

ORDINANCE NO. 1480-24

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, CHANGING THE FUTURE LAND USE CLASSIFICATION FROM P/SP (PUBLIC/SEMI-PUBLIC) AND MU (MIXED USE) TO RU (RESIDENTIAL URBAN); AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM PUD (PLANNED UNITED DEVELOPMENT) AND OP (OFFICE PROFESSIONAL) TO PUD (PLANNED UNIT DEVELOPMENT), FOR PARCEL 35-25-21-0010-08500-0010 AND A PORTION OF PARCEL 35-25-21-0010-06900-0020; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163 Florida Statutes, authorize the City Council of the City of Zephyrhills, Florida to prepare and enforce a Comprehensive Plan for the development of the City; 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, on May 28, 2024, 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, the City has complied with all requirements and procedures of Florida law in processing this amendment to the City of Zephyrhills Comprehensive Plan including, but not limited to, Section 163.3184, Florida Statutes; 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 Residential Urban (RU) future land use classification would be appropriate, would promote the general welfare of the City, and would encourage proper development within the City; and

WHEREAS, the City Council has determined that an updated Planned Unit Development District (PUD) zoning designation would be appropriate, would promote the general welfare City, and would 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: The Whereas Clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

SECTION 2: This Ordinance is enacted pursuant to Chapter 163, Florida Statutes, and under the home rule powers of the City.

SECTION 3: The following described lands, lying and being situated in the City of Zephyrhills, to wit:

Legal Description is attached hereto as Exhibit "A"

PARCEL ID: 35-25-21-0010-08500-0010
 AND A PORTION OF PARCEL ID: 35-25-21-0010-06900-0020
 17.39 acres (MOL)

The Future Land Use Map designation is hereby changed from Public/Semi-Public (P/SP), Mixed Use (MU) to Residential Urban (RU). The zoning designation is hereby changed to an updated Planned United Development District (PUD).

Approval of the request, subject to the conditions listed below, is based on the general site plan ("PUD Concept Plan") attached hereto as Exhibit "B" submitted 8/9/2023 consisting of a single use, to wit: multifamily residential housing. A Final Site Plan complying with the following conditions, must be submitted and approved by City Council prior to issuance of building permits.

1. The maximum number of multifamily units shall be 252.
2. The developer must obtain all permits from the City of Zephyrhills and meet all applicable land development regulations applicable to the approved use of the property, and complete all applicable development review processes, subject any specific condition or requirement hereunder.
3. The development shall be served by the City's public water and sewer system.
4. The PUD master plan shall conform with the existing grades / topography of the subject property and be subject to the tree removal guidelines as set forth in Sect. 7.06.04 (tree removal guidelines) in the City's Land Development Code.
5. The developer shall provide landscape buffers in accordance with Section 7.06.04.01 of the City's Land Development Code.
6. The minimum multifamily building perimeter setbacks shall be as follows:

Right-of-Way:	25'
All other boundaries:	15'
Accessory structures:	10'
7. The minimum separation between buildings shall be 15'.
8. The on-site parking ratio for the site shall be calculated at a minimum of 1.5 spaces per multi-family unit inclusive of surface and enclosed garage parking.
9. Building Height & Locational Criteria; Final Site Plan: The PUD shall allow a mixture of 2-story and 3-story multi-family buildings. The maximum building height shall be 45 feet; provided, however, that the buildings west of the clubhouse/amenity area (as generally depicted on the approved PUD Concept Plan) and the clubhouse/amenities shall be limited to 2-stories, and the land area east of such clubhouse/amenity area shall allow 3-story buildings in order to achieve the approved density of 252 units. The developer/builder's detailed site plan may vary from the PUD Concept Plan as necessary to meet final site engineering design and permitting requirements, provided that the basic requirements of this PUD approval are maintained as to maximum building height, location of 2-story and 3-story structures, and the maximum density of 252 m-f units.
10. The proposed Amenity Center/Clubhouse will be developed in accordance with multifamily dimensional standards listed above.
11. The listed species survey and the historic resource/archeological report were provided during the application review process and have been approved. The applicable developer shall comply with the applicable gopher tortoise relocation permit requirements of the Florida Fish and Wildlife Conservation Commission.

- 12. **Building Façade/Architectural Elements:** As part of the final site plan/construction plan review process, the developer/builder shall provide architectural renderings to depict the exterior façade for all buildings which are visible from a public right-of-way and shall include a description of the architectural features that will address variations in color, variety of materials and/or textures, and design elements to provide monotony control and aesthetic variety in exterior appearance concurrent with the site development. The exterior façade design features shall be included in the City’s approval process for the final construction plans, which approval shall not be unreasonably withheld.
- 13. Based upon the Applicant’s approved traffic study, the developer/builder shall at the time of site development and construction of the multi-family project, construct the following site-access improvements:
 - A. 315-foot eastbound right-turn lane on Pretty Pond Road, at the project access drive connection (which turn lane is deemed warranted by the traffic study); and
 - B. westbound left-turn lane on Pretty Pond Road at the project access drive, northbound left-turn lane on Wire Road at the project access drive, and/or southbound right-turn lane on Wire Road at the project access drive, if requested by the City at the time of site plan/construction plan approval based on the site access requirements for the project, and provided that Pasco County approves any such additional turn lanes on the County collector roadways (subject to Pasco County LDC requirements).
- 14. In addition to the vehicular access points to Pretty Pond Road and Wire Road as set forth in Condition No. 12 above, the Developer at the time of site plan/construction plan submittal also shall provide for a pedestrian/bicycle access connection to the Dairy Road right-of-way on the western boundary of the project, at a location mutually acceptable to the Developer and the City. In the event the Developer’s site plan also will accommodate vehicular access to Dairy Road, and provided the City approves such additional vehicular access for the project, a vehicular access point also may be provided to Dairy Road.

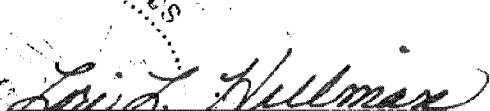
SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

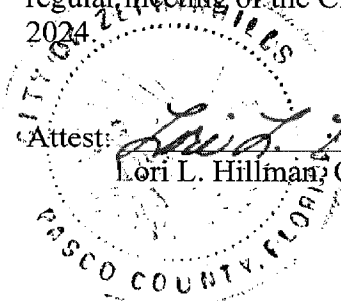
SECTION 5: The provisions of this Ordinance shall be codified and be made part of the Code of Ordinances and Land Development Code of the City of Zephyrhills, Florida. The sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such.

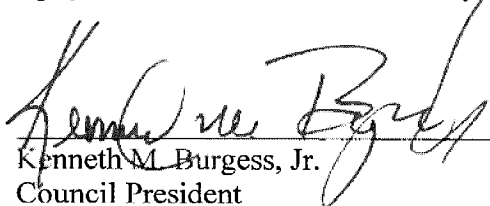
SECTION 6: That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 7: This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1480-24 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 22nd day of July 2024.

Attest: 
 Lori L. Hillman, City Clerk, MMC

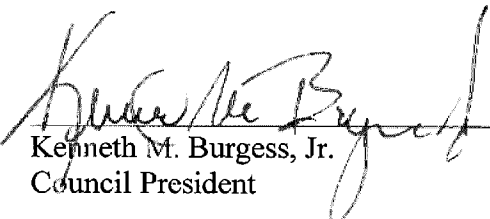



 Kenneth M. Burgess, Jr.
 Council President

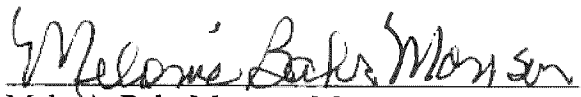
The foregoing Ordinance No. 1480-24 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12th day of August 2024.

Attest:


Ricardo Quinones, City Clerk
Deputy City Clerk


Kenneth M. Burgess, Jr.
Council President

The foregoing Ordinance No: 1480-24 was approved by me on this 12th day of August 2024.


Melonie Bahr Monson, Mayor

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



Matthew E. Maggard, Esq.
City Attorney

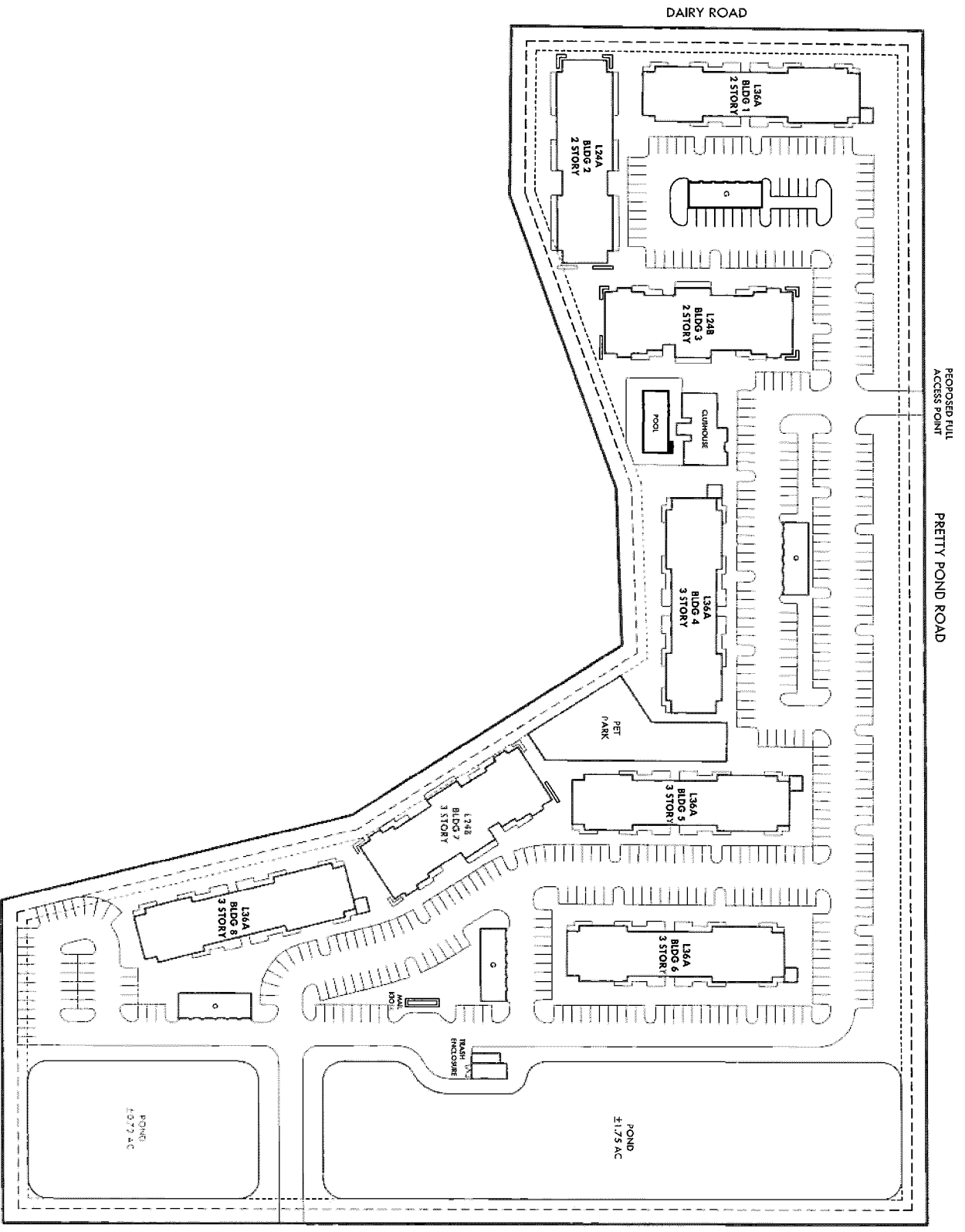
Exhibit "A"

(AREA FOR REZONING)

PORTIONS OF TRACTS 69, 70, 71, 74, 75, 76, 85 AND RIGHT OF WAY 30 FEET IN WIDTH LYING BETWEEN TRACTS 70 & 71 AND TRACTS 74 & 75 VACATED BY RESOLUTION NO. 90-12 RECORDED IN OFFICIAL RECORD BOOK 1852, PAGE 710 ALL OF THE AFOREMENTIONED LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 25 SOUTH, RANGE 21 EAST AS SHOWN ON THE PLAT OF ZEPHYRHILLS COLONY COMPANY LANDS AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA SAID PORTIONS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD CAPPED LB 107 FOUND AT THE NORTHWEST CORNER OF SAID TRACT 75; THENCE, ALONG THE WEST LINE OF SAID TRACT 75, S 00° 09' 44" W, A DISTANCE OF 143.32 FEET, TO A 1/2" IRON ROD CAPPED LB 6300 SET IN THE NORTH LINE OF AN INGRESS, EGRESS, UTILITY, AND DRAINAGE EASEMENT, 25.00 FEET IN WIDTH AS RECORDED IN OFFICIAL RECORD BOOK 10833, PAGE 1933 (TRACT 2), OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE, WITH THE NORTH LINE OF SAID EASEMENT, N 89° 56' 20" W, A DISTANCE OF 80.00 FEET, TO A 1/2" IRON ROD CAPPED LB 6300, SET IN THE EAST RIGHT OF WAY OF LINE OF DAIRY ROAD (VARIABLE WIDTH), AS RECORDED IN OFFICIAL RECORD BOOK 8093, PAGE 866, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE, WITH SAID LINE OF DAIRY ROAD, N 00° 09' 44" E, A DISTANCE OF 449.35 FEET, TO A 1/2" IRON ROD CAPPED LB 4970 FOUND IN THE SOUTH RIGHT OF WAY LINE OF PRETTY POND ROAD (VARIABLE WIDTH), AS RECORDED IN OFFICIAL RECORD BOOK 3381, PAGE 1735, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE, ALONG SAID LINE OF PRETTY POND ROAD, S 89° 53' 28" E, A DISTANCE OF 1301.14 FEET, TO A 1/2" IRON ROD FOUND AT THE INTERSECTION OF PRETTY POND ROAD AND THE MONUMENTED WEST RIGHT OF WAY LINE OF WIRE ROAD (VARIABLE WIDTH); THENCE, WITH SAID LINE OF WIRE ROAD, S 00° 14' 30" W, A DISTANCE OF 966.89 FEET, TO A 1/2" IRON ROD CAPPED LB 6300, SET IN THE SOUTH LINE OF TRACT 85 OF AFOREMENTIONED ZEPHYRHILLS COLONY COMPANY LANDS; THENCE, LEAVING THE WEST LINE OF WIRE ROAD AND WITH THE SOUTH LINE OF TRACT 85, N 89° 55' 45" W, A DISTANCE OF 348.56 FEET, TO A 1/2" IRON ROD CAPPED LB 6300, SET AT THE SOUTHEAST CORNER OF ZEPHYRHILLS NORTH SNF REALTY LLC AS RECORDED IN OFFICIAL RECORD BOOK 10833, PAGE 1933 (TRACT 1), OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE, WITH LINES OF ZEPHYRHILLS NORTH SNF REALTY LLC, THE NEXT TWO CALLS: N 13° 40' 56" W, A DISTANCE OF 385.46 FEET, TO A 1/2" IRON ROD FOUND; THENCE, N 33° 01' 22" W, A DISTANCE OF 342.73 FEET, TO A 1/2" IRON ROD CAPPED LB 107 FOUND AT THE NORTHEASTERLY CORNER OF ZEPHYRHILLS NORTH SNF REALTY LLC, SAID IRON ALSO BEING IN THE NORTH LINE OF TRACT 75, N 89° 54' 16" W, A DISTANCE OF 56.80 FEET, FROM A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF TRACT 75; THENCE, WITH THE NORTH LINE OF ZEPHYRHILLS NORTH SNF REALTY LLC IN PART AND CONTINUING WITH THE NORTH LINE OF TRACT 75, N 89° 54' 16" W, A DISTANCE OF 70.44 FEET, TO A 1/2" IRON ROD CAPPED LB 6300 SET AT THE INTERSECTION OF THE NORTH LINE OF TRACT 75 WITH THE NORTHWESTERLY LINE OF THE AFOREMENTIONED INGRESS, EGRESS, UTILITY, AND DRAINAGE EASEMENT 25.00 FEET IN WIDTH; THENCE, ALONG THE NORTHERLY LINES OF SAID EASEMENT, THE NEXT TWO CALLS: S 69° 59' 19" W, A DISTANCE OF 416.86 FEET, TO A NAIL AND DISK LB 6300 SET; THENCE, N 89° 56' 20" W, A DISTANCE OF 129.69 FEET, TO THE POINT OF BEGINNING.

CONTAINING 17.387 ACRES OF LAND MORE OR LESS.



PEOROSSO FULL ACCESS POINT
PRETTY POND ROAD

PEOROSSO FULL ACCESS POINT

50' 100' N

SCALE: 1" = 50'

DATE: 08.09.2023
PROJECT: PRETTY POND
DRAWN: J. WILSON
CHECKED: J. WILSON
DATE: 07.20.2023
PROJECT: PRETTY POND
DRAWN: J. WILSON
CHECKED: J. WILSON

TOTAL RESIDENT BUILDINGS	8
TOTAL UNITS	252 UNITS
PARKING REQUIRED (2 SPACES PER UNIT)	504 SPACES
PARKING PROVIDED	24 SPACES
DEATCHED GARAGES (G)	440 SPACES *
SURFACE PARKING	(1.74 spaces per unit)
TOTAL PARKING PROVIDED	464 SPACES

* INCLUDES 30 HANDICAP SPACES

BUILDING #	# OF STORIES	HEIGHT	# OF UNITS
BUILDING 1	2	35'	24
BUILDING 2	2	35'	24
BUILDING 3	2	35'	24
BUILDING 4	3	45'	36
BUILDING 5	3	45'	36
BUILDING 6	3	45'	36
BUILDING 7	3	45'	36
BUILDING 8	3	45'	36
TOTAL			252 UNITS

PRETTY POND
CONCEPTUAL SITE PLAN "E"

CLEARVIEW
LAND DESIGN, P.L.

Registered Business Number: RY28685
300 W. Avoca Street, Suite 100, Tampa, Florida 33609
Office: 813-253-5919