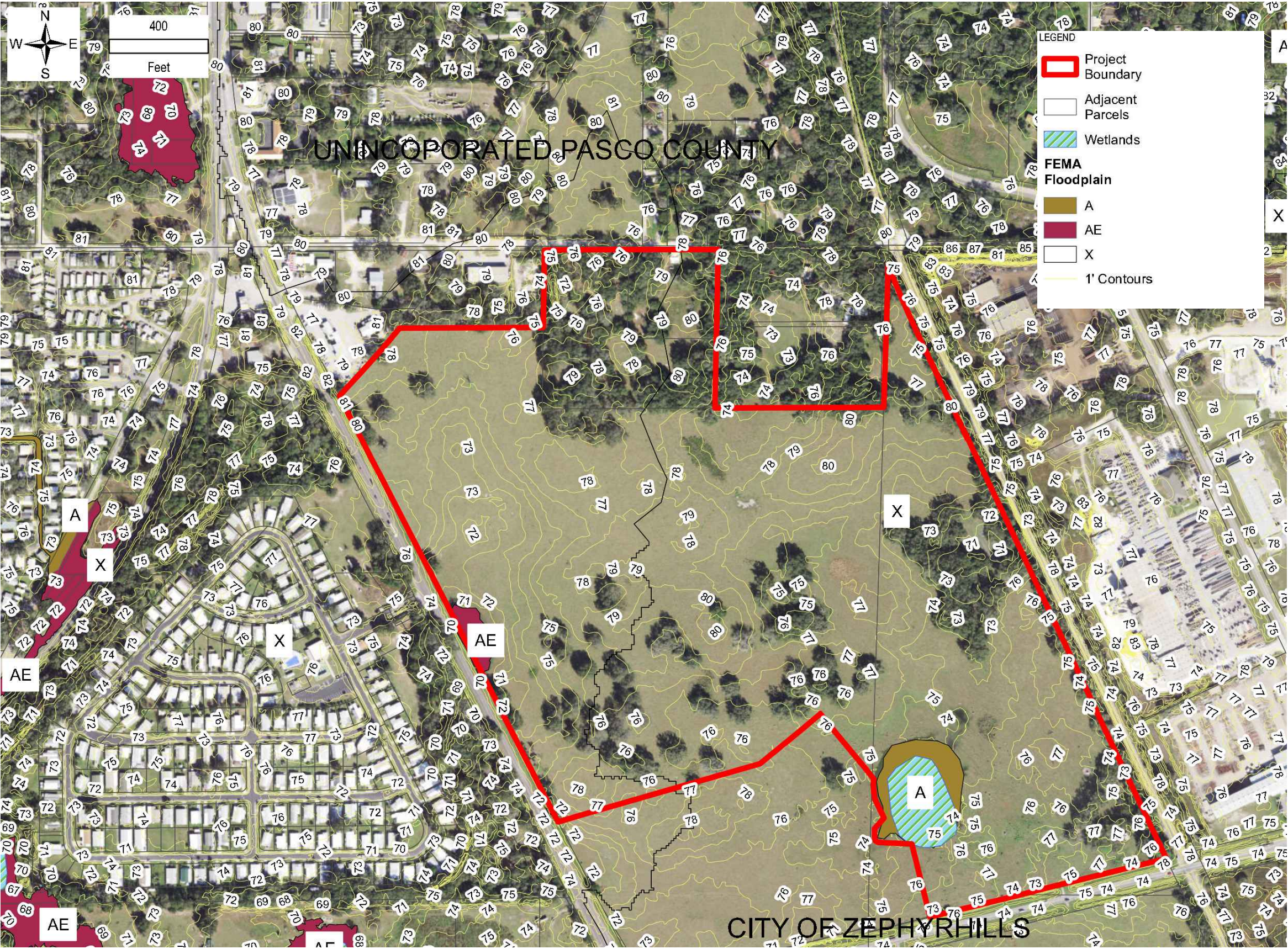
VICINITY MAP AND
AQUIFER RECHARGE



AREA TO BE ANNEXED
INTO THE CITY OF ZEPHYRHILLS



SOILS MAP



TOPOGRAPHY, WETLANDS,
AND FEMA FLOODPLAIN

ZHILLS HWY 39 ANNEXATION, FUTURE LAND USE AMENDMENT, AND REZONING

SHEET NAME:
MAP SERIES

PREPARED FOR:
ZHILLS HWY 39, LLC

DRAWING INDEX	
PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



**FLORIDA DESIGN
CONSULTANTS, INC.**
THINK IT. ACHIEVE IT.

20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 849-7588 FAX: (727) 848-3648 WWW.FLDESIGN.COM

CREATION DATE: 05/17/2022	REVISED DATE: 08/08/2022	DRAWN BY: BRK	SHEET NUMBER: 3 of 7
------------------------------	-----------------------------	------------------	-------------------------

PROJECT NAME:

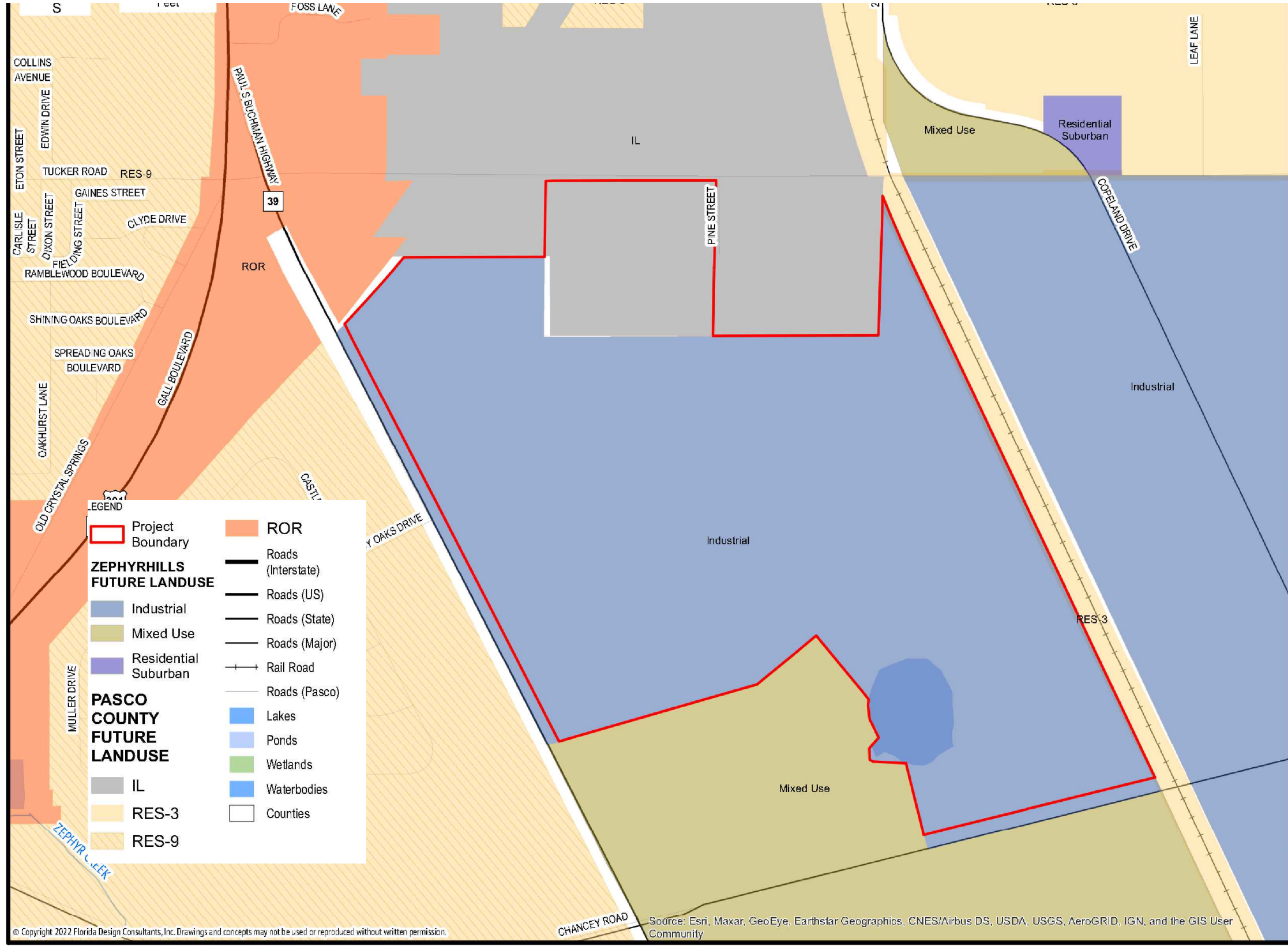
ZHILLS HWY 39 ANNEXATION, FUTURE LAND USE AMENDMENT, AND REZONING

SHEET NAME:

MAP SERIES

PREPARED FOR:

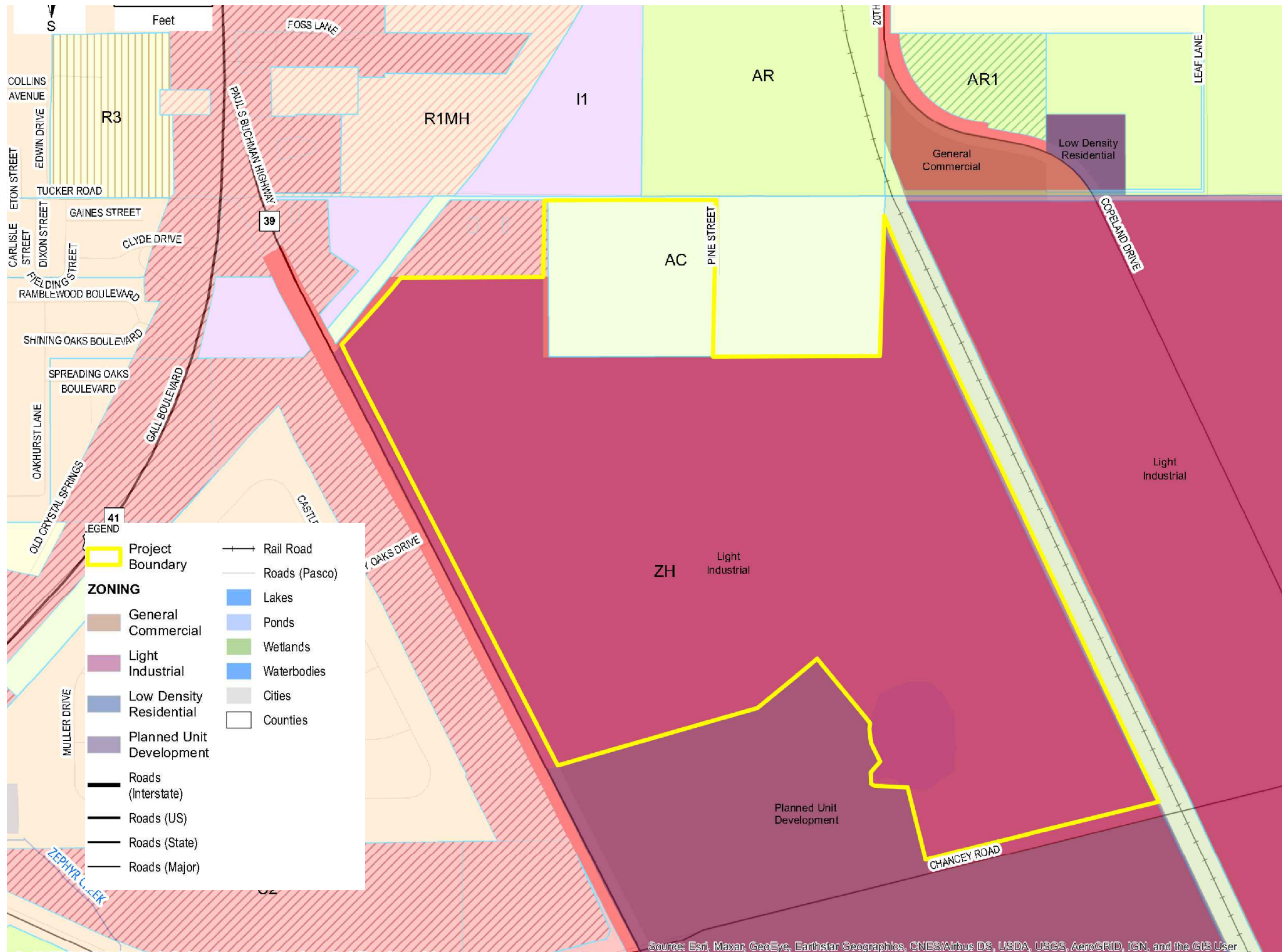
ZHILLS HWY 39, LLC



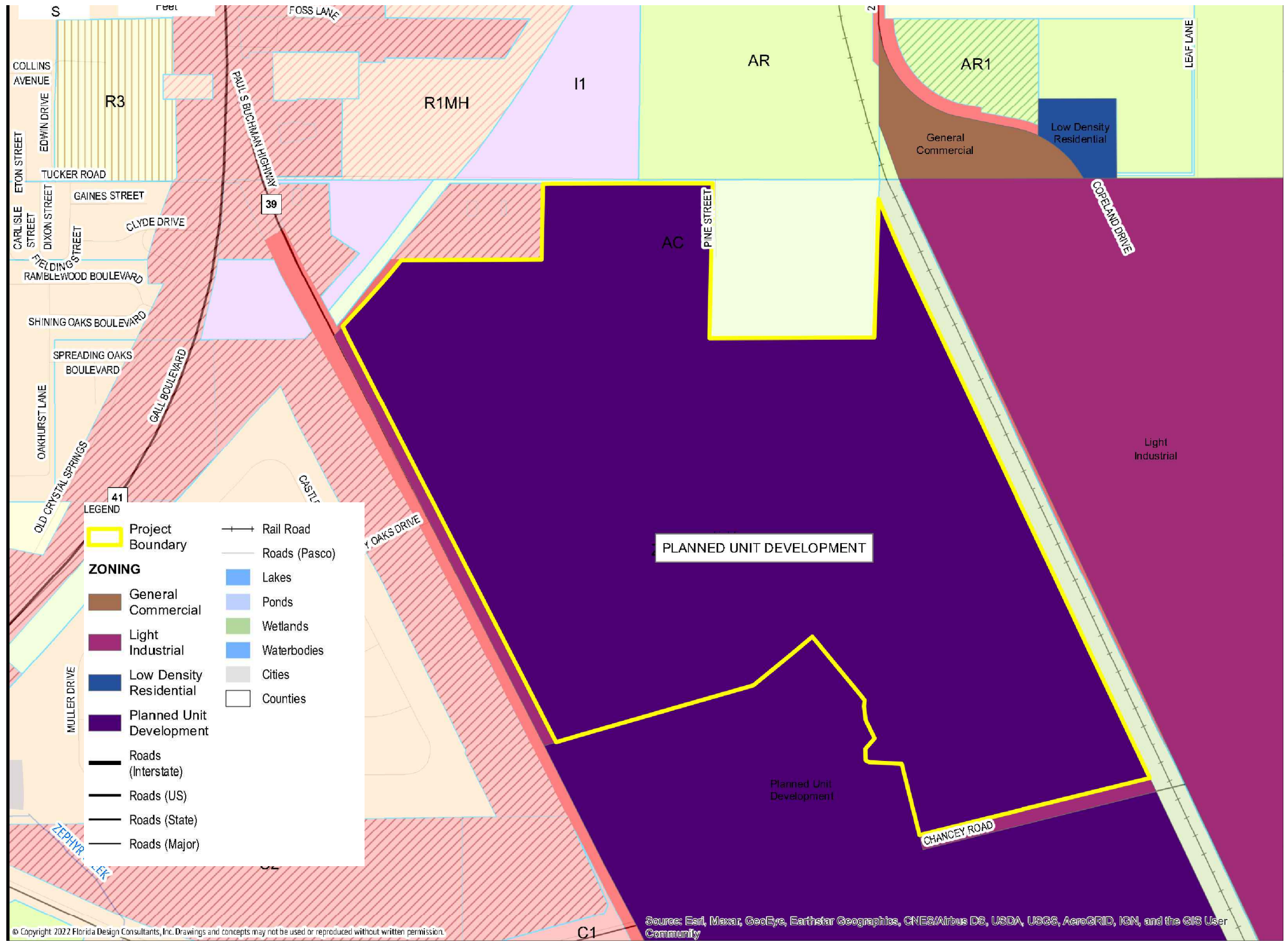
FUTURE LAND USE - EXISTING



FUTURE LAND USE - PROPOSED



ZONING - EXISTING



ZONING - PROPOSED

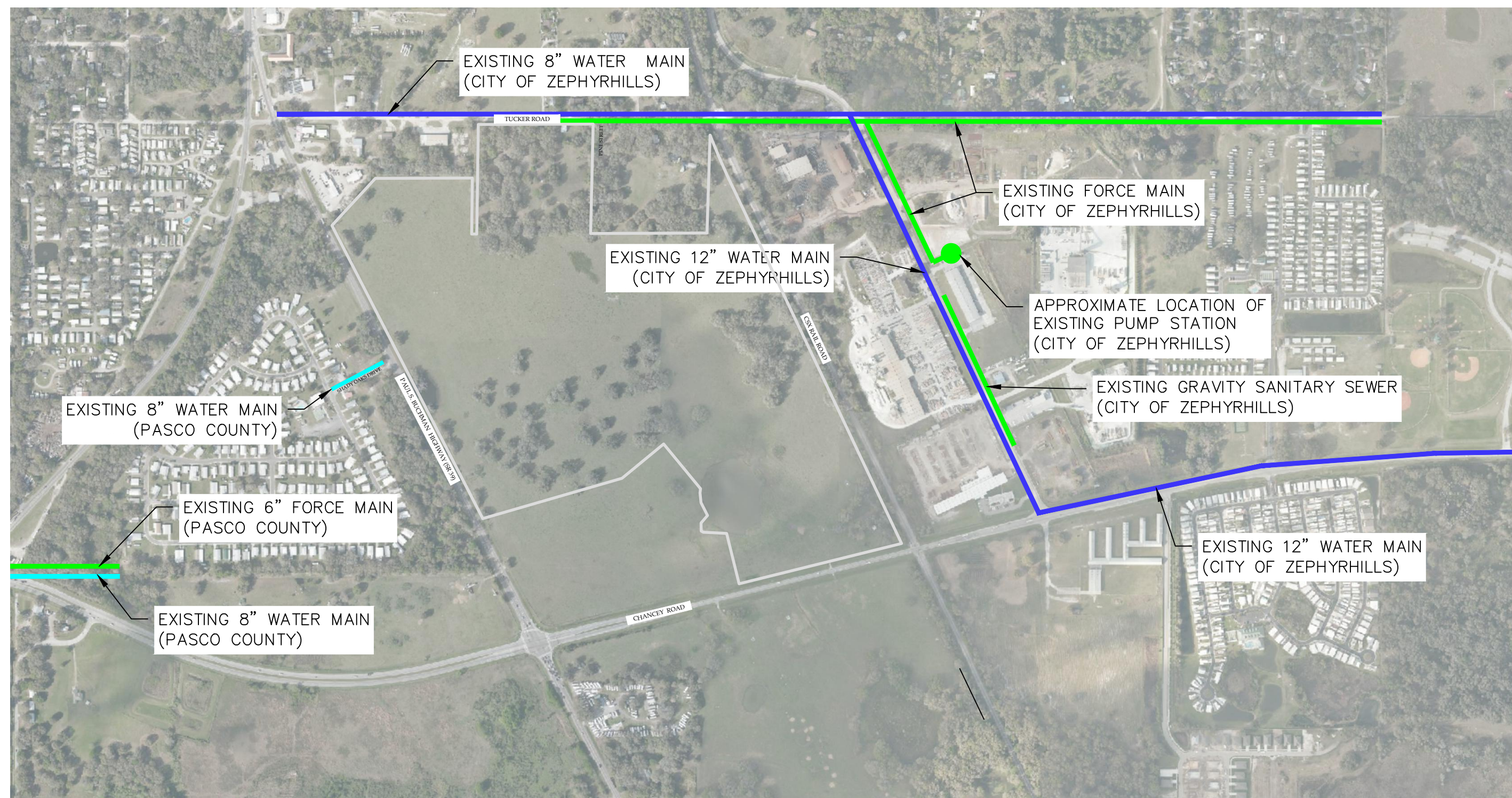
DRAWING INDEX

PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 845-7558 FAX: (727) 845-3648 WWW.FLDESIGN.COM

CREATION DATE:	REVISED DATE:	DRAWN BY:	SHEET NUMBER:
05/02/2022		BRK	4 OF 7



POTABLE WATER AND WASTEWATER ESTIMATED DEMAND			
WATER DEMAND			
PROPOSED USE	SF/ DU	AVERAGE WATER DEMAND/DAY	WATER DEMAND (GPD)
COMMERCIAL	30,000	0.15 GPD/SF	4,500
MULTI-FAMILY	450	175 GDP/ERU	78,750
SINGLE FAMILY ATTACHED-TOWNHOMES	100	175 GPD/ERU	17,500
SINGLE FAMILY DETACHED	200	215 GDP/ERU	43,000
TOTAL			143,750
WASTEWATER DEMAND			
PROPOSED USE	SF/ DU	AVERAGE WATER DEMAND/DAY	WASTEWATER DEMAND (GPD)
COMMERCIAL	30,000	0.14 GPD/SF	4,200
MULTI-FAMILY	450	170 GDP/ERU	76,500
SINGLE FAMILY ATTACHED-TOWNHOMES	100	170 GPD/ERU	17,000
SINGLE FAMILY DETACHED	200	200 GDP/ERU	40,000
TOTAL			137,700

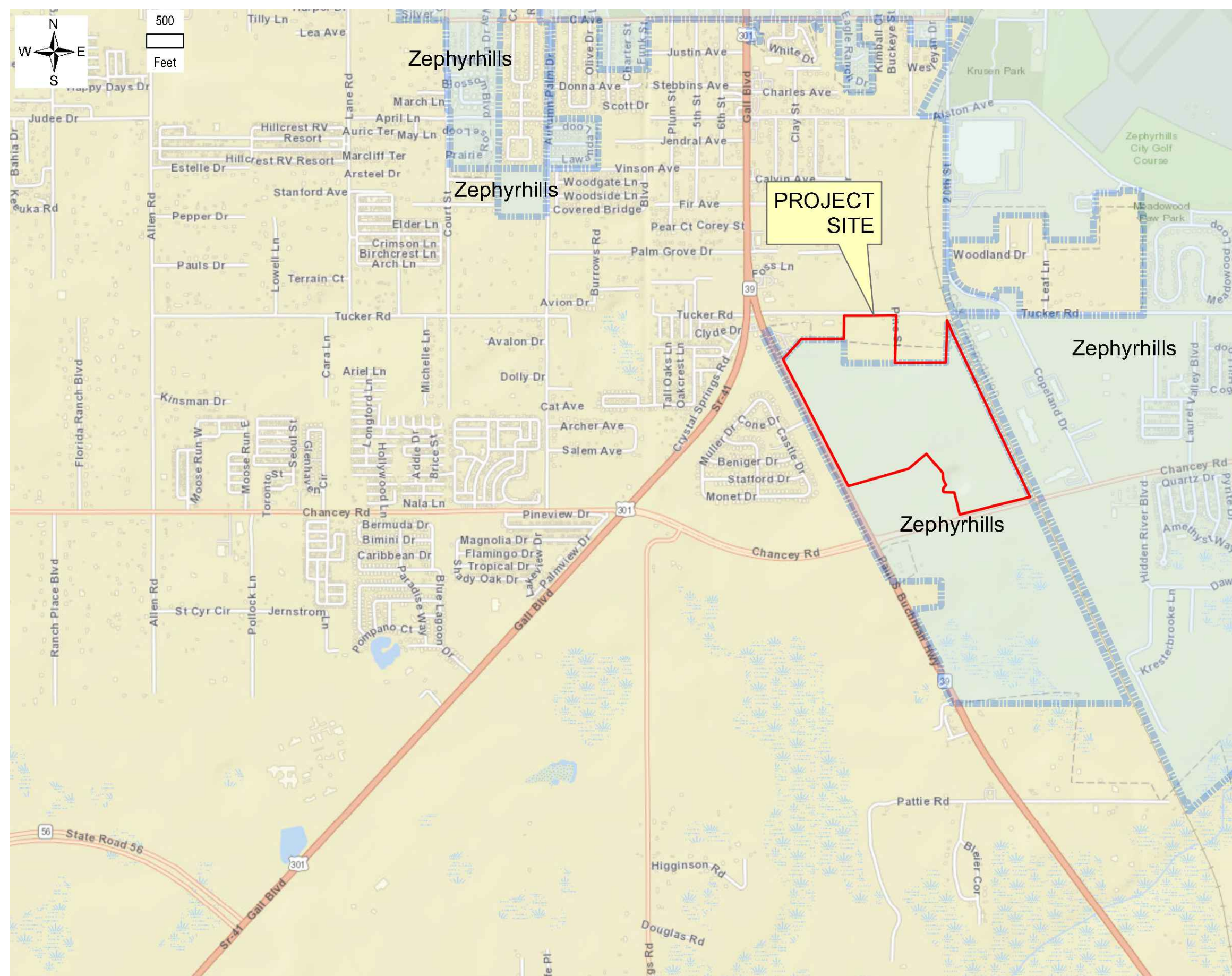
PROJECT NAME:

ZHILLS HWY 39
ANNEXATION,
FUTURE LAND
USE
AMENDMENT,
AND REZONING

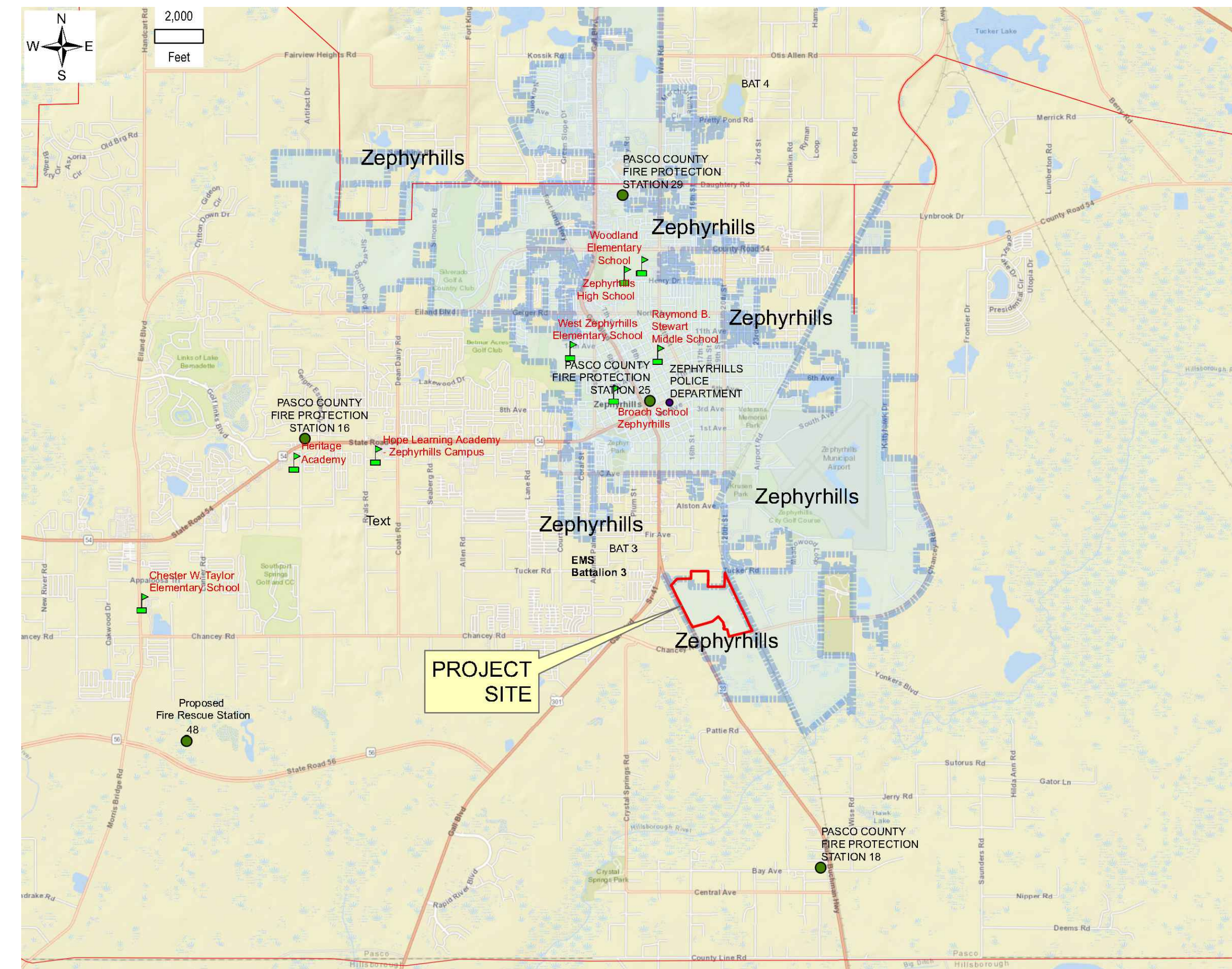
SHEET NAME:

MAP SERIES

PREPARED FOR:
ZHILLS HWY 39, LLC



ROAD NETWORKS



PUBLIC FACILTIES

DRAWING INDEX	
PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



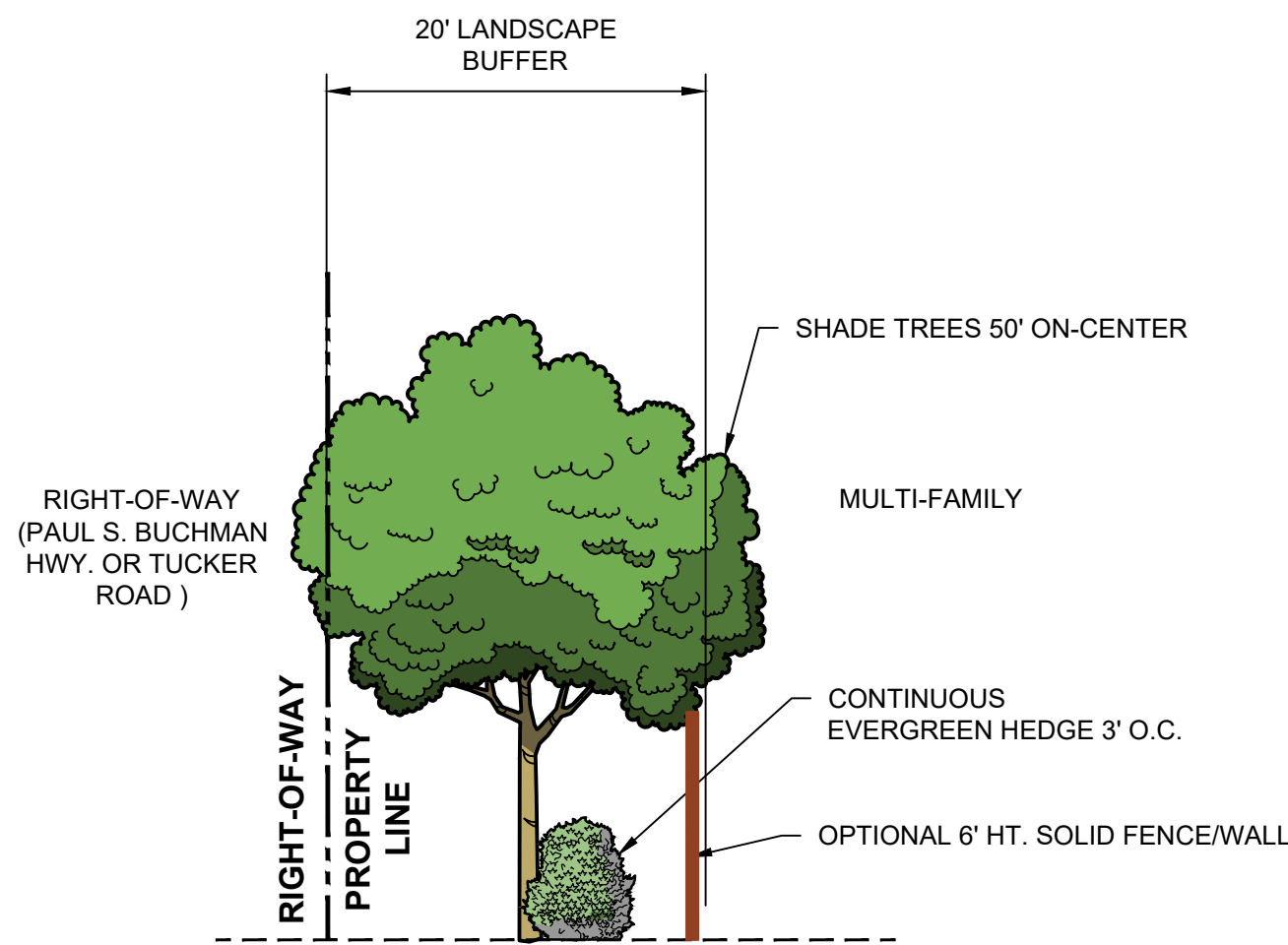
20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 849 - 7588 FAX: (727) 848 - 3648 WWW.FLDESIGN.COM

CREATION DATE:	REVISED DATE:	DRAWN BY:	SHEET NUMBER:
05/25/2022		BRK	5 OF 7

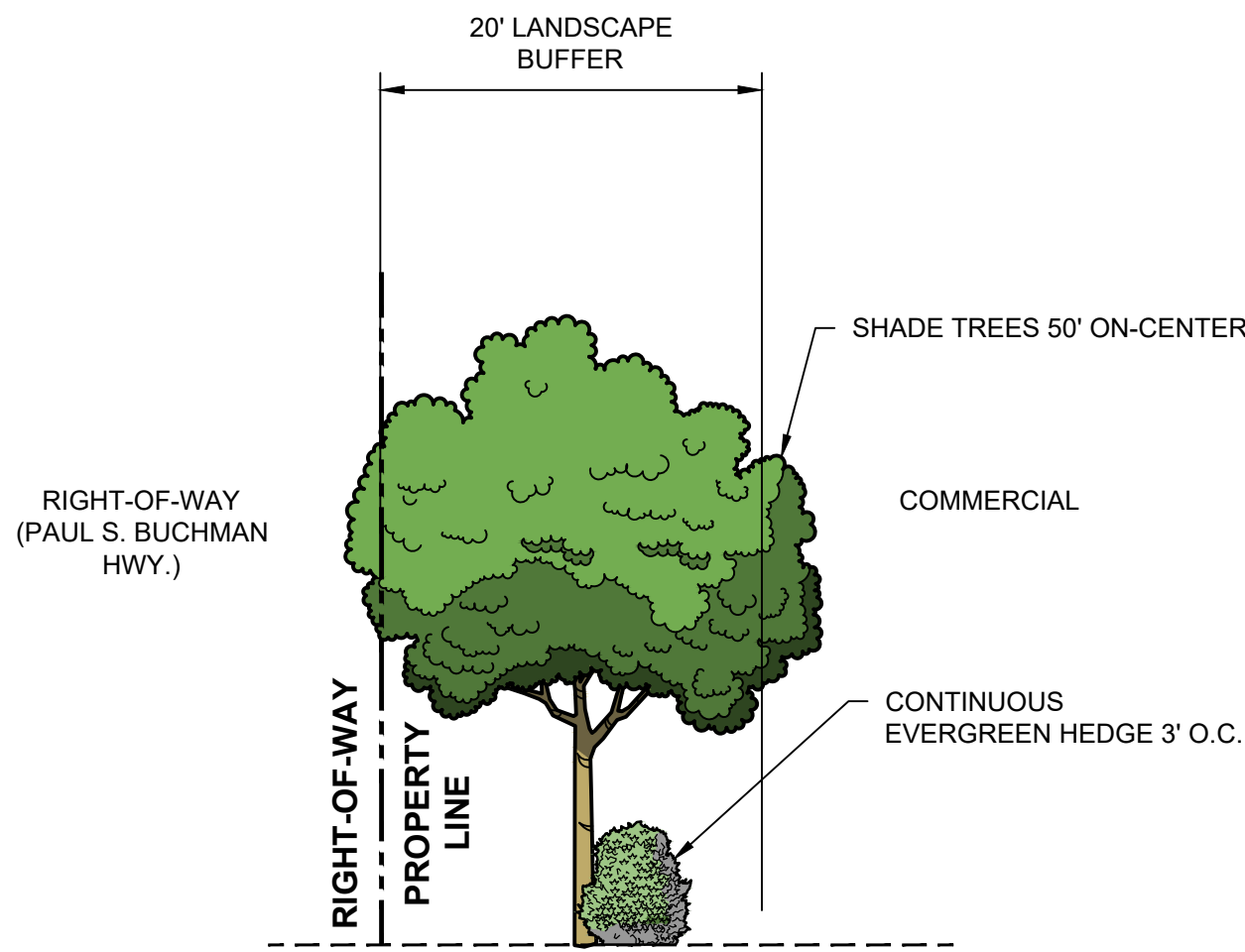
PROJECT NAME:
**ZHILLS HWY 39
ANNEXATION,
FUTURE LAND
USE
AMENDMENT,
AND REZONING**

SHEET NAME:
LANDSCAPE BUFFERS

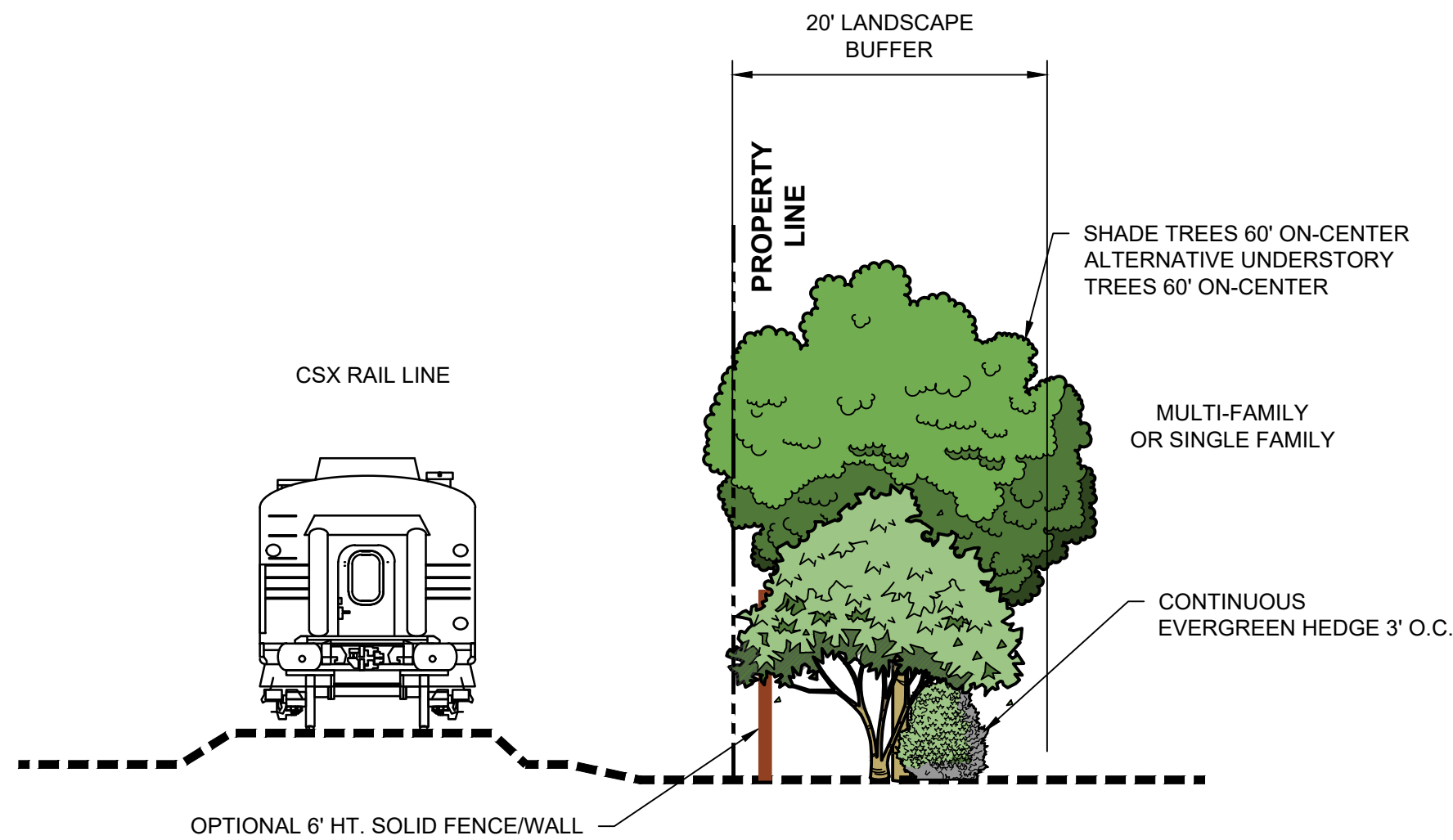
PREPARED FOR:
ZHILLS HWY 39, LLC



**20' TYPE "D-1"
RESIDENTIAL BUFFER
ALONG PAUL S. BUCHMAN HWY.
AND TUCKER ROAD**

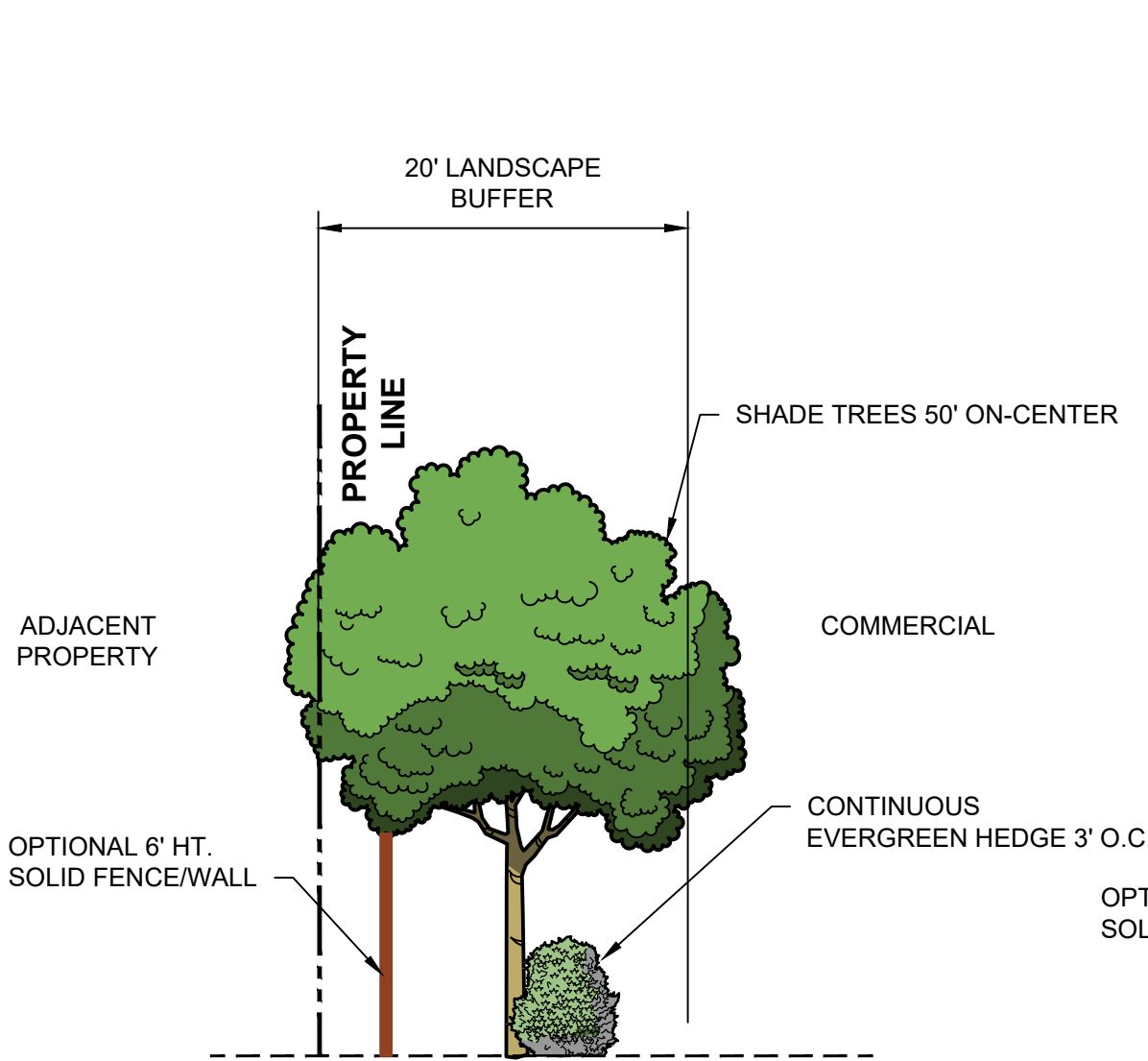
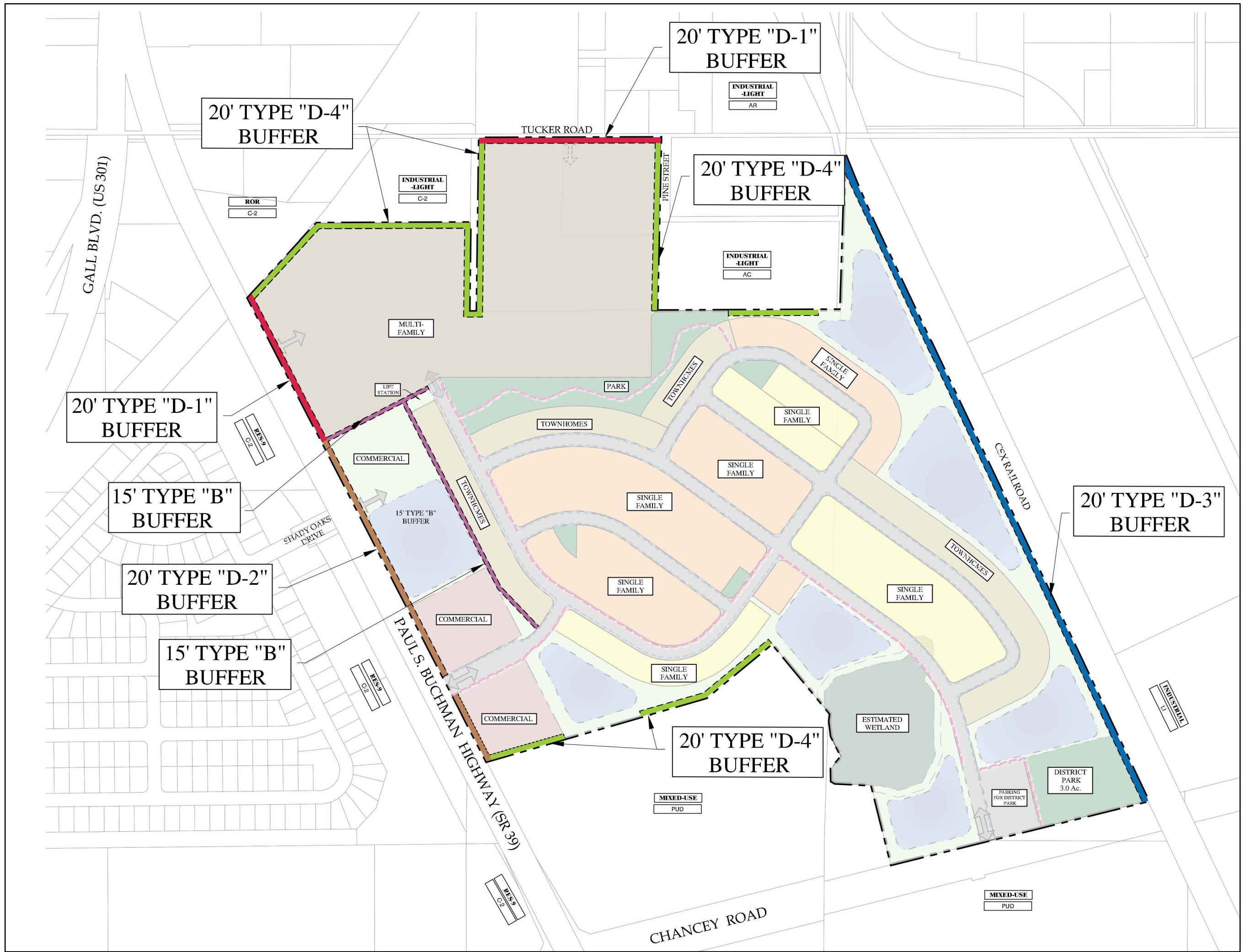


**20' TYPE "D-2"
NON-RESIDENTIAL BUFFER
ALONG PAUL S. BUCHMAN**

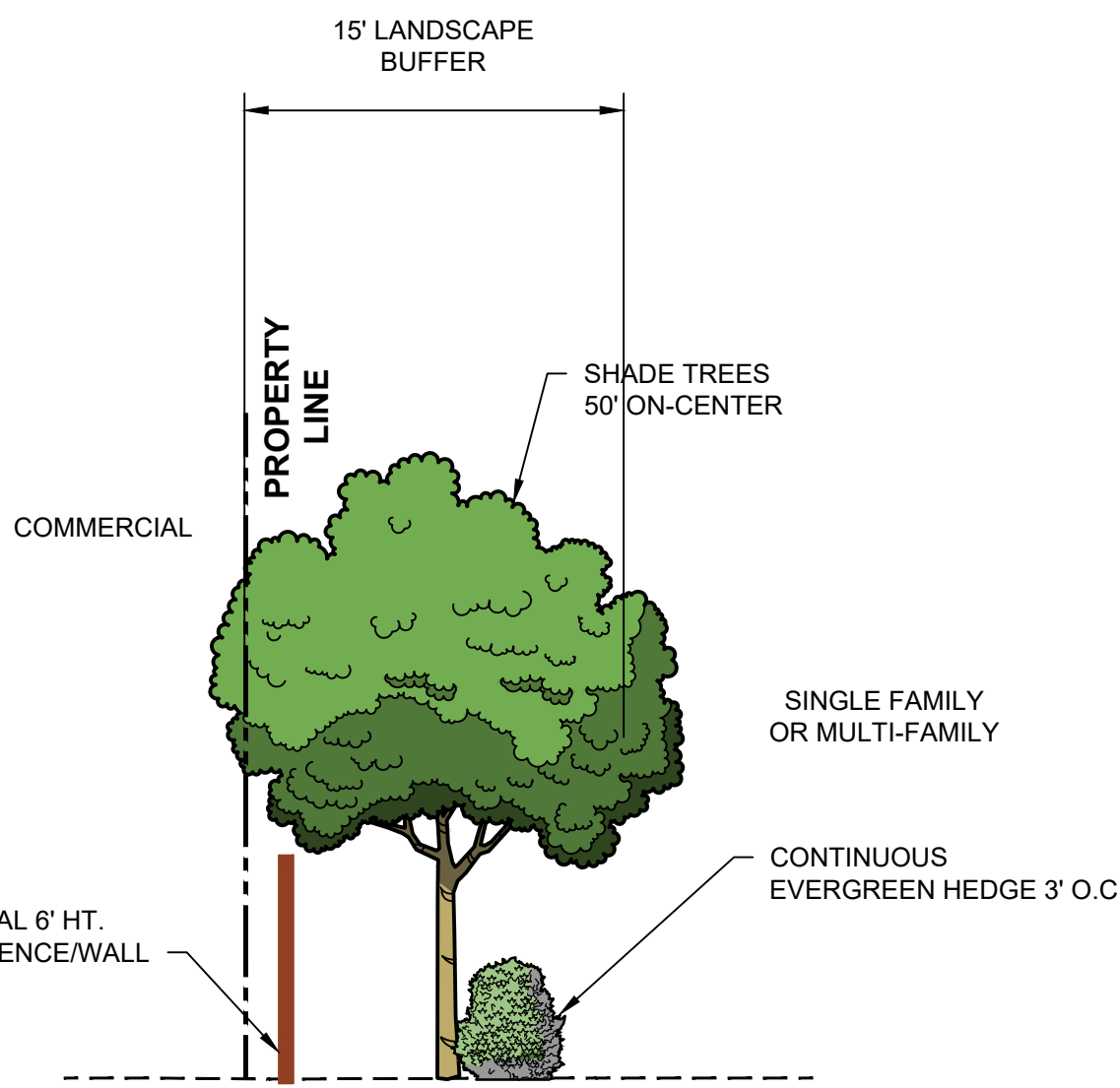


**20' TYPE "D-3"
RESIDENTIAL BUFFER
TO ADJACENT
CSX RAIL LINE**

BUFFER PLAN



**20' TYPE "D-4"
RESIDENTIAL BUFFER
ALONG ADJACENT PROPERTIES**



**15' TYPE "B" BUFFER
COMMERCIAL TO
SINGLE FAMILY
RESIDENTIAL**

DRAWING INDEX	
PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 848 - 7588 FAX: (727) 848 - 3649 WWW.FLDESIGN.COM

CREATION DATE:	REVISED DATE:	DRAWN BY:	SHEET NUMBER:
05/24/2022		CMW	6 of 7

AREA TO BE ANNEXED
INTO THE CITY OF ZEPHYRHILLS



ANNEXATION
PARCEL SUMMARY

PARCEL ID:	± Ac.
23-26-21-0020-00200-0000	7
23-26-21-0020-00200-0010	2.98
TOTAL	9.98
Note: Acreage is from Property Appraiser Information	

ANNEXATION
LEGAL
DESCRIPTION

Parcel 2:

Tracts 2 and 15, in Section 23, Township 26 South, Range 21 East, ZEPHYRHILLS COLONY COMPANY, according to the map or plat thereof as recorded in Plat Book 1, Page 55, of the Public Records of Pasco County, Florida. LESS the North 360.00 feet of the East 360 feet thereof.

AND

The North 360 feet of the East 360 feet of Tracts 2 and 15, in Section 23, Township 26 South, Range 21 East, ZEPHYRHILLS COLONY COMPANY, according to the map or plat thereof as recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

ZHILLS HWY 39
ANNEXATION,
FUTURE LAND
USE
AMENDMENT,
AND REZONING

ANNEXATION
INFORMATION

PREPARED FOR:
ZHILLS HWY 39, LLC

DRAWING INDEX

PAGE	DESCRIPTION
1	PLANNED UNIT DEVELOPMENT MASTER PLAN
2-5	MAP SERIES
6	LANDSCAPE BUFFERS
7	ANNEXATION INFORMATION



FLORIDA DESIGN
CONSULTANTS, INC.
THINK IT. ACHIEVE IT.

20525 AMBERFIELD DRIVE, SUITE 201, LAND O' LAKES, FLORIDA 34638
PHONE: (727) 849 - 7588 FAX: (727) 848 - 3648 WWW.FLDESIGN.COM

CREATION DATE:	REVISED DATE:	DRAWN BY:	SHEET NUMBER:
05/25/2022		BRK	7 of 7

CITY OF ZEPHYRHILLS PLANNING DEPARTMENT

Annexation, FLUM Change and Zoning Change Petition Acme Development Corporation

Staff Report

I. BACKGROUND AND INFORMATION

A. REQUEST:

An Annexation/Future Land Use & Rezoning Petition has been submitted by Acme Development Corporation. The first land use action is a request for annexation of two parcels (9.98 acres) into the jurisdictional boundaries of the City of Zephyrhills; second, a large-scale amendment to the Future Land Use Map (FLUM); and third, a zoning change.

B. SITE INFORMATION:

Location:

Parcel I.D. Number:

Annexation:

FLU / Zoning

23-26-21-0020-00200-0000 (7 acres)

23-26-21-0020-00200-0010(2.98 ac's)

23-26-21-00200-01300-0020

24-26-21-0010-03900-0010 (110.32 ac's.)

Owner:

Acme Development Corporation

Petitioner:

ZHills HWY 39, LLC

Agent for Petitioner:

Clarke Hobby / Justyna Gayle

Acreage:

120.3 Acres, MOL

Existing Use of the Land:

Undeveloped

Adopted Future Land Use:

IN (Industrial)

Existing Zoning:

LI (Light Industrial)

Proposed Future Land Use:

Mixed Use (MU)

Proposed Zoning:

PUD (Planned Unit Development)

C. INTRODUCTION:

The applicant proposes a Planned Unit Development with a mixture of uses as follows:

Commercial Office – 30,000sq ft

Apartments – 450 Units

Townhomes – 110 Units (18' wide)

Single-Family – 200 Units (40' and 50' wide lots – 5' side yard setbacks)

Total Residential Units – 760

Parks – 7.6 Acres

The property is situated north and east of the NE corner of the intersection of Chancey Rd and SR 39 (excluding the 19.37 acres located at the NE corner of the intersection). The northern boundary is Tucker Rd and the eastern boundary is the CSX Rail Road. Rail crossing are located at both the northern and southern boundaries of the property (Chancey and Tucker).

Staff recommendation is provided below on the three land use actions along with an executive summary that provides the justification for each of the recommendations. A Data and Analysis report is also provided detailing the information reviewed / considered to support Staff's recommendation.

II. RECOMMENDATION:

Based on the findings that the petition meets all of the annexation requirements found in Chapter 171.044 (Voluntary Annexation), Florida Statutes, staff recommends **DENIAL of the annexation petition of the 9.98 acres** and;

Based on the findings that the petition for a Future Land Use (FLUM) Amendment is warranted, staff recommends **DENIAL of the FLUM Change petition**, and;

Based on the findings that the Zoning Change petition is justified by reviewing the standards found in the comprehensive Plan / Zoning and Land Development Regulations, staff recommends **DENIAL of the Zoning Change petition**.

The following **Executive Summary** is provided detailing the review / analysis as to how Staff arrived at the denial recommendation for the future land use and zoning:

A.) Compatibility / Suitability Analysis:

1.) The proposed development includes residential development along the eastern boundary that abuts the CSX railroad.

- This rail line is now considered a “Main” rail line that is growing at a fast pace with the daily number of trains with future continued growth;
- Two rail crossings are at the “bookends” of the subject property (Tucker and Chancey Rd). Train Horn blasts are provided at each of these crossings providing a significant noise impact to proposed residential;
- Staff spoke with CSX Representative Aubrey Brown about proposed residential along the rail line. CSX is very concerned with rail suitable properties (which are becoming very limited) being changed from industrial to residential for compatibility / noise related problems and the nearby dual railroad crossings;
- Airport – The Airport has undergone significant investments including an extension of the primary runway. The runway will enable larger / more planes to use the Zephyrhills Airport. The Airport Manager has indicated on the FAA 777 Surface Map:
 - The subject property is located in the “Base to Final Turn” area;
 - The area in blue is referred to as the Horizontal surface area with proximity to the runway will present noise complaints and safety concerns (one half of the subject property is in the “blue area”;
 - The area in Green is referred to as the approach / departure surface area which is an extension of the runways approaches;
 - One half of the subject property is located in the Green area and even more of a concern with noise complaints and safety.

2.) Industrial businesses located on the east side of the railroad.

- There are three existing industrial businesses that have made substantial financial investments in Zephyrhills with significant quality jobs;
- Staff met with the three business owners to discuss the proposed petition / land use change to allow residential;
- All three businesses commented on the significant investment made, the jobs they have created, the success they have had with the strong market, and future potential expansion that will result in additional fiscal benefits to the City and more jobs;
- All three owners are very concerned with the compatibility of residential in an area that they invested in for industrial purposes and that their investments should be protected from incompatible uses / home owner complaints;
- Staff visited all three businesses during their operations and visited the rear of the businesses that abut the railroad. These businesses include operations that involve very noisy equipment / large machinery / large vehicles and deliveries that collectively generate a significant amount of noise;

- Semi-Truck – Jake brakes;
- Some of the businesses are running on a 24/7 operations schedule; therefore; the noise impacts are constant;
- The businesses include operations that involve the application of chemical products to steel / pipes outdoors with potential of air borne impacts to residential;
- All three business owners are very opposed to the proposed land use change that will allow residential and feel that with their long standing businesses and the rail that the land use should remain industrial and have provided letters recommending denial of the land use / zoning change.

3.) Suitability Analysis:

- a.) In addition to compatibility Staff also has reviewed / assessed if the proposed land use change would be suitable based on where this property is situated.
- b.) Petition - **proposed Commercial Development:**
 - The proposed petition includes 6 acres (30,000 sq ft of commercial along SR 39);
 - Staff is of the opinion that there is sufficient / suitable commercial property that is well-positioned for commercial development in the general vicinity;
 - Existing Commercial in the general area: 19 acres at the NW corner of SR 30 and Chancey Rd (abutting subject property); 8 acres at the SE corner of the this same intersection; 5 acres at the SW corner of the same intersection; 15 acres at the NW corner of this intersection going west on the north side of Chancey Rd; intersection of 301 / Chancey (3 corners available);
 - There are also then substantial commercial development / re-development opportunities on nearby 301 (north of Chancey Rd) into Zephyrhills that Staff is very interested in having these areas cleaned up and developed.
 - The following analysis depicts that there are substantial properties that are undeveloped / suitable for the commercial needs of this general area.
- c.) Petition - **proposed Residential Development:**
 - An important land use decision considered by Staff was assessment of the suitability of this property for residential development;
 - There are many factors that were reviewed / assessed in the evaluation of if this property is suitable for single family and multi-family development:
 - 1.) In 2007, the subject property was changed from a mixed use development to industrial;
 - 2.) Prior to this timetable on the subject property and some other residential entitlements obtained approved (most a couple decades ago). Following the change of the subject property to industrial, the City / Staff began studying / prioritizing the importance of our Airport and Industrial

properties for fiscal opportunities / quality jobs / better land use balance.

The City began investing in the Airport and the preliminary planning

- 3.) Around that time period the City reviewed a large amount of residential developments that have / are coming to fruition;
- 4.) The Gagne residential development was approved on the south side of Chancey Rd (across from the subject property) that had residential entitlements for a couple decades. The approved residential development recently informed the City that they are not going forward;
- 5.) A Pasco County residential development (Bristol Meadows) is located on the south side of Chancey Rd and west of SR 39. This development is located 3,500 feet (measured along Chancey Rd) where the City Code enforcement has received noise complaints about the Stone Castle business. The City is using our staff / resources to follow-up on complaints at a pretty significant distance away from the subject property;
- 6.) Staff is very concerned with a past history of noise complaints received that proposed residential at the subject property is not suitable.

4.) Residential Development Trends:

- Part of a suitability analysis includes review /assessment of land use break downs and ensuring a proper land use balance and not an oversaturation of residential;
- The residential market has seen a significant increase in Florida, Pasco County & Zephyrhills;
- Residential land value / prices are making all undeveloped land attractive for residential development. Therefore, it is important to consider land use actions with consistency with the vision of the Comprehensive Plan, Future Land Use Element which is Industrial and the Vision of the Industrial Corridor;
- Residential use is generally the highest user of City services;
- In the City's Comprehensive Plan update it is evident that the breakdown in land use acreage / land use percentage for residential has increased significantly from when the Comprehensive Plan was last updated;
- In 2010, the Comprehensive the residential acreage consisted of 1,146 acres or 20% of the City's total acreage. A recent calculation reflects an increase in residential from 1,146 acres to 2,995 acres (more than doubling the percentage of residential land use) The current calculation of residential land use in the City equates to 44% without this property;

- In the Planning field / economic studies all communities can be different but a typical threshold seen is 30 – 35% residential is typical.
- A balance of land uses is important financially as residential use is generally the highest user of City services (fiscally / services including staffing / operations / management);
- Staff is planning to conduct a comprehensive market study / analysis for both the residential and industrial market to fully understand the importance of these two markets and related fiscal impacts.

5.) Fiscal Impact Analysis:

- An element of land use decisions reviewed by staff is the fiscal impact analysis based on the existing / proposed land use alternatives;
- Fiscal impacts are an important review element in considering short and long term fiscal impacts to a community;
- Direct and indirect impacts come in the form of: ad valorem taxed, impact fees, property development investment, jobs created and City services;
- Industrial property development typically will provide significant investment, quality jobs and limited service demands. One example – Currently in the works: 35 acre project – 168 million investments with 600,000 sq ft and 250 jobs, 10,000 GPD water, and very limited service demands;
- Staff coordinated with Pasco County Economic Development (David Engle) and created a fiscal comparison analysis between the proposed concept master plan and a conceptual industrial development on the same amount of acreage;
- An attachment is included provided the following fiscal impact analysis showing a total impact analysis of both the proposed PUD project and leaving it as all industrial.

Summary:

- Tables prepared to reflect the total fiscal economic impact for the development as proposed as one scenario and second scenario with a buildout of 35% of the total land as industrial;
- Tables reflect a summary total of inputs (Direct, Indirect & Induced);
- Summary: **Residential project total economic impact: \$14,728,190**
Industrial project total economic impact: \$244,467,675
- There is also a **summary on only the Advalorem:**
Residential: \$1,351,899
Industrial: \$1,886,093

6.) Service / Water / Transportation Impacts:

a.) Water:

- The City is carefully reviewing / assessing land use decisions in the area of utilities. In particular, the City has identified a need to increase the Water Use Permit with SWFWMD;
- The proposed development includes a preliminary master plan 750 residential units. The applicant's estimated average water demand / day is 175 gallons per day (GPD) on the multi-family and 215 for the single family totaling 139,250 gallons per day;
- The City's most current averages that are being used is 300 gallons of water per day on both Townhomes and single family residential. The more current water estimate increases the applicant's estimated daily water use from 139,250 GPD to 225,000 GPD;

b.) Transportation: A traffic study was conducted by the applicant which states that there is adequate capacity to accommodate the proposed future land use map amendment except for a 500' segment of US 301 Between SR 39 and Palm Grove Road. Staff commented to the applicant that it is difficult to assess trip generation not knowing the future intended use under the current LFU of Industrial. The proposed weekday trip generation is shown at 6,184 new external trips. The trip generation for the proposed FLU amendment was shown based on the proposed concept plan and not the maximum buildout whereas the trip generation under the current FLU (Industrial) is shown with a maximum buildout with a FAR of .50 which may not be realistic. The PEDC staff have stated to staff a concern in the industrial corridor (Chancey Rd) of allowing residential that will fill up the capacity of Chancey Rd which may discourage industrial development / truck traffic.

c.) Other Services:

- **Police** – Comments provided:
 - Many noise complaint received from residences in this area;
 - Staffing – 760 Units would require 49 officers. Presently budgeted for 41 with currently only 35 officers.
 - Training – equip a new officer (not including a vehicle) is \$100k per new hire;
 - Significant calls on new residential development / theft;
 - Intersection at SR 39 & Chancey experiencing a high number of accidents involving serious injury with none of the corners of this intersection developed.
- **Sanitation** – The number of units proposed will have a significant impact on solid waste service / equipment / operations.

- **Schools** – The Pasco County School Bd provided a report that reflects the students that may be generated from this development:
 - Elementary – 97 kids
 - Middle school – 48 kids
 - High School – 62 kids

Percent of capacity with proposed development with only this project bring all three school levels to 89% and above.

B.) Intergovernmental Coordination:

- 1.) Staff has reached out to our local, County & regional partners to inform them of the proposed land use action and to provide input / comments. The following summary is provided:
- 2.) **Bill Cronin – Pasco Economic Development Council** – Letter provided supporting the preservation of industrial land and that there is short supply of quality industrial land for substantial capital investments, high wage jobs and providing a balanced tax base. The subject lands is part of the Duke Energy Site Readiness program with this site and County’s investment of 3.5 million of Penny for Pasco funds for sewer lines to Chancey Road to help promote industrial development;
- 3.) **Danielle Ruiz – Director of Industrial Development (Duke Energy)** Letter providing the preservation of industrial land for industry for jobs and to help diversify their tax base and a lower cost burden for citizens;
- 4.) **David Engle – Pasco County Economic Growth Director.** Support industrial land to assist both the City and Pasco County in economic development / diversification of both tax bases;
- 5.) **Aubrey Brown – CSX Manager** – Support of preserving industrial land / concern of incompatibility of adjoining residential;
- 6.) **Pasco County Planning Department** – Not in support of the proposed land use change;
- 7.) **Tampa Bay Regional Planning Council** – Communication with Staff – Concern with land use change to eliminate large are of industrial to change allowing residential. Pasco County worked with the TBRPC on a County wide industrial report **“An Industrial Land Strategy for Pasco County – April 19,2022)”** The Report discusses:
 - Pasco County “wave” of Comp Plan amendments seeking more residential;
 - Negatively compounding the existing Jobs – housing imbalance in Pasco County;
 - Each acre of industrial land converted to residential costs the County a net loss of 3.9 million in personal income through 2050;
 - County goal is enough industrial land for one job per employed resident;
 - The County has industrial land but lacks properties of sufficient size (50 acres plus) to support target industrial uses, corporate businesses and industrial parks

- Trends driving innovation in logistics are propelling demand for larger industrial sites.
- 8.) Staff has worked on a preliminary Industrial Corridor Master Plan which this property is included and considered a catalyst site with transportation access and rail access;
- 9.) The **PEDC** has worked with **Duke** in the designation of the subject property as a **Site Readiness Property** and is marketing the property nationally
- 10.) **Department of Economic Opportunity** – The proposed land use action is a large scale future land use map amendment and will be required to be submitted / reviewed. The State will review the petition, Staff Report / Justification, data & analysis and recommendation from Staff, Planning Commission and City Council.

C.) **Comprehensive Plan Consistency** – Based on the Executive Report findings and Comprehensive Plan Analysis in this Report Staff is not of the opinion that the FLUMA / Zoning petition is consistent with the City's Comprehensive Plan.

III. DATA & ANALYSIS:

1. Annexation: Consistency with Chapters 171.043 & 171.044 Florida Statutes

A small portion of the overall petition property (9.98 acres) is proposed to be annexed into the city. Annexing the subject property into the jurisdictional boundaries of the City is a rational action. Annexation will allow the City to better control the use, intensity and density of the site, as explained in the FLUM and Zoning Change section of this report. The proposed annexation meets the criteria set forth in Subsections 171.043 & 171.044 addressing the character requirements and criteria to be met as well as the procedures for a voluntary annexation. The subject property's boundaries are contiguous to the city's boundary, the property is reasonably compact, is not part of another incorporated municipality and will be used for urban purposes. Finally, the subject property is also located within the boundaries of the City / Pasco County JPA (Joint Planning Area) boundary and Utility Service Area Boundary.

2. Future Land Use: Consistency with 163, Florida Statutes

The proposed future land use map amendment is being processed as a large-scale amendment to the Official City Future Land Use Map in accordance with the requirements of Chapter 163.3184(3), Florida Statutes.

3. Future Land Use Map Designation Change & Zoning Designation Change

A. Character / Compatibility Analysis of Adjacent Land:

The character and land development patterns in the adjacent properties is generally a mix of industrial, residential and undeveloped land. The property to the north is characterized by a single residence, undeveloped land with County industrial zoning. The property to the east consists of CSX railroad and heavier industrial uses. The property to the south consists of undeveloped land and the property to the west consists of SR 39 and a mobile home park. The subject property is identified as the “Gateway” into the City’s Industrial Corridor and one of two large properties along the corridor available for larger industrial developments.

The following table outlines the current Future land use and Zoning / use of adjacent lands:

Orientation	Existing Use of Land	FLUM Designation	Zoning Designation
North	• Undeveloped	• County Light Industrial	• County AC
South	• Undeveloped	• City MU	• City PUD
East	• CSX Railroad & Industrial businesses	• City Industrial	• City LI
West	• Undeveloped / MH Park	• County RES-9	• County C2 & RMH

As previously stated, the subject property is located near the intersection of Chancey Rd & SR 39 and considered the western boundary / “Gateway into the City’s Industrial corridor and situated between Chancey Rd, SR 39, Tucker Rd and the CSX Rail Road. Under the present City current future land use and zoning, the property could be developed with industrial / manufacturing types of uses. Under the petitioner’s application request to change the future land use and zoning designation to Mixed use / PUD, the proposed preliminary PUD master plan shows a mix of Commercial, multi-family and single family residential. A summary of the character / compatibility / suitability analysis and details are summarized in the Executive Summary provided above.

B. Potential Impacts on Urban Services & Public Facilities

B.1 Consistency with Land Development Regulations (LDR’s)

Sec. 5.01.00 Consistency and Concurrency:

According to Article V, Adequate Public Facilities in the Land Development Regulations (LDR’s) within the City of Zephyrhills Code of Ordinances:

A) No development activity may be approved unless it is found that the development is consistent with the city’s Comprehensive Plan and that the provision of certain public facilities will be available at the prescribed levels of service concurrent with the impact of the development on those facilities.

(B) If a development proposal is found to meet all the requirements of this code, it shall be presumed to be consistent with the Comprehensive Plan in all respects except for compliance with the concurrency requirements. City staff, public officials or any citizen may, however, question the consistency of a development proposal with the Comprehensive Plan. If a question of consistency is raised, the Site Plan Review Committee shall make a determination of consistency or inconsistency and support that determination with written findings.

Sec. 5.02.00 & 5.03.00 Potable Water and Wastewater Level of Service:

According to the City's potable water sub-element of the Comprehensive Plan, the level of service for the minimum average daily flow is calculated at 200 gallons per dwelling unit (GPD) per day (average daily flow). Under the existing zoning, the maximum development impact would be one unit at 200 gallons of water per day. The level of service for wastewater is 168 GPD per dwelling unit (average daily flow).

According to John Bostic, Utilities Director for the City, the City is approaching its pumping limits for potable water with projects that have been approved by the City. The Utilities Department is coordinating with the City's Utility consultants and applying to SWFWMD for a Water Use Permit increase.

****** The City is now utilizing an increased water and sewer GPD demand for both water and sewer (300 GPD for water – single family and multi-family and 250 GPD on the sewer). Current estimates on existing entitlements indicate that the City will reach its WUP capacity in approximately 5 years if existing entitlements complete construction. The estimated water / sewer demand is provide in the above executive summary. The following City of Zephyrhills Utilities Department permit and current demands are provided:

Water:

Current permitted amount – 3,308,400 MGD

Current average daily demand - +/- 2,644,677 MGD

Sewer:

Current permitted amount: 3.85 MGD

Current average daily demand: 1.7 5MGD

Sec. 5.04.00 Transportation / Level of Service:

According to the Transportation element of the City's Comprehensive Plan, the level of service (LOS) for local streets and minor & major arterials must operate at a LOS of 'D' or better (Ord. 998-08, passed 11/2008). The subject property abuts Chancey Road (County owned and maintained and SR 39 – State owned / maintained). The traffic study summary is provided above in the executive Summary.

Sec. 5.05.00 Drainage Level of Service AND Sec. 4.03.05 Restrictions within Cone of Influence:

The level of service requirement for stormwater facility design and drainage plans requires all development or redevelopment within the City to retain the runoff from a 25-year storm event with an intensity of 3.6 inches per hour. In addition, the City of Zephyrhills, due to its unique topography has several ‘cones of influence’ which are of particular importance regarding stormwater management and the continued supply of clean water for the City. A conceptual stormwater management plan will be required as part of the project approval process when developed, and per City Code, the project must adhere to the current Code of Ordinances regarding stormwater management and best management practices (BMP) for cones of influences.

Sec. 5.06.00 Solid Waste Level of Service:

The level of service assumption for solid waste disposal is 1.5 tons of solid waste per year per dwelling unit (1.5 tons/DU/year) (Sec. 5.06.00(B)). According to the Comprehensive Plan, “Pasco County Resource Recovery Facility, with a design capacity of 1,050 tons per day, provides adequate solid waste disposal for the County, its municipalities, and municipalities outside Pasco County. The City is responsible for solid waste collection.” Therefore, staff does not anticipate the increased development potential from a FLUM and Zoning change to impact solid waste disposal in Pasco County.

Sec. 5.07.00 Recreation Level of Service:

Not applicable under the present future land use of Industrial. The proposed FLUM amendment to Mixed Use reflects property (7.6 acres) dedicated for park which would meet the recreation minimum levels of service.

C. Potential Impacts on Natural Resources and Open Space

The subject property is characterized with tree canopy and one wetland. A future tree survey shall be required to review / assess tree removal and to maximize tree preservation upon submittal of a future engineered site plan. The applicant shall be required to permit through SWFWMD on all permitting matters pertaining to the existing wetland on site.

D. Potential Impacts on School Facilities

There would be an impact on School facilities and defined in the above executive summary providing the report from the Pasco County School district.

E. Potential Impacts on Fire & Police Protection and Emergency Service

The area is currently surrounded by City property / development and being served by the City’s police, and Pasco County fire and ambulance. The Police Chief has provided comments of concern and the amount of additional staffing that would be required with the proposed future land use map amendment and are summarized in the above executive summary.

F. Compatibility with Surrounding Land Uses

A Compatibility / Suitability analysis is provided in above executive summary.

G. Potential for Proliferation of Urban Sprawl

As annexation and FLUM/Zoning amendment proposals are submitted to the City, Staff determines conformance to the Comprehensive Plan by a thorough review of the criteria below. This review helps to determine if the proposed land use promotes urban sprawl.

G 1. Would the FLUM amendment promote, allow, or designate:

- a. *A substantial area of the jurisdiction as low density, low-intensity, or single use development, or uses in excess of demonstrated need.*

Findings: The proposed development is planned as a mixed-use development and not characterized as a Low density – single use development. The subject property is within proximity to central sewer, potable water and electric service.

- b. *Significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands available and suitable for development.*

Findings: The proposed development is not located within an existing rural area but is located within an area on the periphery of the City's industrial corridor and close to an existing railroad and the Airport . The property is not close to support uses, such as the fire and police protection, library, and shopping, and other focal points are located.

- c. *Urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

Findings: The proposal is not strip, isolated or ribbon development and should be able to be hooked up to existing infrastructure.

G2. Would the FLUM amendment:

- a. *Protect and conserve natural resources;*

Findings: The proposed development will be required to submit a tree survey and tree removal permit prior to any tree removal on the subject site to protect natural resources.

- b. *Adequately protect adjacent agricultural areas and activities;*

Findings:NA.

- c. *Maximize use of existing public facilities and services, AND maximize use of future public facilities and services.*

Findings: The Executive Summary speaks on this matter on preserving the City's industrial land and maximization of public infrastructure and making informed land use decisions and prioritizing where and what type of development makes the most sense from a growth management standpoint and all the related City services impacts.

- d. *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy, of providing and maintaining facilities and services;*

Findings: This petition for annexation and FLUM/Zoning change does not encourage or allow for land use patterns or timing which disproportionately increase the cost in time, money, and energy, of providing and maintaining facilities and services

- e/f. *Fails to provide a clear separation between rural and urban uses, and discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities;*

Findings: The City encourages development in the subject area by maintaining the Industrial land use and Zoning consistent with the established / future planned industrial use that is being planned for this corridor.

- g. *Fails to encourage an attractive and functional mix of land uses;*

Findings: The proposed concept plan is good mix of commercial / office and high density and single family residential.

- h. *Results in poor accessibility among linked or related uses;*

Findings: The subject property has direct access to SR 39 and Chancey Rd.

- i. *Results in the loss of significant amounts of functional open space.*

Findings: NA.

H. Consistency with Comprehensive Plan

The proposed project was reviewed for consistency with the adopted Zephyrhills 2025 Comprehensive Plan. Findings relative to the review along with the relevant objectives and policies are presented below:

H1. Future Land Use Element:

OBJECTIVE LU-1-1: To encourage efficient development in areas which will have the capacity to contribute more to the City in revenue than it will consume in services that meet the above-mentioned goals and consistent with this adopted plan.

POLICY LU-1-1-1: The City shall continue to enforce land development regulations to ensure orderly development that at a minimum, contain provisions which (j) discourage the proliferation of urban sprawl.

POLICY LU-1-2-4: Land development shall take place in a manner that is compatible with the type and scale of surrounding land uses

Policy LU-1-1-6”: The City should prohibit isolated commercial development that requires higher service costs..

Findings:

The Executive report summarized the above-mentioned policies in speaking of the estimated / significant increase in City services that will be required in the proposed FLUMA & Rezoning petition. The land use compatibility / suitability is also summarized in the Executive Summary.

H2. Transportation Element:

OBJECTIVE TRA-1-3: Levels of Service. Vehicular Level of Service Standards (LOS) shall be adopted and maintained to maximize the efficient use and safety of roadway facilities and to coordinate capital improvement planning with land use decisions to meet the requirement that adequate roadway facilities be available concurrent with the impacts of development in accordance with the latest version of the Level of Service Handbook developed by the Florida Department of Transportation

POLICY TRA 1-3-1: Vehicular Levels of Service. Establish and maintain adopted levels of service on all classifications of roadways within the City. The following level of service standards (LOS) are adopted: [ALL ROADWAYS = "D"]

POLICY TRA-1-3-9: Except in cases where the impacts of the proposed development are demonstrated to be de minimis as that term is defined in Section 163.3180 of the Florida Statutes, all projects requesting development approval shall conduct a transportation study to determine the transportation impacts of significantly impacted roadway segments within the City. In cases where projects within the City access State or County public roadway facilities, transportation studies will be required to conform with State or County jurisdictional access requirements.

OBJECTIVE TRA-1-6: The planning of traffic circulation shall continue to be coordinated with the City's Future Land Use Plan to consider existing and projected population density, housing and employment patterns, and land use trends.

Findings:

The preliminary Traffic Study shows a LOS impact on one segment as summarized in the Executive Summary. The intersection of SR 39 and Chancery has been identified by the Police Chief as an area that is experiencing traffic accidents / fatalities and there is a concern with the proposed development / trip generation with increased potential issues. .

H4. Public Facilities Element:

Goal PUB-1: City shall provide a sufficient supply of water of appropriate quality for all beneficial uses within the City.

OBJECTIVE PUB-1-4: The City shall discourage urban sprawl and encourage compact development and a separation of urban and rural land uses by directing new development to areas currently served by potable water facilities to maximize the use of existing potable water distribution facilities before extending service to areas currently unserved by potable water facilities.

Policy PUB-1-4-2: City shall develop priorities that maximize the use of existing public facilities and establish a plan for replacement, possible future facility deficiency corrections and future facility needs.

POLICY PUB-4-1-3: All new development or redevelopment is required to provide on-site retention of stormwater of sufficient capacity to assure that post-development runoff is no greater than pre-development runoff. The adopted level of service standard is a 25-year storm of 3.6 inches of rainfall in 1 hour. Improvements undertaken to correct existing localized ponding of water will be based on meeting or making progress toward achievement of the adopted LOS standards for drainage facilities.

POLICY PUB-5-1-2 Developers will be financially responsible for on-site stormwater detention.

Findings:

The executive summary addresses where the City is with our Water Use Permit with SWFWMD. The City is cautious at this time on annexations and land use changes that will require large amount of water capacity until the water use permit is addressed / increased.

H5. Conservation Element:

POLICY CON 3-1-1 Protect and conserve the natural functions of existing soils and wildlife habitats. The development of property will require identification of soil type and wildlife.

H6. Recreation and Open Space Element:

NA

**ZHILLS HWY 39 PLANNED UNIT DEVELOPMENT
Petition Simultaneous Review
Annexation | Future Land Use Map Amendment | Rezoning**

JUSTIFICATION REPORT/ WRITTEN STATEMENT

Table of Contents

- I. Introduction
- II. Consistency with the Comprehensive Plan and Land Development Code Policies
- III. Surrounding Future Land Uses and Zoning Analysis
- IV. PUD Compatibility
- V. Written Statement of Justification
- VI. Local Development Pattern

Exhibits

- Exhibit 1** PUD Rezoning Plan and Map Series
- Exhibit 2** Survey
- Exhibit 3** Annexation Survey
- Exhibit 4** Transportation Study Report
- Exhibit 5** Historic and Archaeological Report
- Exhibit 6** Wetland Delineation
- Exhibit 7** Environmental Report

I. Introduction

Proposed is a Future Land Use Map Amendment from Industrial to Mixed-use (MU), and a concurrent request for a Rezoning Amendment from Light Industrial (LI) to Planned Unit Development (PUD). The proposed PUD is located on the northeast quadrant of Chancey Road and Paul S. Buchman Highway (SR 39), and is approximately 110.32 acres. Also being requested, is an Annexation of two adjacent parcels (9.98 acres) that are located within the project boundary.

The PUD focuses on mixed-use development that provides a benefit in terms of employment opportunities, life-style choice, pedestrian/bicycle connectivity, diversity of housing and an increased tax base. It is located at the Gateway to the Zephyrhills Industrial Corridor and is located west of the CSX railroad which is the boundary to the existing Industrial uses located to the east.

The Zhills HWY 39 PUD proposes to develop the property with a maximum of 30,000 square feet of Commercial/Office, 450 Multi-family units, 110 Townhomes, 200 Single-family units and 7.6 acres of park land which includes 3 acres of District Park and associated parking for the City of Zephyrhills. The development will incorporate a mix of Multi-family/Townhome units, Single-family units that consisting of 40' and 50' lots, and will incorporate interconnected parks and open space. The mix of units will support reasonable priced housing for employees in the City of Zephyrhills and Tampa Bay area.

General Site Information

Parcel ID Nos.	23-26-21-0020-00200-0000; 23-26-21-0020-00200-0010; 23-26-21-00200-01300-0020; 24-26-21-0010-03900-0010	
Acres	110.32 AC	
Annexation Parcel Summary	23-26-21-0020-00200-0000 (7 AC) 23-26-21-0020-02000-0010 (2.98 AC)	
Existing FLU Map Category	Industrial	
Proposed FLU Map Category	Mixed-use	
Primary Uses Per MU Plan Category	Residential; Residential Equivalent; Office; Retail Commercial; Personal/Business Service; Commercial/Business Service; Transient Accommodation	
Maximum Density and Intensity MU Plan Category	Max Residential Density- 14 DU/AC; FAR 0.5; ISR 0.80	
Current Zoning	Light Industrial	
Proposed Zoning	Planned Unit Development	
	Commercial/Office	30,000 SF
	Multi-Family	450
	Townhomes	110 Units
	Single-Family	200 Units
Special Area Plan	Gateway to the Zephyrhills Industrial Corridor	
Current Use	Vacant	

II. Consistency with the Comprehensive Plan and Land Development Code Policies

Proposed Future Land Use - Mixed-Use Category and PUD Zoning

An application for a Future Land Use Map Amendment is being processed concurrently with the Rezoning amendment. The Future Land Use is Industrial and proposed to be Mixed-use and the Proposed Rezoning is PUD.

The vision of the FLU Mixed-use category is to achieve a more balanced mix of uses to increase convenience and provide greater transportation choices. When a wide variety of uses are located in close proximity to each other, walking and bicycling become practical alternatives to automobile travel. Such areas would support objectives for improved mobility and reduced congestion. Infill development success can be enhanced by planning a mutually-supportive mix of uses. The mixing of uses can add variety and vitality to an area, making it a more attractive, interesting place to live. In addition, convenient commercial and personal services, readily accessible to work sites and residential areas, and convenient cultural or recreational amenities can enhance the attractiveness of infill development.

Proposed Land Use Data Table

Land Uses	Square Feet/ Dwelling Units	Acres
Commercial/Office	30,000 SF	6 Ac.
Multi-Family	450	24.74 Ac.
Townhomes	110 Units	42.87 Ac.
Single-Family	200 Units	
Parks		7.5 Ac.

1. The proposed PUD Development is located at the Gateway to the Zephyrhills Industrial Corridor east of the railroad tracks and existing Industrial land uses. The proposed Future Land Use of the Parcels is Mixed-Use Category.
2. The uses are compatible and consistent with the Mixed-use Category and the Zephyrhills Industrial Corridor Master Plan. The CSX railroad is a boundary for the existing Industrial uses to the east. The proposed PUD Zoning and Mixed-use Land Use are also compatible with the Gagne PUD neighborhood development located to the south of Chancey Road.
3. The PUD Plan provides for a variety of uses from retail, office, multi-family, townhomes and a mix of 40' and 50' single-family units. Residents will be in close proximity to

neighborhood retail/commercial/office uses. The development will be connected through a bicycle/ pedestrian system consisting of sidewalks and multi-use path connections. The PUD incorporates the right mixes of uses to provide for support to the Gateway into the Zephyrhills Industrial Corridor.

4. The proposed Future Land Use Amendment to Mixed-use will provide sufficient amounts of residential lands to accommodate population growth and sufficient amounts and commercial uses to support the surrounding residential and industrial located to the east. The proposed Amendment to Mixed-use supports proportional amount of mixed residential, commercial, office, and public land uses necessary for a community to grow and support growth in a balanced manner. The development will help maintain economic viability of the community.

III. Surrounding Future Land Uses and Zoning Analysis

Summary of Future Land Use Map, Zoning and Existing Uses in Proximity to Site

Direction Subdivision	FLUM Category	Zoning	Existing Uses
<i>Site</i>	<i>Existing FLU - Industrial</i> <i>Proposed FLU - Mixed-Use</i>	<i>Existing Zoning- Light Industrial</i> <i>Proposed Zoning - PUD</i>	<i>Vacant</i>
North - Pasco County	Industrial Light	Agricultural (AC)	Vacant, Single Family Homes
South	Mixed-Use	PUD	Vacant with proposed Retail, Commercial, Single Family Homes, and Townhomes
East	Industrial	Light Industrial (LI)	CSX Railroad, Industrial Uses
West – Pasco County	RES-9	C-2 and RMH	Residential, Mobile Home Park

- The proposed PUD is located at the Gateway of the Zephyrhills Industrial Corridor. The PUD development is an appropriate transitional use from the surrounding single-family residential to the Industrial located to the east of the CSX railroad.
- The proposed Mixed-use FLU is consistent with the Mixed-use FLU development located to South. The adjacent Gagne PUD, is approved for Mixed-use, Hotel, Corporate Park, Office, Commercial and Residential uses.
- The FLU to the west is RES-9 with single-family homes located to the west and single-family large estate lots located to the north of the proposed development. Mixed-use is more compatible and a better transitional with the adjacent residential located to the west

and north. The existing Industrial FLU and Zoning is not compatible with the adjacent residential surrounding the project site.

- There is Industrial FLU located to the east of the CSX railroad. The railroad is a good boundary transition to the Industrial. The proposed Mixed-use Future Land Use Category provides supportive uses to the Industrial FLU.

IV. PUD Compatibility: The Master Plan Shall Demonstrate Compliance with the following:

1. Land Uses within the Master Plan are arranged and designed in a complementary and compatible manner.

The proposed PUD Master Plan allows Mixed-uses, Commercial and Residential uses. The Commercial uses will be located along the Paul S. Buchman Highway and the District Park will be located adjacent to Chancey Road. The uses transition to multi-family/townhome along the boundary and single-family residential will be located internal to the project.

The uses are complimentary to each other, within walking distance and will create a sense of community. The uses will be integrated through a multi-modal plan which will incorporate bicycle/pedestrian connection within the development and the surrounding developments.

The multi-family units and townhomes will also be located closer to the railroad. Stormwater ponds will be designed along the east project boundary to act as an additional buffer. The landscape buffers will be enhanced and will include fencing and sound mitigation.

2. Different uses within the proposed parcel, site or project are effectivity buffered to encourage full use and enjoyment of all property.

The proposed PUD will provide for an enhanced buffering and landscaping that exceed minimum code requirements. An enhanced buffer with sound mitigation will be provided to the east of the multi-family/townhomes site to provide buffering from the railroad. Detailed Landscape buffers and fencing shall be shown on the Final Development Plan.

Stormwater ponds will, where possible, be strategically located to create amenity features for the residential development and provide for additional buffers from the railroad tracks.

3. Vehicular-circulation system throughout the PUD Plan that directs traffic in an efficient and safe manner.

The proposed PUD is located to the north of Chancey Road and east of SR 39/Paul Buchman Highway. Chancey Road is a four-lane divided roadway from US 301 to slightly east of SR 39 (approximately 0.75 miles) and a two-lane undivided roadway from east of SR 39 to its terminus at CR 54 (approximately 4.5 miles). The roadway segments are constructed within 120 feet of right-of-way with a maximum corridor width of 166 feet per the Pasco County Corridor Transportation Table.

SR 39/Paul Buchman Highway is currently a two-lane undivided roadway. Per the Pasco County Corridor Transportation Table, SR 39 has a buildout of four-lanes divided with a proposed corridor maximum width of 168 feet.

Internal Project Roadways

The internal roadways will provide a continuous circulation system throughout the PUD Plan with sidewalks/multi-use paths connecting the uses. The Plan provides safe and efficient drive lanes, landscaping buffers, sidewalks and a multi-use path. The roadway will also have multiple interconnects within the project, and access points onto Paul S. Buchman Highway and Chancey Road that are discussed in further detail in the attached Transportation Study.

4. Individual land use components of the Plan are interconnected by safe and convenient pedestrian linkages.

The PUD proposes bicycle and pedestrian connectivity throughout the development and provides accessibility to the neighborhood and District Park located within the development. A sidewalk and multi-use path will be designed as part as the internal roadway. Sidewalks and multi-use paths internal to the project shall be in compliance with LDC requirements.

5. External Compatibility: The PUD Plan shall include appropriate development order conditions that accomplish “transitioning land uses and gradual reduction of intensities and uses to minimize visual and noise impacts on adjacent development.

The PUD Master Plan has been designed to the take into consideration external compatibility as part the Gateway to the Zephyrhills Industrial Corridor. The uses are situated from higher intensity and density uses along the Paul S. Buchman Highway, and transition to lower density residential in the central area of the neighborhood. Townhomes will be located around the perimeter of the neighborhood, and stormwater ponds will be designed and placed adjacent to the CSX railroad.

The proposed PUD will provide for enhanced buffering and landscaping that exceed minimum code requirements. Stormwater ponds will, where possible, be strategically located toward the east property boundary to provide an additional buffer to the CSX

railroad. An enhanced buffer with sound mitigation will be provided to the east of the multi-family/townhomes site to provide buffering from the railroad.

6. Neighborhood Parks

There will be a minimum of 7.6 acres of park area provided for the development which will include 3 acres of District Park land and parking dedicated to the City of Zephyrhills. The neighborhood park and District Park are depicted on the Preliminary Development Plans.

The neighborhood parks will be centrally located to the single family, townhome and multi-family residential. The multi-use paths and sidewalks will provide connectivity to the neighborhood parks and the District Park.

Recreation site development standards shall be in accordance with the City of Zephyrhills Land Development Code and the Park Impact Fee Ordinance as amended.

7. Utilities

Potable water and sanitary sewer service exists in the vicinity of the project with Pasco County and City of Zephyrhills infrastructure. Pasco County infrastructure includes an 8" water main and 6" sewer force main located at the southeast corner of Chancey Road and US 301. City of Zephyrhills infrastructure includes an 8" water main and sanitary sewer force main along Tucker Road. The applicant proposes to construct an offsite force main and water main connection to the existing utilities. The applicant will work with Pasco County and City of Zephyrhills for authorization to these connections.

The Utilities Impact Analysis demonstrates the maximum build-out scenario for both the existing FLU of Industrial and the proposed request to Mixed-Use FLU Category and PUD Zoning. (See Table 1 and Table 2 below)

Per the Comprehensive Plan Future Land Use Element, Industrial (IN) FLU Category has a Floor Area Ratio (FAR) of 0.50 which will allow for approximately 2.4 million sq. ft. of light industrial uses. Based on the maximum build-out scenario for the IN land use, the average daily flow of wastewater is 360,000 gallons per day. The average daily flow of water is 408,000 gallons per day. See Table 1 Below.

The maximum build-out scenario for the proposed Planned Unit Development (PUD) is 300,000 sq. ft. of commercial, 450 multi-family units, 110 townhome units and 200 single-family units. Based on these proposed entitlement the average daily flow is 159,500 gallons per day. The average daily flow of water is 172,100 gallons per day. See Table 2 Below.

In summary, the proposed Land Use Amendment and Rezoning to PUD will generate considerably less demand for water and wastewater. The proposed entitlements for the PUD will have less impact on the existing utility infrastructure than the existing maximum build-out of Light Industrial uses.

Table 1

Maximum Build-out Scenerio with Exisiting Industrial FLU

AVERAGE DAILY FLOW (ADF)

SQ. FT.	USE	UNIT MEASURE	WASTEWATER			WATER	
			RATE (GPD)	TOTAL ADF (GPD)		RATE (GPD)	TOTAL ADF (GPD)
	SINGLE FAMILY	(PER UNIT)	200	0		215	0
	MULTI FAMILY	(PER UNIT)	200	0		215	0
	TOWNHOME	(PER UNIT)	200	0		215	0
	COMMERCIAL	(PER SQUARE FOOT)	0.25	0		0.29	0
2,400,000	LIGHT INDUSTRIAL	(PER SQUARE FOOT)	0.15	360,000		0.17	408,000
				360,000			408,000

References

- 1 Florida Department of Health Chapter 64E-6, Florida Administrative Code - Standards for Onsite Sewage Treatment and Disposal Systems
"Table 1 - For System Design Estimated Sewage Flows" from Rule 64E-6, F.A.C.
https://www.floridahealth.gov/environmental-health/onsite-sewage/forms-publications/_documents/64e-6.pdf
- 2 PCU Technical Manual for Design and Construction of Water, Wastewater, and Reclaimed Water Facilities
Section B1.8 - Table B-1. Average Day Water Demand
Section B.2.2.1 - Table B-2. Wastewater Flow (ADF)

Table 2

Proposed Mixed-Use FLU and PUD Zoning

Maximum Build-out Scenario

AVERAGE DAILY FLOW (ADF)

UNITS/ SQ. FT.	USE	UNIT MEASURE	WASTEWATER			WATER	
			RATE (GPD)	TOTAL ADF (GPD)		RATE (GPD)	TOTAL ADF (GPD)
200	SINGLE FAMILY	3BR/2BATH	200	40,000		215	43,000
450	MULTI FAMILY	3BR/2BATH	200	90,000		215	96,750
110	TOWNHOME	3BR/2BATH	200	22,000		215	23,650
30,000	COMMERCIAL	(PER SQUARE FOOT)	0.25	7,500		0.29	8,700
	LIGHT INDUSTRIAL	(PER SQUARE FOOT)	0.15	0		0.17	0
				159,500			172,100

References

- 1 Florida Department of Health Chapter 64E-6, Florida Administrative Code - Standards for Onsite Sewage Treatment and Disposal Systems
"Table 1 - For System Design Estimated Sewage Flows" from Rule 64E-6, F.A.C.
https://www.floridahealth.gov/environmental-health/onsite-sewage/forms-publications/_documents/64e-6.pdf
- 2 PCU Technical Manual for Design and Construction of Water, Wastewater, and Reclaimed Water Facilities
Section B1.8 - Table B-1. Average Day Water Demand
Section B.2.2.1 - Table B-2. Wastewater Flow (ADF)

Written Statement of PUD Concept

1. The Market the PUD intends to serve.

- The proposed PUD will be a mixed-use development that will be a part of the Gateway to the Zephyrhills Industrial Corridor. It will serve as a support use to the Industrial Corridor for potential commercial, office and residential uses.

2. Relationship to the PUD to the Comprehensive Plan

- The proposed PUD is consistent with the Comprehensive Plan FLU Category of Mixed-use. The PUD Plan provides for a variety of uses such as retail, office, multi-family/townhome and a mix of single-family units. The PUD also provides for multi-modal connectivity and has a safe interconnected bicycle-pedestrian path system.

3. Uses included and any limitations upon uses.

- The PUD will be a mixed-use development with commercial, office and residential development.
- The PUD will provide residential development consisting of Multi-Family, Townhomes and single-family consisting of 40' and 50' width lots.

4. Architectural Design - To be reviewed during Final Development Plan Review.

5. Building Types and Site Layouts- Are provided on the attached PUD Preliminary Development Plan.

6. Any Proposed agreements, dedications or easements- To be determined and approved in the PUD Conditions of Approval.

7. Any proposed private covenants and restrictions- To be determined and approved in the PUD Conditions of Approval.

V. Local Development Pattern and Suitability

The development pattern in the planning area is predominantly suburban in character with new residential communities such as Gagne PUD located to the south and Cobblestone MPUD residential development located approximate ¼ mile to the west.

The development is located in the Gateway of the Industrial Corridor which is for industrial and supportive commercial mixed use development. The Proposed Mixed-use FLU is a suitable Future Land Use categories and fits with the development pattern with the following findings:

- The proposed Mixed-use Future Land Use Category and PUD is consistent with the Industrial Corridor Master Plan since it will be a good transitional and supportive use to the Industrial Uses located to the east of the Railroad tracks.
- The proposed use is compatible to the Mixed-use (Gagne PUD) development to the south and adjacent residential located to the south, west and north.
- There is a deficiency of multi-family residential and work force housing in this area. The PUD proposes 450 multi-family units which will support reasonable priced housing in the Tampa Bay area for employees.
- The development pattern identifies all the Industrial Uses within the Industrial Corridor located to the east of the CSX railroad.



AISC
CERTIFIED
FABRICATOR
& ERECTOR

July 15, 2022

Todd H. Vande Berg
Director of Planning
City of Zephyrhills
5335 Eighth Street
Zephyrhills, FL 33542-4312

Dear Mr. Vande Berg:

I am the Owner of Morrow Steel Fabricators, Inc. located at 3620 Copeland Drive in Zephyrhills. My fabrication facility is located on the east side of the CSX railroad tracks on the north side of Chancey Road next to Oldcastle.

I am writing to express my concern regarding the potential re-zoning of the parcel on the west side of the CSX tracks at the intersection of Chancey Rd and Paul S. Buchman Highway into a residential community.

Morrow Steel has been at this location for over twenty-five years, and I can recall when the city of Zephyrhills decided back in the 90's to make this area an industrial zone. Since that time I have invested millions of dollars into my facility; which employs over 150 personnel, working two shifts a day, and I am disappointed the city is considering this action.

I am very concerned that this 'mixed use' zoning will cause noise and safety concerns for both my firm and my neighbors. It makes absolutely no sense to me to intermingle industrial and residential. In addition, there is already a great deal of vehicular traffic on Chancey Road and Paul Buchman highway, and the introduction of a significant residential housing development on the proposed site will only exacerbate the situation.

Finally, it would be grossly unfair to us, who are at this site specifically because of the existing zoning, if we have to revise or curtail our work activities because of complaints generated by the new residential landowners; rest assured this will absolutely happen if the zoning is changed.

We are relying on the city to stick to its original plan for this area, that is why we have continued to invest in our properties, and we trust that you will deny this re-zoning request.

Respectfully,
Morrow Steel Fabricators, Inc

A handwritten signature in dark ink, appearing to read 'D. Morrow'.

D. William Morrow
President/CEO

3620 Copeland Drive • Zephyrhills, FL 33542 • (813) 715-0404 • Fax: (813) 715-0066 • www.morrowsteel.com

7/11/2022

Todd H. Vande Berg
Director of Planning
City of Zephyrhills
5335 Eighth Street
Zephyrhills, FL 33542-4312

I am the Site Manager for Oldcastle APG South, Inc.'s (Oldcastle) manufacturing facility located at 3749 Copeland Drive, Zephyrhills, Florida and am writing to you regarding the proposed rezoning of the property bound by the CSX Railroad tracks, Chancey Road, Paul S. Buchman Highway, and Tucker Road from agricultural to residential. Oldcastle's manufacturing facility is located in the industrial zone directly across from the CSX railroad tracks and the property subject to the rezoning application. As a result, Oldcastle would like to explain its operations and the potential implications of the proposed rezoning.

Oldcastle's manufacturing facility was constructed in 1995 after Oldcastle conducted a significant amount of due diligence to locate a suitable industrial zone. We manufacture and sell concrete block, patio stones, pavers and bagged sand/gravel for homeowners and professional contractors. The manufacturing facility includes three block plants, which operate 24 hours a day, 7 days a week, and an average of 80 tractor trailers enter/leave the manufacturing facility each day.

Oldcastle has invested in excess of \$60,000,000 in the manufacturing facility. More importantly, Oldcastle employs approximately 62 employees, most of which live in Zephyrhills, at an average annual income in excess of \$58,000 plus full benefits.

Central Florida is one of Oldcastle's biggest markets and Oldcastle selected the Zephyrhills site because Zephyrhills is a great place to do business. Over time, the Zephyrhills manufacturing facility has become one of Oldcastle's largest and most productive locations, so Oldcastle expects to grow its business in Zephyrhills in the future.

Oldcastle strives to be a responsible neighbor and good member of the community. That said, Oldcastle does not believe that the massive residential project proposed for the agricultural property at issue is compatible with the adjacent industrial zone.

As the City is aware, a number of homeowners in the Bristol Meadows community filed noise complaints regarding Oldcastle's operations after those residents moved into their new homes. In response, Oldcastle was required to spend a significant amount of time and money proving that its operations were being conducted in accordance with the applicable noise regulations. The number of complaints is likely to grow if the City agrees to rezone the property at issue and the new residents are likely to demand that Oldcastle limit its manufacturing operations in order to reduce the truck traffic in the area.

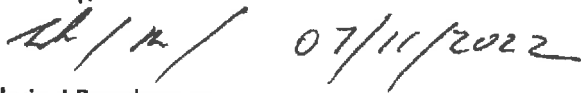
3749 Copeland Drive ▪ Zephyrhills, Florida 33542 ▪ www.oldcastlecoastal.com ▪ Phone (813) 783-1970 ▪ Toll Free (800) 422-1288 ▪ Fax (813) 783-2728

Todd H. Vande Berg
Director of Planning
City of Zephyrhills
July 11, 2022
Page | 2

Oldcastle believes that Zephyrhills is a great place to live, work, and do business because it has a great mix of agricultural, residential, business, and industrial zones. The rezoning of the residential property at issue will shift the balanced zoning plan towards residential zoning and negatively impact agricultural and industrial zoning. As a result, Oldcastle encourages the City to reject the proposed rezoning application.

Please contact me if you have any questions and thanks for your consideration of this request.

Sincerely,

Handwritten signature of Edwin J Boudreaux and the date 07/11/2022.

Edwin J Boudreaux
Site Manager
Oldcastle APG South, Inc
3749 Copeland Drive
Zephyrhills, FL 33542



PASCO EDC

NORTH TAMPA BAY, FLORIDA

Pasco Economic Development Council
16506 Pointe Village Drive, Suite 101 • Lutz, Florida 33558
p: (813) 926-0827 • f: (813) 926-0829
www.pascoedc.com

POLICY COUNCIL

Jimmy Adcock, TECO/Emera
Dr. Timothy Beard, Pasco-Hernando
State College
Nick Carideo, Morton Plant North Bay
Hospital/BayCare
Dr. Mark Gesner, Saint Leo University
Dr. Virnitia Hendricks, Santander
Consumer USA
Kartik Goyani, Metro Development
Group, LLC
Joe Marina, Withlacoochee River
Electric Cooperative
Merritt Martin, Moffitt Cancer Center
Art Phelps, Phillips & Jordan, Inc.
Erik Wangness, AdventHealth
Wesley Chapel

BOARD OF DIRECTORS

Heidi Tuttle-Beisner—Chair
Commercial Asset Partners Realty
Michael Ross—Vice Chair
Arduro Group, Inc.
Michele Hintson—Secretary/Treasurer
Shumaker, Loop & Kendrick, LLP
Jeff Lampasso—Immediate Past Chair
Truist
Gina Abadir
Suncoast Credit Union
Jimmy Adcock
TECO/Emera
Courtney Bissett-Hayes
Bissett McGrath Properties
David de la Parte
Moffitt Cancer Center
C. Powers Dorsett
Bell Fruit LLC
Lew Friedland
Adam Smith Enterprises, Inc.
Joel Horn
Welbilt, Inc.
Staceyann Jibbison
Rasmussen University
Albie Kaminsky
Charter Communications
Chris LaFace
RIPA & Associates LLC
Mike Lawson
Metro Development Group, LLC
Stephanie Lerret
Avalon Park West
Amanda Maggard
AdventHealth Zephyrhills
Paul Manuel
Coastal Design Consultants, Inc.
Jorge Martinez
Regions Bank
Brandon May
Morton Plant North Bay Hospital/BayCare
Mark Metheny
Homes By West Bay, LLC
Dewey Mitchell
Berkshire Hathaway Florida Properties
Kristi Pettit
Clearwater Gas System
Sam Rockwell
Raymond James
Danielle Ruiz
Duke Energy
Roberto Saez
Design & Construction Innovations, LLC
J. Bradley Smith
Wells Fargo
Barbara Wilhite
Barbara L. Wilhite, P.A.
Tom Willson
Phillips & Jordan, Inc.

Ex Officio

Commissioner Christina Fitzpatrick
Pasco Administrator Dan Biles
Jerome Salatino, CareerSource Pasco
Hernando

October 8, 2021

Mr. Todd Vande Berg
Director of Planning
City of Zephyrhills
5335 8th Street
Zephyrhills, FL 33542

Dear Mr. Vande Berg:

On behalf of the Pasco Economic Development Council, we are in support of preserving industrial land in the City of Zephyrhills and throughout Pasco County. Industrial land continues to be in short supply and is a critical component as we work with competitive economic development projects to expand and locate their operations in Pasco County.

The City of Zephyrhills continues to be proactive in its land use planning designed to invite new light industrial developments into the community. Industrial projects make substantial capital investments, create high wage jobs and supports other small manufacturers and suppliers. This production-supplier network will diversify Zephyrhills' economy by creating a balanced commercial tax base away from primarily residential developments.

This planning is a critical step when creating sites attractive to industrial users and is a primary reason Pasco County, Pasco EDC, Duke Energy and the City of Zephyrhills have collaborated over the past six years in implementing the Duke Energy Site Readiness Program and the Pasco Ready Site Program. This collaboration was directly linked to Pasco County and the City of Zephyrhills agreeing to a collaborative funding agreement resulting in Pasco County investing over \$3.5 million of Penny for Pasco funds in new sewer lines along Chancey Road, 6th Avenue and CR 54.

The Zephyrhills Airport Industrial Park and the North Tampa Bay Industrial Park consistently attract high levels of interest from companies and developers looking for land strategically located along major corridors providing access to highly skilled workforce, CSX Rail, Port Tampa Bay, Interstate 4 and US 98. We are currently working with Duke Energy to recruit developers and manufacturers to these sites including one project pursuing 20 acres to build a 150,000 square foot facility with 50 new jobs at the North Tampa Bay Industrial Park just last month.

It has been a pleasure to work and partner with the City of Zephyrhills regarding all facets of economic development. We will continue to strive towards the goals of high-paying jobs, increasing the tax base, and improving the quality of life for all Pasco County residents.

Sincerely,

Bill Cronin
President/CEO



Danielle M. Ruiz
Director, Industry Recruitment
Economic Development-Florida

7S51 | 4121 St. Lawrence Drive
New Port Richey, FL 34653

o: 727.372.5137
c: 727.222.9869
f: 727.372.5117

September 28, 2021

Mr. Todd Vandenberg
Director of Planning
City of Zephyrhills
5335 8th Street
Zephyrhills, FL 33542

Letter of Support

Dear Todd:

It has been a pleasure working with you, others in the city of Zephyrhills' leadership and the Pasco Economic Development Council (EDC) to expand and attract new business to the area. We have enjoyed engaging with the city as we work to identify competitive economic development opportunities within the communities we serve.

The city of Zephyrhills has been proactive in their planning efforts to identify opportunities for future industrial development. Duke Energy's Site Readiness program, one that invests in the identification and evaluation of potential industrial sites, was conducted in 2015 on 420-acres property in the Zephyrhills Airport Industrial Area. The intent of the program is to support industrial development on the property with the goal being to attract jobs and capital investment to the area. In addition, and more recently, we worked with the Pasco EDC to provide electric infrastructure information for their Ready Sites program evaluation of the North Tampa Bay Industrial Park, a rail served property also located in the city. The program analyzed the state of readiness and has allowed our collective team to present this site for competitive opportunities for new development on the site. As such, the site has had multiple interests from manufacturing companies. These types of industries often have a lower demand for services, allowing the local government to diversify their tax base and strive for a lower cost burden for their citizens. We look forward to your continued leadership and focus on preserving large, rail served industrial areas.

Duke Energy has a longstanding commitment to economic development and is a company engaged at every level to assist in the delivery of jobs, capital investment and increased tax base to the communities we serve. We stand ready to work with you to increase the economic impact to the area through engaging and thoughtful discussions.

Sincerely,

A handwritten signature in cursive script that reads 'Danielle M. Ruiz'.

Danielle M. Ruiz

(07/20/2022) Sent via email

Todd H. Vande Berg
City of Zephyrhills
5335 8th Street
Zephyrhills, Florida 33542
813-780-0006

RE: ANNX22-06 Industrial Corridor (Annexation, Comprehensive Plan Amendment, Rezoning)

Dear Mr. Vande Berg,

Thank you for providing the opportunity to comment on the proposed annexation petition for Industrial Corridor (ANNX22-06). After reviewing the information provided, Pasco County staff have a few notes to address with this project.

1. Joint Planning Area (JPA). The subject project area (23-26-21-0020-00200-0000; 23-26-21-0020-00200-0010) is located within the Joint Planning Area (JPA).
2. Annexation Consistency. The proposed annexation is consistent with Florida State Statutes, Chapter 171; the site is contiguous to city boundary and is considered compact.
3. Future Land Use. The proposed Comprehensive Plan Amendment is to change the existing IL – Light Industrial; County to MU – Mixed Use (14 DU/GA); City. The Pasco County Comprehensive Plan aims to preserve employment generating uses (POLICY ED 1.4.4; POLICY FLU 1.8.7; POLICY FLU 1.8.10); an amendment removing the IL FLU does not promote the listed policy and would not be supported under the Pasco County Comprehensive Plan. This area is characterized by industrial development – removing the IL FLU would limit the character of the area. The proposed site plan dictates the IL uses would be removed and converted to multi-family entitlements – this conversion is not compatible.
4. Project Location. The subject site is located adjacent to the CSX Railroad. In general, Pasco County staff would not recommend locating residential development adjacent to the railway, as this area is intended for industrial development, which the railway would be utilized, creating additional traffic, heavy machinery, and adverse noise impact on the surrounding area.

PLANNING AND DEVELOPMENT – Long Range Planning

727.847.8140 | West Pasco Government Center | 8731 Citizens Drive, Suite 360 | New Port Richey, FL 34654

Please reach out with any additional questions or comments to Shelby Fuente (sfuente@pascocountyfl.net) or Jeffrey Jenkins (jjenkins@pascocountyfl.net).

Sincerely,

Jeffrey R. Jenkins

Digitally signed by Jeffrey R.
Jenkins
Date: 2022.07.20 12:36:57 -04'00'

Jeffrey R. Jenkins, MPA, AICP
Executive Planner/Manager
Long Range Planning Division

PLANNING AND DEVELOPMENT – Long Range Planning

727.847.8140 | West Pasco Government Center | 8731 Citizens Drive, Suite 360 | New Port Richey, FL 34654



AN INDUSTRIAL LAND STRATEGY FOR PASCO COUNTY

April 19, 2022

Abstract

Analysis of industrial land in Pasco County, recent and emerging trends, supply and demand for industrial land, and strategies to preserve industrial land for future generations

Prepared for Pasco County by the Tampa Bay Regional Planning Council

1. Executive Summary

Facing development pressures from the fastest growing housing prices in the Tampa Bay region, a recent wave of comprehensive plan amendments seeking more residential development in Pasco County has raised concerns about the County's supply of industrial land. In June 2021, those concerns spilled over into public debate over the development of the Central Pasco Employment Village, where landowners sought to develop residential uses on a portion of 2,400 acres of Employment Center designated land south of SR 52, while economic development advocates argued for a jobs-first approach.¹ Even though a compromise was eventually reached, any loss of target industry development capacity can result in lost opportunities for high wage jobs.

Moreover, industrial to residential land conversion is compounding the existing jobs-housing imbalance in Pasco County. With the longest commutes in the six county Tampa Bay region (32 minutes versus a regional average of 27.6 minutes per day), the loss of industrial land in Pasco County has both short-term costs to drivers and to long-term economic growth in the County. Weighed against the short-term job creation benefits of building homes, each acre of industrial land that is converted to residential uses costs the County represents a net loss of about \$3.9 million in personal income through 2050.

A strategy to help the County retain enough industrial land to sustain future jobs benefits from having a clear understanding of how many jobs the County needs over the coming decades, especially with the County's high population growth. Knowing how many jobs the County should plan for, therefore, will be helpful in allocating enough land to provide those jobs. One potential goal for this strategy is that the County plan for enough land for one job per employed resident. As a commuter community, Pasco falls short of this goal but attaining it can raise today's personal income, improve equity, spark increased investment in the County, and bring down commuting costs.

While the allocation of land to meet economic goals is not by itself sufficient, it is a necessary first step. Working with Pasco County staff, the Tampa Bay Regional Planning Council (TBRPC) focused on the leading edge of job creation, the availability of land for target industries in the Future Land Use designations of Employment Center (EC) and Industrial-Light (IL). With multiplier effects creating indirect jobs, increasing the share of target industry jobs in the Pasco economy will help the County provide enough jobs to County residents over the long term. TBRPC conducted an analysis of both the job creating capacity of the County's industrial land and of projects within Planned Developments to scope the need for additional EC and IL designated land. Additional EC and IL provides more ground to reach a related goal, to raise the percentage of all target industry jobs from one in ten jobs to one in four jobs, which is the same level of those target jobs in Hillsborough and Pinellas counties.

Overall, TBRPC found that the existing inventory of land designated as EC and IL is sufficient on a gross acreage comparison basis to meet future job needs. However, the availability of appropriately sized sites usually required to support target industries in corporate business and industrial parks is very limited. Given changing industry needs and potential site-specific obstacles to development, developer choices and market trends, TBRPC identified several potential Areas of Interest where the County may initiate Future Land Use amendments to add more EC and IL designated land in

¹ www.tamtabay.com/news/pasco/2021/06/09/controversial-pasco-land-use-changes-find-agreement-with-their-opponents/ Accessed March 31, 2022.

a more compact land use pattern. Those areas are generally consistent with the needs of industrial activity and close to or adjacent to existing industrial areas and follow existing truck routes and freight rail lines. Clustering future EC and IL where those already exist will help to alleviate potential conflicts with residential uses when those uses are close to industrial activity and supports sharing infrastructure development costs. Those Areas of Interest are tentative, but with further development by the County those areas can become part of an industrial sanctuary that protects the industrial land base of the County.

The principal findings of the Strategy's underlying analysis are:

- With more than 8,300 acres of developable land suited for target industry growth, Pasco County does have significant space for job growth; however
- Trends driving innovation in logistics are tailwinds propelling industry demand for larger sites; and
- The Pattern of EC and IL Future Land Uses is both scattered across the County and highly fragmented, with half of buildable parcels under 1.5 acres; suggesting that
- While a significant share of future job growth may be absorbed in projects that could be developed on relatively small parcels, the availability of large EC and IL parcels for corporate business and industrial parks for long-term job growth is limited; consequently,

TBRPC recommends that the County consider:

- Setting a job growth goal through 2050 to balance future target industry serving land use decisions against the other land use needs of the public. The goal should be directed at improving the jobs-employed residents ratio and the share of target industry jobs within County jobs;
- Adopting land use policies that accommodate job growth goals, protecting EC and IL land by:
 - Establishing an industrial land sanctuary to maintain an available land inventory of at least 2,000 acres of parcels greater than 50 acres;
 - Assessing the need for a new flex land use designation for corporate business parks and compatible light industrial uses, along with supporting zoning that requires a minimum 50-acre lot size;
 - Consolidating fragmented parcels through land assembly; and facilitate redesignations away from EC and IL when those parcels are not viable for supporting target industry growth; and
 - Encouraging redevelopment of the extensive inventory of obsolete office and industrial sites through targeted incentives

December 8, 2022

The Honorable Mayor Gene Whitfield
The Honorable Councilmen Jodi Wilkerson,
The Honorable Councilmen Lance Smith
The Honorable Councilmen Kenneth Burgess
The Honorable Councilmen Alan Knight
The Honorable Councilmen Charles Proctor

City of Zephyrhills
5335 8th Street
Zephyrhills, FL 33542

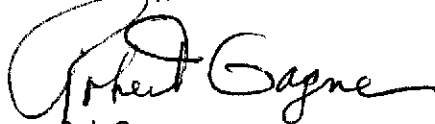
Dear Mayor & Councilmen:

I own the property abutting your proposed rezoning project on SR 39 and Chancey Rd in Zephyrhills. I also own all the land across the street on Chancey and more around the corner on 301 and Chancey. At one point, in 2008, I owned the piece you are trying to rezone.

We met with the potential new landowners and discussed the plans for the property. We feel the property should be rezoned to residential to keep all the Industrial to the East of the railroad tracks. as all the rest of the Industrial property is currently on that side of the railroad tracts. This would also be consistent with all the residential that is on the west side of the railroad tracts. This will return the property as it was, prior to it being changed to Industrial about 15 years ago. We discussed buffering, leaving as many existing trees as possible and informing the future residents of the Light Industrial activities on the other side of the railroad tracks prior to them purchasing homes in the new project. We therefore support the Rezoning application submitted by the landowners, to rezone their property on Hwy 39 from Light Industrial (LI) Zoning to a Mixed Use (MU) Zoning. I understand that this rezoning application has been submitted and will be reviewed by the Council in the December 12 hearing.

We believe that this rezoning will be beneficial to the entire City by beautifying the gateway into Zephyrhills, allowing for much need retail on the southern end of Zephyrhills and allowing residential and commercial uses on the property instead of Industrial uses.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Gagne". The signature is fluid and cursive, with the first name "Robert" and last name "Gagne" clearly distinguishable.

Bob Gagne
4401 Gulfshore Blvd N
Naples, FL 34103

Staff Report Memorandum

To: City Council and Honorable Mayor
From: Rodney Corriveau, AICP – Senior Planner
RE: USE 04-21 Palm Cove Conditional Use Petition
Date: December 12, 2022

I. BACKGROUND & INFORMATION

A. History | Application Summary

This is an application for a conditional use petition to exceed the height limitations of the R-4 (Multi-Family Residential) zoning district. The proposal is for the construction of a 4-story building over parking, and a 3-story building at grade for independent living units (apartments for elderly) on 15.03 acres (mol) of real property, see Attachment 1- Elevations for illustrations. The project is located on US 301/Gall Blvd approximately 1,500 feet from Kossik Rd. / Otis Allen Rd., see Figure 1 - Location Map. At its regularly scheduled meeting on February 15, 2022, the SPRC recommended approval of the conditional use to exceed the height limitations of the R-4 zoning designation.¹ Please note there is an assisted living facility (ALF) proposed on-site as part of this proposal, and IS NOT the subject of a conditional use for height. An assisted living facility, as well as independent living units (considered apartments under the Land Development Code (LDC)) in the R-4 zoning designation is permitted as-of-right. Please see conditional use requirements discussion, page 9 - for zoning designation discussion.

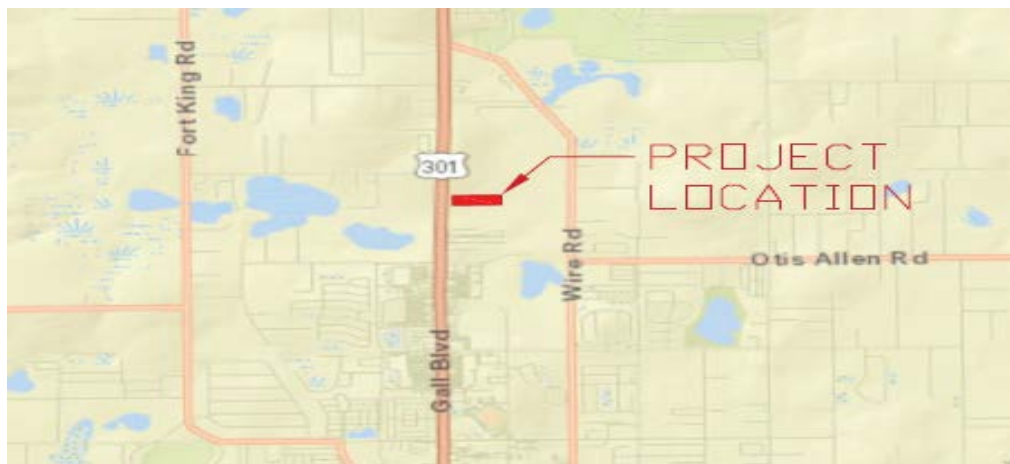


Figure 1 - Location Map Courtesy of Avid Group

¹ At its February 15, 2022 meeting, the SPRC approved a parking requirement reduction based upon the proposed use as an independent living facility and assisted living facility. Please note the SPRC is the final approving committee for parking reductions (per LDC Sec. 7.03.04.06(a)), therefore the parking reduction request is not a subject of this application. Further discussion is contained herein.

B. Site Information

<u>Applicant Owner:</u>	Tom Simpson for Skyline One, LLC
<u>Location:</u>	8330 Gall Boulevard, Zephyrhills FL 33541
<u>Parcel ID Number(s):</u>	26-25-21-0060-00000-0050
<u>Acreage:</u>	15.03 Acres (2.6 Acres of which are wetlands)
<u>Existing Use of Land:</u>	Vacant
<u>Existing Land Use:</u>	RU (Residential Urban)
<u>Existing Zoning:</u>	R-4 High Density Residential
<u>Overlaying Plan (pending):</u>	US 301 Corridor Plan (NOT APPROVED)
<u>Proposed D/U per Acre:</u>	14 DU (210 / 15 = 14 DU)
<u>Proposed Unit Breakdown:</u>	ALF - 138 Independent Living – 72
<u>Site Serviced by Utilities?²</u>	NO – Requires Utility Service Agreement
<u>Existing Capacity in WUP?³</u>	YES
<u>Physiography and Geology⁴</u>	26-30 meters or 85-100 feet change in elevation
<u>Flood Zone(s)</u>	X and AE



Figure 2 - Project aerial Courtesy of Avid Group

² Please see Utility Service Agreement discussion under *Data and Analysis – Utilities Discussion*.

³ Please see water capacity discussion under *Data and Analysis – Utilities Discussion*.

⁴ Please see Topographical Challenges discussion under *Data and Analysis – Environmental Setting*.

II. DATA & ANALYSIS REVIEW

Height Review (LDC Part 7.01.01.04) -

The applicants are requesting to exceed the 2-story (30-foot) height limitation of the R-4 zoning district (LDC Subsection 7.01.01.04, Height Regulations) to construct a 4-story independent living over parking and a 3-story independent living building at grade. Independent living units are classified as apartments under the City of Zephyrhills Land Development Code (LDC) and are permitted as-of-right in the R-4 zoning designation. Three and 4-story buildings are classified as “mid-rise structures,” under Subsection 7.01.01.04 in the LDC. Mid-rise structures may be permitted to exceed the height limitations of a zoning district as a conditional use, subject to the following:

- a. Mid-rise structures, when permitted, may be erected to a height not exceeding 75 feet if the building is set back from each setback line at least one additional foot for each 2 feet of building height above 30 feet.

The conceptual site plans provided by the applicants indicate a maximum building height of 55 feet, as measured from the centerline of the closest adjacent street, which is US 301/Gall Blvd. The location is within the ZephyrVale subsection of the pending and yet to be adopted US 301 Corridor Vision Plan (the Plan). Per the request of Staff, the site plans were devised in accordance with the spirit and regulations of the Plan, rather than strict adherence with the additional setback provisions of the LDC⁵. The buildings have therefore been located closer to US 301/Gall Blvd.

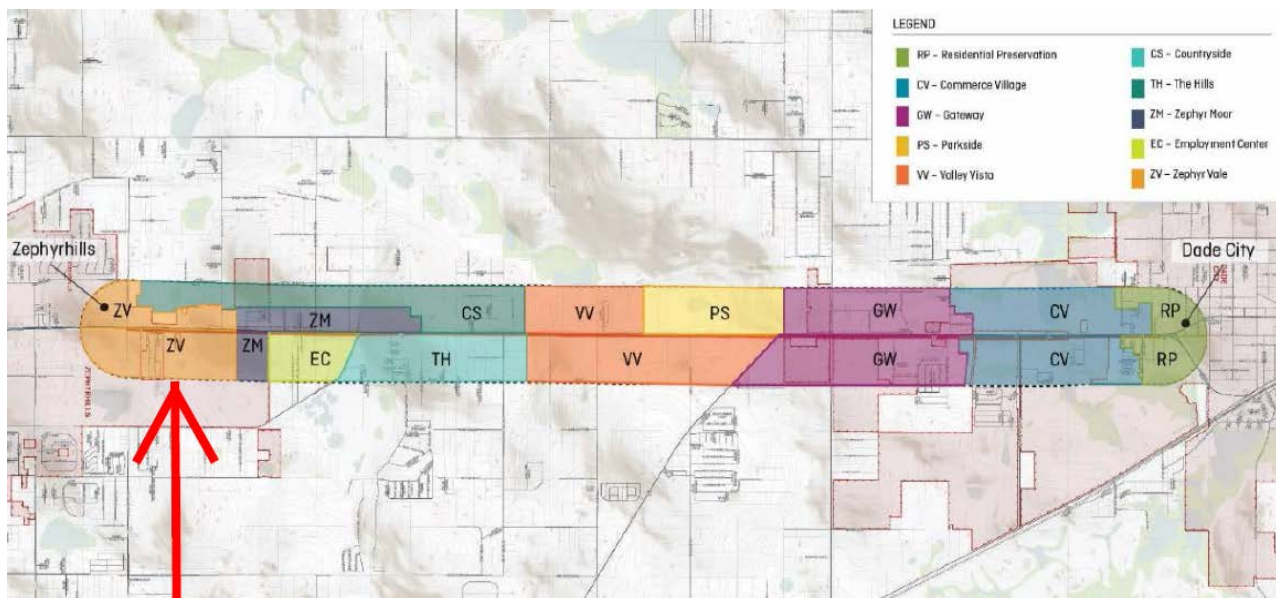


Figure 3 - US 301 Corridor Vision Plan – See Arrow for Subject Property Location Courtesy of Renaissance Planning

^{5 5} The City of Zephyrhills LDC requires an additional one-foot (1) setback for each two (2) feet of building height above 30 feet (Sec. 7.01.01.04(B)(3)(b)).

As such, Staff coordinated with the applicant to provide two design proposals (Concept Plan “M” and Concept Plan “P” - please refer to the following illustration of the concept plans). Please note the full plans containing project data are attached to this Staff report.

Additionally, the applicant provided a drive-by animation to supplement Concept Plan M and will be part of Staff’s presentation. Concept plans provided are for informational purposes. A complete LDC compliance review has not been performed on either Concept Plan “M” or Concept Plan “P”.

CONCEPT PLAN “M”

The first design proposal (“Concept Plan M”), the 3- and 4- story buildings are located closer to US 301/Gall Blvd., while the memory care/assisted living building, which does not exceed 30 feet in height, would be located further from US 301/Gall Blvd., towards the middle of the project site. Please see Attachment 1 – Elevations, for typical proposed elevations attached to this report (for illustrative purposes only).



Figure 4- Concept Plan “M” Courtesy of Avid Group

CONCEPT PLAN “P”

In Concept Plan “P”, the applicant has proposed moving the taller buildings to the middle of the site, and therefore furthest from both US 301/Gall Blvd. and the future Dairy Road (see “**Concept Plan P**”). Therefore, the memory care/assisted living building, which does not exceed 30 feet in height, would be located towards the front of the property along US 301/Gall Blvd.

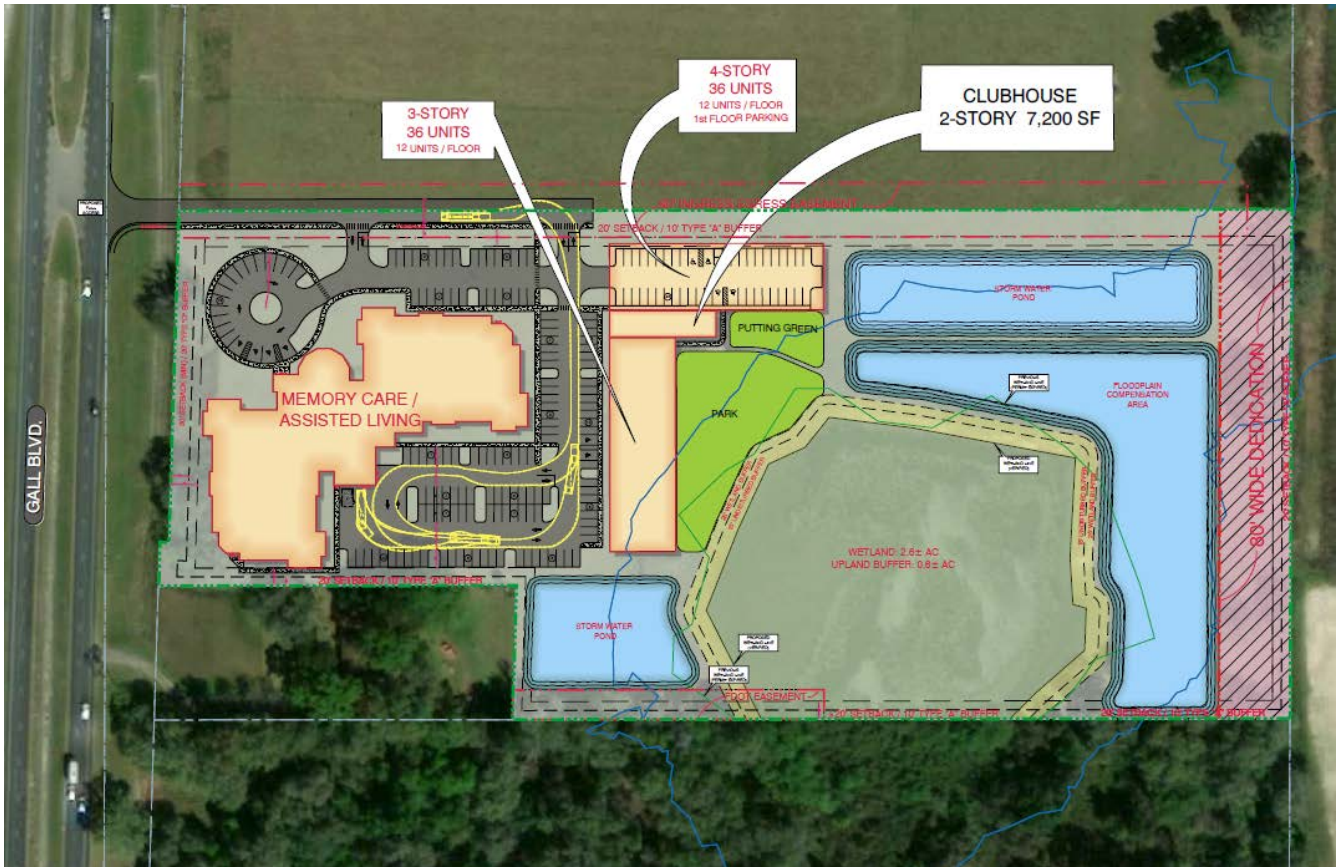


Figure 5 - Concept Plan “P” Courtesy of Avid Group

It is Staff’s opinion that the configuration of “Concept Plan P” may mitigate the scale and massing effects of placing the taller buildings front and forward along US 301/Gall Blvd. Placing the taller buildings in the center of the site, away from the public rights of way US 301/Gall Blvd. and the future Dairy Road helps mitigate the effects of height, scale, and massing.

- b. In no case shall a structure exceed the height limitations determined to protect the approach and clear air zones established for the Zephyrhills Municipal Airport, as currently adopted or subsequently amended

All applicants for site development/construction plan approvals and permits are required by City Ordinance to complete the FAA’s online notice criteria tool. Verification from the FAA that a project is not of concern or a possible obstruction

is required to be provided to the city prior to the issuance of any permits. Should a project be determined to be of concern, the FAA will require an extended review process on their end. The subject 3- and 4-story buildings proposed in this application for conditional use are not expected to be of concern due to proximity from airport.



Photo 1 – Subject Site Viewed From Gall Blvd Looking Southeast *Google Imagery - July 2022*

- c. Compliance with Resolution # 147 is required.

City Resolution No. 147 primarily pertains to the allowance of mid-rise structures and additional conditions related to the Fire Department. All plans shall meet the adopted building code and fire code standards, as well as any additional standards which may be required by Pasco County Fire Rescue.

Conditional Use Requirements (LDC Part 11.10.00) -

- A. The proposed conditional use will not adversely affect or contribute to the deterioration of life or property values in the immediate neighborhood

The purpose of a Conditional Use permit is to, in part, mitigate any potential impacts to adjacent properties and the community in general. The applicant's response to this question is that the project will be designed to prevent adverse impacts and avoid deterioration of quality of life or property values in the immediate neighborhood. The applicant will be required to meet minimum site design standards **and** enhanced standards can be required for landscaping, buffering and screening to reduce any potential impact.

- B. The proposed conditional use is consistent with the character of and existing land use patterns in the surrounding area.

The proposed multi-family use is consistent with the current Future Land Use and zoning designations in the surrounding area. Similar mid-rise structures (between 3 and 5 stories) in the area consist of the American House on Pretty Pond and Dairy Road, (a 3-story complex on a hill), Zephyr Commons Apartments (a recently approved 4-story complex next to Publix) and the Grand Reserve Apartments (3-story complex) on Wire Road. The applicants have provided conceptual illustrations of the proposed 3- and 4-story buildings in relation to existing development and topography in the area, see Attachment 1 - Elevations. Furthermore, the site has been designed to utilize the existing topography to the greatest extent possible. In the Concept Plan “M”, the northern most building is planned to be partially located within the hillside to reduce the height appearance. Therefore the base floor is utilized as a non-habitable parking deck. In Concept Plan “P”, the taller building are located towards the middle of the property.

- C. The proposed conditional use will not create or excessively increase traffic or parking congestion or otherwise affect public safety.

The applicant has provided an access Management Analysis prepared by Lincks and Associates, Inc. as part of the Conditional Use petition process. The applicant has attended several pre-application meetings with the Florida Department of Transportation (FDOT) for a Right of Way (ROW) use permit and site access concerns. The applicant has held intense discussions with Staff from the City regarding traffic circulations impacts as well.

Site access is proposed via a private access easement off US 301/Gall Blvd. The parcel immediately to the north, when developed, will share this access easement, thus limiting multiple curb-cuts onto US 301 in the vicinity.

Per FDOT requirements (please see Figure 6 - Site Access Plan on page 8):

- o the median opening to the South of the access road will be required to be lengthened (modify median nose);
- o a south-bound left-turn lane will be required (SBTL);
- o a west-bound right-turn lane will be required (WBRTL); and,
- o a north-bound right-turn lane will be required (NBRTL).

Additionally, sidewalk improvements to improve pedestrian connectivity will be necessary as part of the ROW use permit application process (not indicated on the enclosed plan).

- D. The site upon which the proposed conditional use is to be located has suitable drainage, access, ingress and egress, off-street parking and loading areas.

The SPRC recommended approval of the conditional use to exceed height (on February 15, 2022), the SPRC also granted an adjustment to the requirements of *Section 7.03.04.03, Parking Standards* of the LDC. Detailed information submitted to Staff by the applicant was reviewed by the City’s EOR (Engineer of Record) to verify the validity of the basis for the parking reduction. The proposed

use as an assisted living facility and independent living facility do not meet the traditional definition of parking requirements for the LDC for traditional multifamily developments. The overall site therefore provides for 160 parking spaces rather



Figure 6 - Site Access Plan – Per FDOT Requirements Courtesy of Avid Group

than the required 213 spaces, a 25% overall reduction. (Per Section 7.03.04.06, the SPRC is the final governing authority for such parking adjustments and therefore a parking reduction is not subject to the petition contained herein and therefore not before this Council for review.) No reduction in loading area(s) is proposed as part of this proposal. Furthermore, the subject site has been designed with an 80 foot ROW dedication along the western property boundary for the anticipated future extension of Dairy Road. Dairy Road acts as a reverse frontage roadway to US 301/Gall Blvd. The subject site, as well as the site immediately to the north (when developed) will provide access to both US 301/Gall Blvd. and, in the future, Dairy Road (when built).

The subject property is located within the Basin of Special Concern and drainage plans will be reviewed by the city's consultants at the time of site development plan review to ensure compliance. With a master drainage system, adequate soils and site access, the site shall have adequate drainage, access, ingress and egress,

off-street parking and loading area. Care shall be taken regarding floodplain management and adequate retention meeting all District and City standards.

- E. The site upon which the proposed conditional use is to be located has or may have screening or buffering to prevent interference with the enjoyment of surrounding areas.

Perimeter buffer and screening standards of the LDC will be required on all perimeters and around mechanical systems and dumpster enclosures. Interior and parking lot landscaping, as well as landscaping along retention areas, will also be required to prevent interference with the enjoyment of surrounding areas. The preservation of wetland areas will further buffer the subject site from surrounding properties.

- F. The proposed site meets applicable requirements of the zoning district in which it is located.

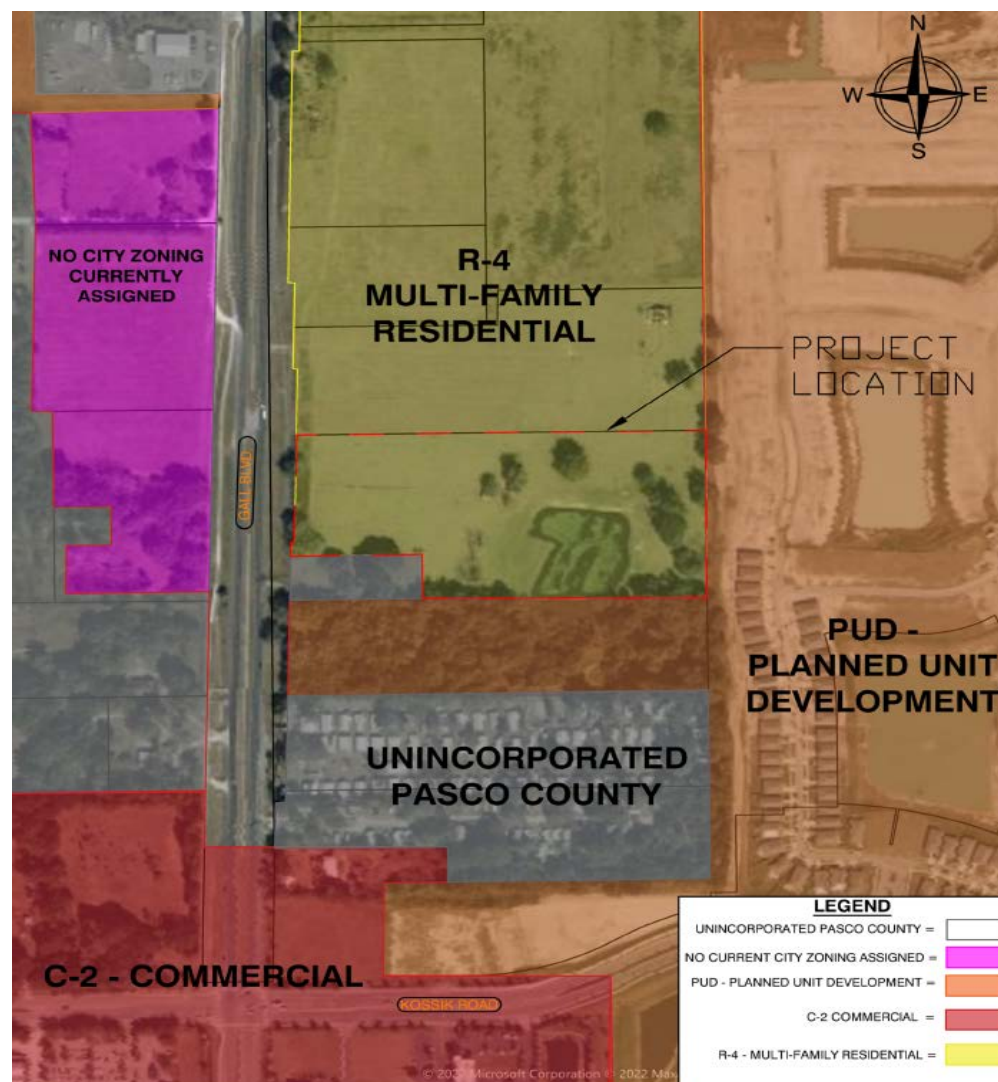


Figure 7 - Zoning Map – City of Zephyrhills Courtesy of Avid Group

The subject site is approximately 15.03 acres, exceeding the minimum lot area requirements of 6,000 square feet for the R-4 zoning district. The proposed density of approximately 14 units per acre (210 total units / 15 = 14) is lower than the maximum allowed density of the zoning district, which is 20 units per acre. All other zoning district regulations of the LDC will be applicable and assessed at the time of site development plan review. As previously stated, an assisted living facility, as well as independent living units (apartments) in the R-4 zoning designation is permitted as-of-right. Please see Figure 7 - Zoning Map.

- G. Any existing or proposed signs or lighting will not adversely affect surrounding areas or vehicular traffic.

Proposed signage shall be consistent with the city's standards as outlined in the LDC Article VIII at the time of permitting. Parking lot and pedestrian lighting shall be designed as to not spill onto adjacent roadways or properties, and will be reviewed at the time of site development plan review, and shall be consistent with LDC minimum requirements.

- H. The proposed conditional use will not interfere with or adversely affect the health, safety or welfare of the surrounding community area.

There is no indication that the proposed conditional use to exceed the height limitations of the zoning district will negatively impact the health, safety or welfare of the surrounding community. Any and all FAA regulations pertaining to building height shall be reviewed by the proper permitting agencies at the time an engineering site plan is presented to the City. Initial coordination with the FAA, through the on-line notice criteria tool has indicated that the project DOES NOT EXCEED NOTICE CRITERIA.

As identified by the applicant, the proposed development will provide greater living options for those in need of various levels of senior housing.

Utilities Discussion -

According to Mr. Bostic, Utilities Services Director, adequate capacity is available to serve the Project. Utilities and Planning Staff have held initial discussions with the applicant and their attorney addressing prepayment of Capacity Fees.⁶ Additionally, during the construction of the project, utility infrastructure will be required to be built. As such, a Utilities Service Agreement shall be required as part of this development and all development plans.

The development of the subject site, along with the necessary installation of required utilities, will help facilitate the buildout of the City at its northernmost edge. Staff is currently in discussions, and at the beginning stages of planning the remaining vacant abutting and surrounding land.

⁶ According to Mr. Bostic, prepayment of Capacity Fees will "...bring some assurances to SWFWMD for water use." Email to R. Corriveau from J. Bostic, dated November 16, 2022.

Environmental Setting –

Topography:

Based upon the submitted “Archaeological Report” by Archaeological Consultants, Inc. (ACI), “...the site exhibits a general elevation of 26 to 30 meters, or 85 – 100 feet above mean sea level. The property lies between two tall hills within the Brooksville Ridge physiographic region...”⁷

Floodplain Management:

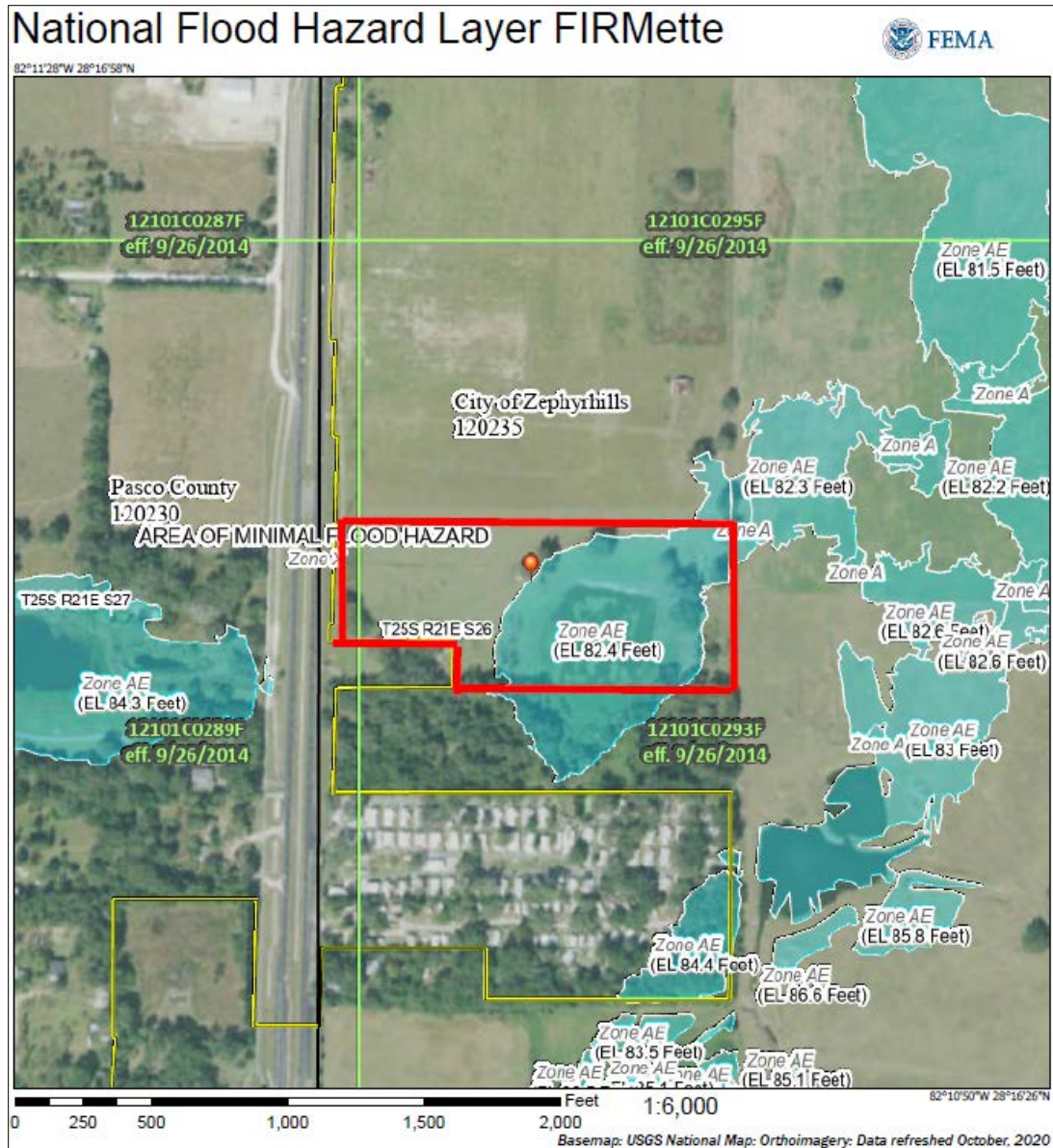


Figure 8 – FEMA FIRMette Map Courtesy of FEMA

⁷ Page 2-1, Cultural Resource Assessment Survey, Palm Cove – ACI, Inc. November 2021. Report is available upon request from Staff.

According to the National Flood Hazard Layer FIRMette, significant portions of the subject property, as well as adjacent sites are within the AE flood zone. Please refer to Figure 8 - FEMA FIRMette Map on page 11 for more details.

Due to topographical and floodplain issues, at the time of site plan review and approval, construction documents shall clearly indicate proper construction management practices, and a phased approach to land clearing and excavation to avoid erosion and provide stability for the subject property as well as adjacent properties.

Furthermore, City Staff, the developer, and project engineer shall conduct a pre-construction meeting to discuss such requirements. Site inspections shall be performed to ensure compliance and avoid adverse impacts to the subject property AND adjacent properties at the time of development, as well as post-improvement.

III. Recommendation

Site Plan Review Committee – The SPRC recommended approval of the conditional use to exceed the height limitations and to move the request forward to the Planning Commission at its regularly scheduled monthly meeting on February 15, 2022.

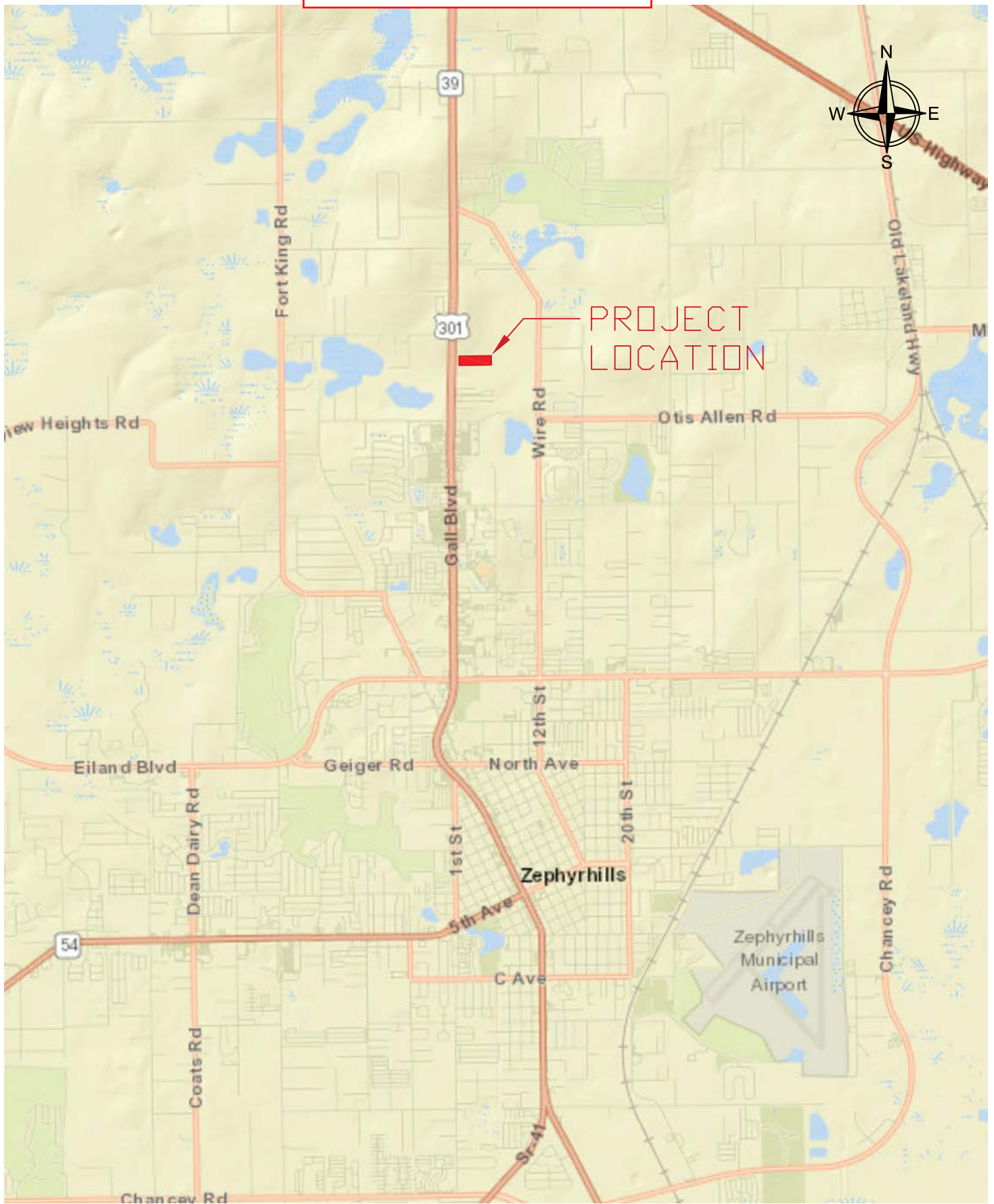
Planning Commission – The Planning Commission recommended approval of the conditional use to exceed the height limitations and to move the request forward to the City Council at its regularly scheduled monthly meeting on November 15, 2022.

At the Planning Commission meeting, the Commission recommended a USE CONDITION relating to the sole use as an Assisted Living Facility (ALF) and Independent Living Facility under the Conditional Use Permit to exceed the height limitations of the R-4 zoning district. No other uses other than an ALF/Independent Living Facility shall be authorized under this Conditional Use Permit. If a use other than an ALF/Independent Living Facility is presented to the City for the subject site relating to a height in excess of 30 feet, it shall require a full review under a new Conditional Use petition and a full review of the applicable standards.

The Commission also agreed with Staff's recommendation of Concept Plan "P".

Staff - Recommends approval of this petition for a conditional use to exceed height limitations and recommends **Concept Plan "P"** if the Council approves this petition to exceed the height limitation of 30 feet.

FIGURE 1 - LOCATION MAP



CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
AVIDGROUP.COM

Location Map
Palm Cove East
Zephyrhills, Florida
AVID NO. 3470001

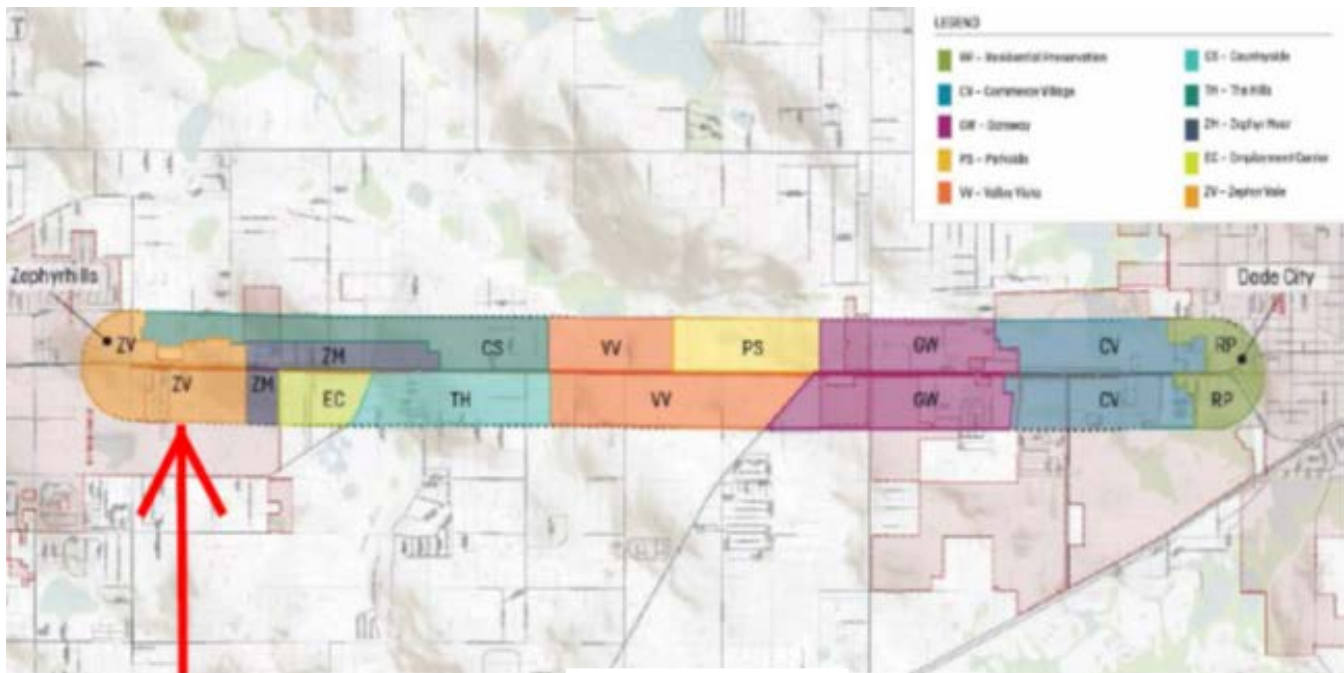
FIGURE 2 PROJECT AERIAL



CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
SURVEYING
GIS
2300 CURLEW ROAD STE 201
PALM HARBOR, FLORIDA
34683
PHONE (727) 789-9500
AVIDGROUP.COM

Aerial Exhibit
Palm Cove East
Zephyrhills, Florida
AVID NO. 3470001

FIGURE 3 – US 301 CORRIDOR VISION PLAN – ZEPHYRVALE IS LIGHT ORANGE





DISCLAIMER:

1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES.
2. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
3. THE CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON AVAILABILITY OF ADDITIONAL INFORMATION.
4. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A SURVEY, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. LOCATION OF WETLANDS OR PROTECTED / GRAND TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

CIVIL ENGINEERING 2300 CURLEW ROAD, STE 201
LAND PLANNING PALM HARBOR, FLORIDA
TRAFFIC/TRANSPORTATION 34683
SURVEYING PHONE (727) 789-9500
GIS AVIDGROUP.COM

Palm Cove ALF/Independent Living @
8330 Gall Blvd
Zephyrhills
Pasco County, FL

CONCEPT PLAN "P"

PROJECT DATA

TOTAL PROJECT AREA:		15.03± Acres
JURISDICTION:		CITY OF ZEPHYRHILLS, FL
PROPERTY FUTURE LAND USE:		RESIDENTIAL URBAN (20 DU/ GROSS AC)
PROPERTY ZONING:		EXISTING: "R-4" (MULTI-FAMILY RESIDENTIAL)
DENSITY:		
ALLOWED:	210 UNITS	
PROPOSED:	72 UNITS (INDEPENDENT)	138 UNITS (ALF / MEMORY CARE)
PARKING:		
CONGREGATE LIVING FACILITY		
ONE OFF-STREET PARKING SPACE FOR EACH FOUR ADULTS HOUSED PLUS ONE PARKING SPACE FOR EACH TWO EMPLOYEES ON THE COMBINED LARGEST AND SECOND LARGEST WORKING SHIFTS		
REQUIRED:		
INDEPENDENT LIVING = 1.25 SP / UNIT = 90 SPACES		
ALF/MEMORY CARE = 1 SP / 4 ADULTS = 32 SPACES		
& 1 SP / 2 EMP. = 37 SPACES		
TOTAL REQUIRED		159 SPACES
TOTAL PROVIDED		205 SPACES

NOTES:
DRIVEWAY LOCATIONS SHOWN ARE CONCEPTUAL AND SUBJECT TO REGULATORY AGENCY REVIEW AND PERMITTING.

DISCLAIMER:
1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES.
2. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
3. THE CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON AVAILABILITY OF ADDITIONAL INFORMATION.
4. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A SURVEY, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. LOCATION OF WETLANDS OR PROTECTED / GRAND TREES HAS NOT BEEN TAKEN INTO ACCOUNT.



THIS CONCEPTUAL PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A SURVEY, TITLE REPORT, AND/OR DUE DILIGENCE. THIS CONCEPTUAL PLAN IS NOT AN EXACT DEPICTION OF FINAL FEATURES AND QUANTITIES (WALLS, POND LINERS, RETAINING WALLS, UTILITIES, ETC.). YIELD DEPICTED WITHIN THIS CONCEPTUAL PLAN IS PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL ZONING, ENVIRONMENTAL, DRAINAGE, UTILITY, AND/OR FLOODPLAIN ANALYSIS. THEREFORE, THIS PLAN SHALL BE REGARDED AS AN ESTIMATE OF THE FEASIBILITY OF THIS PROJECT AND MAY NOT REFLECT ALL REGULATORY REQUIREMENTS AND CONSTRAINTS.

PROJECT NUMBER: 1014689 / 3426001
SCALE: 1" = 60' DATE: 10-12-22
DRAWN BY: Rideout/Futch PROJ. MGR: Pensa

PROVIDED FOR...

SKYLINE ONE, LLC.

PROVIDED BY...

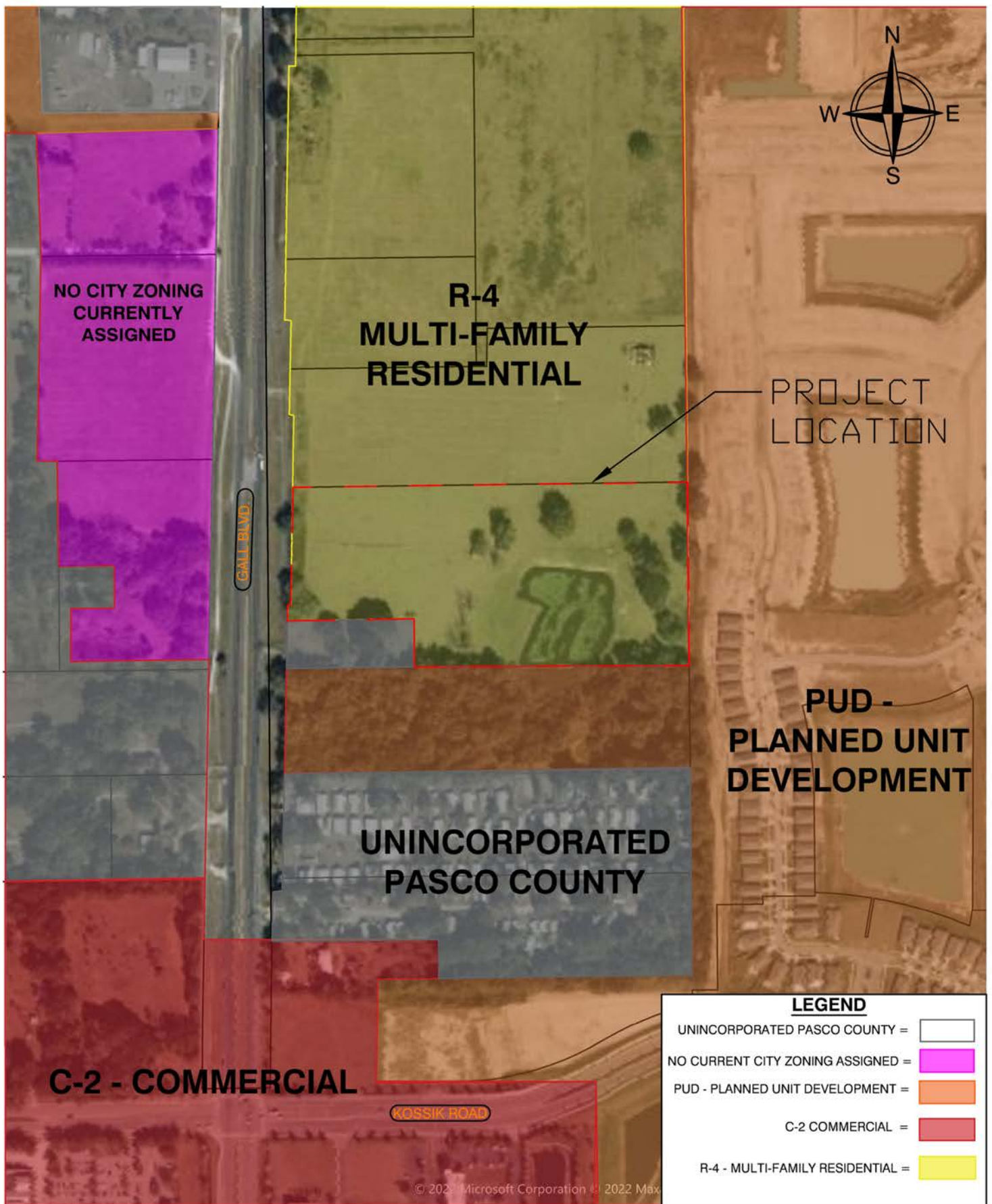
AVID
GROUP®

CIVIL ENGINEERING 2300 CURLEW ROAD, STE 201
LAND PLANNING PALM HARBOR, FLORIDA
TRAFFIC/TRANSPORTATION 34683
SURVEYING PHONE (727) 789-9500
GIS AVIDGROUP.COM

FIGURE 6 - SITE ACCESS PLAN - PER FDOT REQUIREMENTS



FIGURE 7 ZONING MAP



CIVIL ENGINEERING 2300 CURLEW ROAD STE 201
 LAND PLANNING PALM HARBOR, FLORIDA
 TRAFFIC/TRANSPORTATION 34683
 SURVEYING
 GIS PHONE (727) 789-9500
 AVIDGROUP.COM

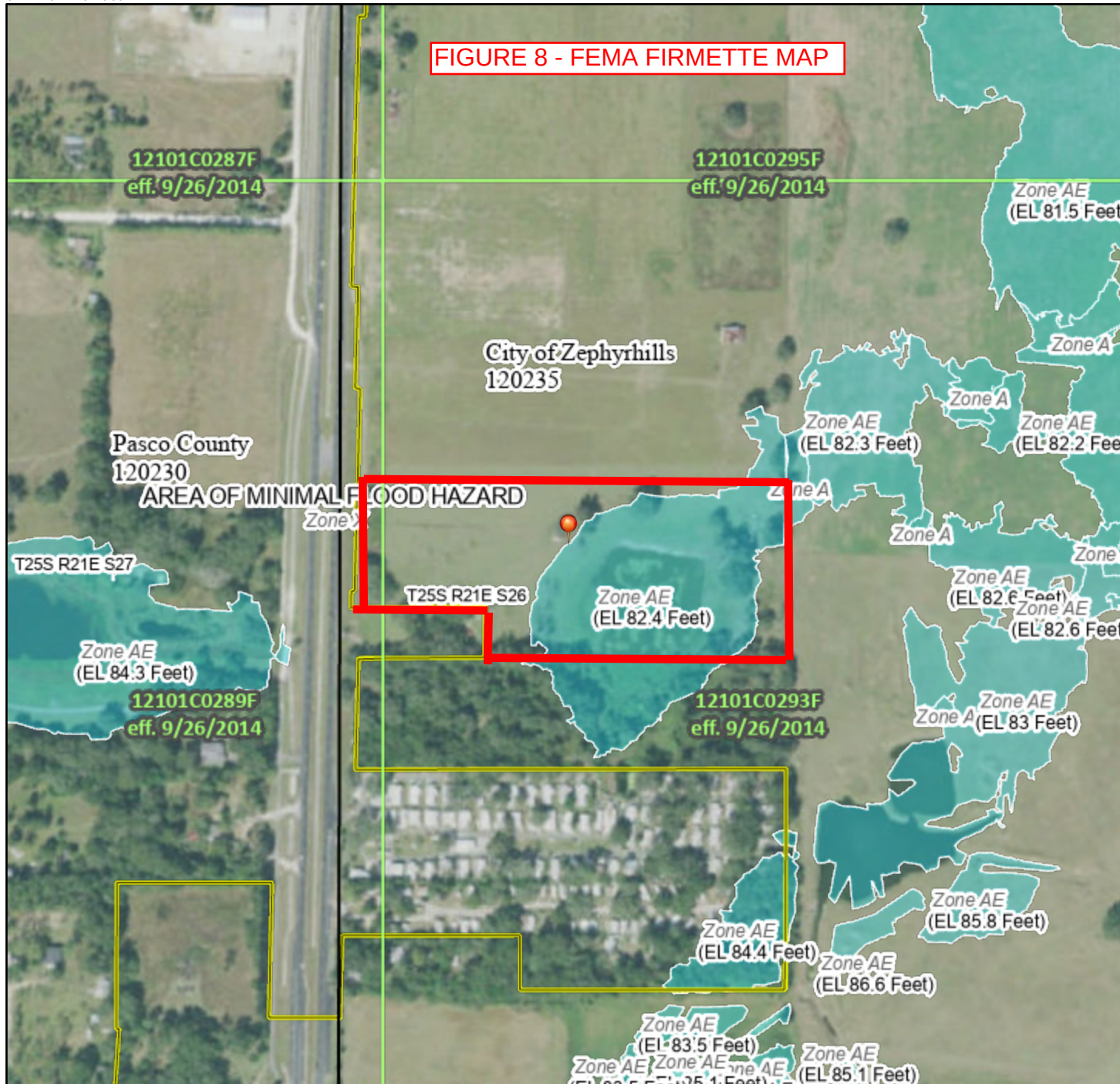
Zoning Exhibit
Palm Cove East
Zephyrhills, Florida
 AVID NO. 3470001

National Flood Hazard Layer FIRMeTte



82°11'28"W 28°16'58"N

FIGURE 8 - FEMA FIRMETTE MAP



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/9/2021 at 5:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Staff Report

To: Mayor Whitfield & Planning Commission
From: Audrey McGuire, *Historic Preservation Specialist/Community Planner*
Re: USE-0009-22_Trump Place Boat & RV Storage
Date: November 15, 2022

I. BACKGROUND INFORMATION

Request for conditional use submitted by RCE Investment Group, LLC for a recreational vehicle storage facility on approximately 2.57 acres of real property generally located on the east side of Trump Place, north of Correia Drive in the Park Place Industrial Park. The Land Development Code currently requires that recreational vehicle storage uses in LI zoning be considered as a conditional use.

SUBJECT PROPERTY

Location: 19-26-22-0010-00000-0090 2.57 acres MOL No Address Assigned

Property Owners: RCE Investment Group, LLC (Trump Place Boat & RV Storage)
29619 Morningmist Drive
Wesley Chapel, FL 33543

II. DATA & ANALYSIS

STANDARDS OF A CONDITIONAL USE

The Part 11.10.00 of the Land Development Code establishes standards which are required to be met in order for a Conditional Use to be granted. The standards are outlined below with a statement on compliance to the standards specific to this project.

1. **The proposed conditional use will not adversely affect or contribute to the deterioration or quality of life or property values in the immediate neighborhood.**
 - a. The project is located within the Park Place Industrial Park containing light industry and storage uses, and therefore is not anticipated to negatively impact or contribute to deterioration of quality of life/property values in the area.
2. **The proposed conditional use is consistent with the character and existing land use patterns in the surrounding area.**
 - b. The project is consistent with the character and existing land use patterns in the surrounding area. Surrounding area uses include:
 - North – Zephyrhills Municipal Airport; vacant/undeveloped industrial lands
 - South – Light industrial uses

- East – Vacant/undeveloped industrial/agriculture lands
 - West – Light industrial uses including recreational vehicle storage; Zephyrhills Municipal Airport
3. **The proposed conditional use will not create or excessively increase traffic or parking congestion or otherwise affect public safety.**
 - a. Recreational vehicle storage facilities are low-traffic generators and will therefore not create or excessively increase traffic or parking congestion in the area.
 4. **The site upon which the proposed conditional use is to be located has suitable drainage, access, ingress and egress, off-street parking and loading areas.**
 - a. The Subject Property has adequate access to Chancey Road via Trump Place.
 - b. The Subject Property is not located within a basin of special concern but is adjacent to a wetland area. The proposed project will be required to establish a 30-foot setback from the wetland boundary and 15-foot buffer landward, and adhere to the Standards of Part 4.01.00, LDC, *Protection of Environmentally Sensitive Lands*. Site development plans (including stormwater retention and drainage) shall be designed in accordance with the city's standards and SWFWMD/FDEP ERP stormwater criteria; and permits obtained from SWFWMD and FDEP as may be applicable.
 - c. Adequate parking for recreational vehicles storage is designed.
 5. **The site upon which the conditional use is to be located has or may have screening or buffering to prevent interference with the enjoyment of surrounding areas.**
 - a. The subject property will be fenced and will be required to meet minimum screening/buffering requirements established by the LDC for the LI Zoning District.
 6. **The proposed site meets the applicable requirements of the zoning district in which it is located.**
 - a. The Subject Property currently exceeds the minimum size/area requirements of the LI zoning district. The subject property is not considered to be a non-conforming lot and may be developed in accordance with LDC and building code requirements.
 7. **Any existing or proposed signs or lighting will not adversely affect surrounding areas or vehicular traffic.**
 - a. Security lighting will be required on site. All lighting will be reviewed at the time of site development plan review and shall not interfere with the approach zones of the nearby Zephyrhills municipal airport. Signage will be reviewed for conformance with Article XIII of the Land Development Code by the Building Department prior to permitting.
 8. **The proposed conditional use will not adversely affect the health, safety or welfare of the surrounding community area.**
 - a. Recreational vehicle storage is a land-intensive use and minimal site improvements are anticipated with the proposed project. Impact to public infrastructure and utilities is anticipated to be minimal and it is not anticipated to interfere with or adversely affect public health, safety or welfare.

III. RECOMMENDATION

PLANNING DEPARTMENT

Staff recommends approval.

SITE PLAN REVIEW COMMITTEE (SPRC)

The SPRC recommended approval at its October 2022 meeting.

PLANNING COMMISSION (PC)

The Planning Commission recommended approval at its November 2022 meeting.

The Planning Commission directed staff to start working on design standards for Storage Uses.

Subject Property - Trump Place Boat & RV



11/10/2022

Zhills Parcels EnGov

World Imagery

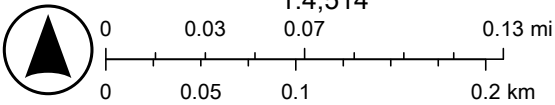
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

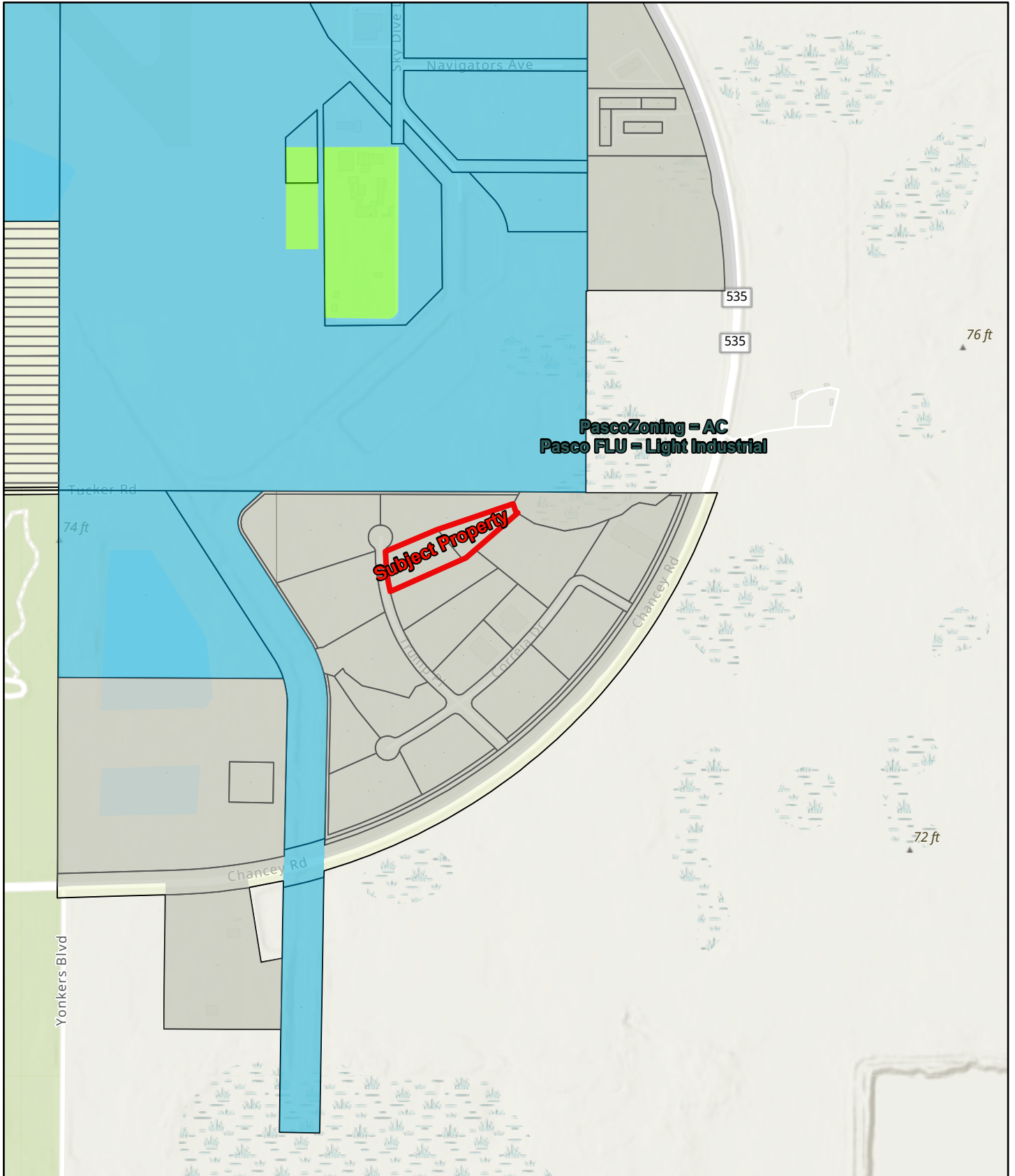
Citations

1.2m Resolution Metadata



State of Florida, Maxar, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Surrounding Land Uses



11/10/2022

CITY WIDE EUCLIDEAN ZONING

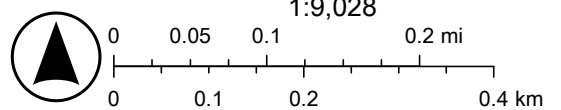
- R3
- LI
- AP1
- AP2

Zhills Parcels EnGov

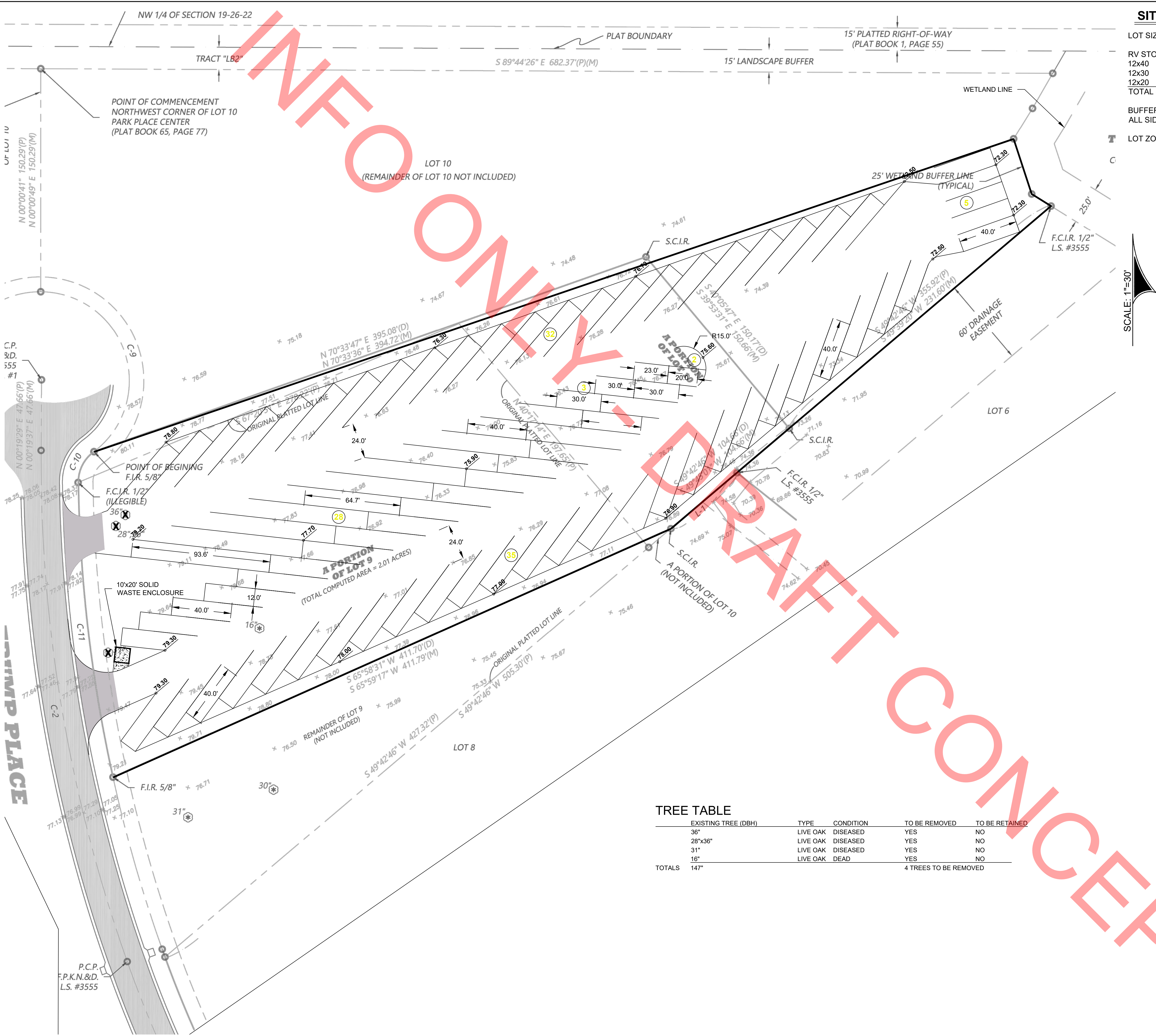
Zhills Addresses EnGov

City Parcels

World Hillshade



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



SITE DATA	
LOT SIZE	2.58 AC
RV STORAGE	
12x40	100
12x30	3
12x20	2
TOTAL STORAGE SPACES	105
BUFFERS	
ALL SIDES	10'
LOT ZONING	IL

SCALE: 1"=30'

TREE TABLE

EXISTING TREE (DBH)	TYPE	CONDITION	TO BE REMOVED	TO BE RETAINED
36"	LIVE OAK	DISEASED	YES	NO
28"x36"	LIVE OAK	DISEASED	YES	NO
31"	LIVE OAK	DISEASED	YES	NO
16"	LIVE OAK	DEAD	YES	NO
TOTALS	147"		4 TREES TO BE REMOVED	

GRADING PLAN

RV STORAGE

BE→U

PROPOSED RETAIL DEVELOPMENT

TRUMP PLACE ZEPHYRHILLS, FLORIDA

PROJECT: 10017122.00
DATE: 06/10/2022

Revision	No.	Date	Description

BLACKSTOCK ENGINEERING UNLIMITED, INC.

1646 W Snow Ave, Suite 174
Tampa, FL 33606
727.220.9440
www.BlackstockENG.com
Certificate of Auth. 32307



City of Zephyrhills

Trump Place Boat & RV Storage Conditional Use

RCE Investment Group

Subject Property



Subject Site

Parcel/Tax ID: 19-26-22-0010-00000-0090

- East side of Trump Place;
- 2.57 acres.

Property Owners

Trump Place Boat & RV Storage
(RCE Investment Group, LLC)

Request

Conditional Use for Boat/RV Storage Facility
in LI Zoning District

Conditional Use

Standards

1

Will the CU adversely affect or contribute to deterioration of quality of life/property values in the immediate neighborhood?

No impact to quality of life/property values.

Located within existing industrial park & SE of the Zephyrhills Municipal Airport. There are no residential properties in the nearby vicinity.

2

Is the CU consistent with the character & existing land use patterns in surrounding areas?

Yes

Surrounding area land uses include:

- Zephyrhills Municipal Airport & related uses;
- Light Industrial uses;
- Storage uses;
- Vacant/undeveloped lands (slated for industrial).



Standards

Continued...

3

Will the CU create or excessively increase traffic or parking congestion?

No

Boat & RV storage facility uses are low-traffic generators. Traffic/parking congestion in the area will not be created or increased.

4

Does the site have suitable drainage, access, ingress/egress, off-street parking & loading areas?

Yes

- The site is not located within a Basin of Special Concern and will be required to meet City of Zephyrhills & SWFWMD standards at time of development;
- Wetland setback to be provided;
- Adequate access via Trum Place to Chancey Road;
- Adequate Boat/RV space to be designed & approved by the SPRC.



Standards

Continued...

5

Will the site have screening/buffering to prevent interference with the enjoyment of surrounding areas?

Yes

Perimeter landscape buffering, screening & fencing will be required in accordance with LDC standards for the LI zoning district.

6

Does the proposed site meet applicable requirements of the zoning district in which it is located?

Yes

The site currently exceeds the minimum size/area requirements of the LI zoning district.



Standards

Continued...



Will existing or proposed signs/lighting adversely affect surrounding areas or vehicular traffic?

No

All signage will be reviewed in accordance with Article VIII of the Land Development Code;
Lighting plans will be reviewed at the site development plan review stage & shall not interfere with approach zones of the adjacent airport.



Will the proposed use interfere with or adversely affect public health, safety or welfare in the surrounding community?

No

Boat & RV storage is not anticipated to negatively impact public health, safety or welfare. It is a land-intensive use, which will:

- Have a minimal impact on public infrastructure & utilities;
- Produce minimal noise, odor or light intrusion;

Recommendations

Planning Staff:

Approval - Based on the analysis & standards for a CU established in the LDC

Site Plan Review Committee:

Approval - At its October 18, 2022 meeting

Planning Commission:

Approval - At its November 15, 2022 meeting

PROJECT TIMELINE

USE-0009-22_Trump Place Boat & RV Storage

Spring 2022 – *Specific Dates Unknown*

- Applicant's Engineer (Jesse Blackstock) began conversations with Rodney concerning the subject property;
- Applicants requested confirmation (via telephone) that the use was allowed – Rodney confirmed, but did not provide conditional use information.

May 2022

- May 24, 2022 (date on deed) – RCE Investment Group, LLC purchased Lot 9 from K&L Family Investments, LLC;

June 2022

- June 23, 2022 (date on deed) – RCE Investment Group, LLC purchased a portion of Lot 10 from K&L Family Investments, LLC;
- June 24, 2022 Rodney provided the Engineer with application information for Site Development Review – *Did Not send Conditional Use application information.*

July 2022

- July 6th or 7th, applicants spoke with Audrey regarding separate issue (lot reconfigurations);

September 2022

- September 7, 2022 Robert Setser (RCE Investment) contacted Audrey regarding a public notice letter that had been sent out for a recreational vehicle storage across the street from his property;
 - Expressed concern that he was doing a similar use and did not know that a Conditional Use was required.
 - Audrey discussed the process and sent Conditional Use information to Mr. Setser and Engineer (Jesse Blackstock);
- September 19, 2022 = Pre-Application meeting for Conditional Use;
- Submittal received for Conditional Use application.

October 2022

- October 18, 2022 = SPRC Meeting
 - Vote to recommend approval.
- Public Notice letters for Planning Commission and City Council mailed out.

November 2022

- November 15, 2022
 - Received comments from Kevin Bahr regarding the project and lack of buildings & unfair treatment;
 - Planning Commission Meeting;
 - Vote to recommend approval.

City of Zephyrhills Bank Depository - Deposit Listing

Transaction Description	Amount	Customer Reference	Bank Reference	Ledger Date
ACH Credit Received	7,915.78	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/22/2022
ACH Credit Received	19,267.54	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/22/2022
ACH Credit Received	21,164.11	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/22/2022
ACH Credit Received	825.97	2.01752E+14	ACHCSTATE OF FLO	11/22/2022
ACH Credit Received	5.00	2.01752E+14	ACHCSTATE OF FLO	11/22/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	11/22/2022
Deposit	2,065.65		DP0002107376112I	11/22/2022
Deposit	20,149.05		ICLD02401888499I	11/22/2022
Miscellaneous Credit	1,485.78		MSCR000000000111	11/22/2022
ACH Credit Received	12,947.64	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/23/2022
ACH Credit Received	1,175,689.11	2.01752E+14	ACHCSTATE OF FLO	11/23/2022
ACH Credit Received	1,011.61	2.01752E+14	ACHCSTATE OF FLO	11/23/2022
ACH Credit Received	215.83	2.01752E+14	ACHCSTATE OF FLO	11/23/2022
ACH Credit Received	489.90	8.78824E+12	ACHCGLOBAL PAYME	11/23/2022
ACH Credit Received	1,468.54	8.78824E+12	ACHCGLOBAL PAYME	11/23/2022
Deposit	979.14		DP0002108659729I	11/23/2022
Deposit	2,695.99		ICLD02402458828I	11/23/2022
Miscellaneous Credit	851.84		MSCR000000000111	11/23/2022
ACH Credit Received	11,949.19	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/25/2022
ACH Credit Received	56,200.41	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/25/2022
ACH Credit Received	461.97	2005	ACHCPASCOTAX	11/25/2022
ACH Credit Received	572,770.13	2005	ACHCPASCOTAX	11/25/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	11/25/2022
ACH Credit Received	1,229.35	8.78824E+12	ACHCGLOBAL PAYME	11/25/2022
ACH Credit Received	250.00	8.78824E+12	ACHCGLOBAL PAYME	11/25/2022
ACH Credit Received	169.50	8.78824E+12	ACHCGLOBAL PAYME	11/25/2022
ACH Credit Received	270,545.41	8.78824E+12	ACHCGLOBAL PAYME	11/25/2022
Miscellaneous Credit	1,622.51		MSCR000000000111	11/25/2022
ACH Credit Received	14,260.38	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/28/2022
ACH Credit Received	206,066.07	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	115,897.55	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	17,358.31	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	23,374.87	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	365.72	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	10.00	2.01752E+14	ACHCSTATE OF FLO	11/28/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	11/28/2022
Deposit	592.78		DP0002102241291I	11/28/2022
Deposit	27,214.60		ICLD02403405791I	11/28/2022
Miscellaneous Credit	11,291.72		MSCR000000000111	11/28/2022
ACH Credit Received	7,547.98	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/29/2022
ACH Credit Received	11,402.18	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/29/2022
ACH Credit Received	16,955.02	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/29/2022
ACH Credit Received	3,627.69	5652	ACHCPASCOCLERKOP	11/29/2022

ACH Credit Received	160.35	8.78824E+12	ACHCGLOBAL PAYME	11/29/2022
Deposit	2,333.13		DP0002103308088I	11/29/2022
Deposit	18,393.95		ICLD02403965790I	11/29/2022
Miscellaneous Credit	7,197.06		MSCR000000000111	11/29/2022
ACH Credit Received	9,299.55	CITY OF ZEPHYRH	ACHCPAYMENTUS	11/30/2022
Deposit	2,637.08		DP0002104542580I	11/30/2022
Deposit	5,470.54		ICLD02404504238I	11/30/2022
Miscellaneous Credit	3,607.70		MSCR000000000111	11/30/2022
ACH Credit Received	26,923.73	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/1/2022
ACH Credit Received	1,969.85	2765291	ACHCCC TM PA LLC	12/1/2022
ACH Credit Received	39.99	2.01752E+14	ACHCSTATE OF FLO	12/1/2022
ACH Credit Received	5.00	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	490.08	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	252.39	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	1,846.86	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	356.00	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
ACH Credit Received	255,885.42	8.78824E+12	ACHCGLOBAL PAYME	12/1/2022
Deposit	2,394.67		DP0002105747763I	12/1/2022
Deposit	4,584.58		ICLD02404997468I	12/1/2022
Miscellaneous Credit	3,225.37		MSCR000000000111	12/1/2022
ACH Credit Received	16,382.19	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/2/2022
ACH Credit Received	1,675.31	2005	ACHCPASCOTAX	12/2/2022
ACH Credit Received	2,630,873.26	2005	ACHCPASCOTAX	12/2/2022
ACH Credit Received	10.00	2.01752E+14	ACHCSTATE OF FLO	12/2/2022
ACH Credit Received	953.33	2.01752E+14	ACHCSTATE OF FLO	12/2/2022
ACH Credit Received	40.00	2.01752E+14	ACHCSTATE OF FLO	12/2/2022
ACH Credit Received	138.57	8.78824E+12	ACHCGLOBAL PAYME	12/2/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	12/2/2022
ACH Credit Received	545.70	8.78824E+12	ACHCGLOBAL PAYME	12/2/2022
ACH Credit Received	51.30	8.78824E+12	ACHCGLOBAL PAYME	12/2/2022
ACH Credit Received	1,097.64	8.78824E+12	ACHCGLOBAL PAYME	12/2/2022
Deposit	1,749.12		DP0002107069082I	12/2/2022
Deposit	13,977.30		ICLD02405481378I	12/2/2022
Miscellaneous Credit	1,998.97		MSCR000000000111	12/2/2022
ACH Credit Received	19,477.68	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/5/2022
ACH Credit Received	5.00	2.01752E+14	ACHCSTATE OF FLO	12/5/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	720.19	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	2,327.25	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	3,973.31	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	273.96	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
ACH Credit Received	617.00	8.78824E+12	ACHCGLOBAL PAYME	12/5/2022
Deposit	1,632.11		DP0002100288775I	12/5/2022
Deposit	33,740.79		ICLD02406225804I	12/5/2022
Miscellaneous Credit	1,624.35		MSCR000000000111	12/5/2022

ACH Credit Received	12,402.51	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/6/2022
ACH Credit Received	20,894.29	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/6/2022
ACH Credit Received	127,392.54	CITY OF ZEPHYRH	ACHCPAYMENTUS	12/6/2022
Deposit	2,523.69		DP0002101698124I	12/6/2022
Deposit	2,689.99		ICLD02406962598I	12/6/2022
Miscellaneous Credit	4,930.49		MSCR000000000111	12/6/2022