

## **BUSINESS ITEMS 3.4**

MMTC Ordinance

**First Reading Ordinance No. 1510-25 " AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING SECTION 2.05.05. – DEFINITION OF TERMS AND PART 13.02.00. - DEFINITION OF TERMS OF THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE TO REDEFINE MEDICAL MARIJUANA TREATMENT CENTERS; AMENDING TABLE 2.02.01 (ALLOWABLE USES IN ZONING DISTRICTS) REMOVING MEDICAL MARIJUANA TREATMENT CENTERS AS AN ALLOWABLE USE; PROVIDING FOR REPEALER, CONFLICT SEVERABILITY, INCLUSION "**

### **Issue:**

The City has had a moratorium on medical marijuana treatment centers that has allowed Staff the opportunity to conduct research on the use. The City Attorney has also been involved in the research, and we specifically looked into cultivation / grow houses from a prior inquiry. The City's current zoning has a category titled Medical marijuana treatment center and dispensing centers pursuant to F. S. Sect. 381.986 and is authorized by the State to allow / dispense marijuana, but does not include the cultivation, processing or distribution facilities of the medical marijuana treatment center. The City Attorney has opined and indicated that the City is able to exclude / prohibit all the MMTC uses in the City's zoning categories. City Staff, City Manager & City Attorney have reviewed / discussed the use and recommend that all MMTC related uses be excluded / prohibited in the City's zoning categories. Staff recommends the proposed change and that the Zoning Districts and Allowable Uses Table (2.02.06 - LDC) be amended to exclude all MMTC related uses from the City's zoning code / use table.

### **Background:**

### **Attachment(s):**

1. Ordinance No. 1502-25 Medical Marijuana Moratorium
2. 38579191v1 - Redline - ATTACHMENT 1 - Table 2.02.01 12-3-2025
3. Ordinance 1510-25 LDC Text Amendment MMTC (1)

### **Fiscal Impact:**

N/A

### **Staff Recommendation:**

Staff recommends approval of Ordinance 1510-25 on the first reading.



**ORDINANCE NO. 1502-25**

**AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA RELATED TO MEDICAL MARIJUANA TREATMENT CENTERS; ADOPTING FINDINGS OF FACT; PROVIDING DEFINITIONS; IMPOSING A NEW TEMPORARY MORATORIUM ON THE OPENING OF ANY NEW MEDICAL MARIJUANA TREATMENT CENTERS NOT TO EXCEED TWELVE (12) MONTHS; PROVIDING FOR SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

**WHEREAS**, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and section 166.021(1), Florida Statutes, the City of Zephyrhills, Florida (the "City"), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

**WHEREAS**, as provided in section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

**WHEREAS**, on November 8, 2016, Florida voters approved an amendment to the Florida Constitution to legalize the cultivation, production, and dispensing of medical marijuana for a broad population of eligible patients; and

**WHEREAS**, the Florida Legislature enacted SB-8A during Special Session A in July of 2017 to implement Section 29, Article X in the State of Florida Constitution and to create a unified regulatory structure for the use of marijuana for medical purposes by persons with debilitating diseases in the State of Florida which has been codified as Section 381.986, Florida Statutes; and

**WHEREAS**, SB-8A pre-empted local governments from regulation regarding cultivation, processing and delivery of marijuana by medical marijuana treatment centers, except as otherwise provided in SB-8A;

**WHEREAS**, the preemption has prevented the City from appropriately restricting the zoning districts where medical marijuana treatment centers can be located;

**WHEREAS**, on July 22, 2024 the City passed Ordinance 1484-24 implementing a twelve (12) month moratorium on the opening of new Medical Marijuana Treatment Centers within the boundaries of the City of Zephyrhills which is set to expire on July 22, 2025;

**WHEREAS**, City staff believes that an adequate amount of medical marijuana treatment centers exist within the boundaries of the City of Zephyrhills and would prepare appropriate Land Development Code modifications to address how the City wants to regulate medical marijuana treatment centers going forward including cultivation operations;

**WHEREAS**, City staff requests City Council extend the temporary moratorium on the opening of new medical marijuana treatment centers within the boundaries of the City of Zephyrhills, not to exceed twelve (12) months from the effective date of this Ordinance.

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

**Section 1. Authority.**

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

**Section 2. Legislative Findings of Fact.**

The foregoing **WHEREAS** clauses are hereby adopted as legislative findings of the City Council of the City of Zephyrhills and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

### **Section 3. Definitions.**

For the purposes of this ordinance, the following words, terms, and phrases, including their respective derivatives, have the following meanings:

a. *Marijuana* means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient.

b. *Medical Marijuana Treatment Centers (MMTC's)* means a vertically integrated licensed medical marijuana cultivator, processor, and dispenser. MMTC's are the only businesses in Florida authorized to dispense medical marijuana and low-THC cannabis to qualified patients and caregivers. Each MMTC must receive authorization at three stages, (1) cultivation authorization, (2) processing authorization, and (3) dispensing authorization, prior to dispensing low-THC cannabis or medical marijuana. MMTC's are commonly referred to as Cannabis Dispensaries or Medical Marijuana Dispensaries.

### **Section 4. Temporary Moratorium**

a. Beginning on July 23, 2025, the moratorium on the opening of new Medical Marijuana Treatment Centers within the boundaries of the City of Zephyrhills is hereby extended for twelve (12) months.

b. During the moratorium, it is unlawful and a violation of this ordinance for any person, firm, group, corporation, partnership or other company to open or cause to be opened any Medical Marijuana Treatment Centers within the boundaries of the City of Zephyrhills.

### **Section 5. Expiration of the Temporary Moratorium.**

The temporary moratorium imposed by section 4 of this ordinance expires as of the earliest of the follow occurrences:

a. Twelve (12) months from July 23, 2025; or

b. A date before the expiration in paragraph 5.a. above, if provided by Ordinance of the City Council of the City of Zephyrhills, Florida.

### **Section 6. Repealer.**

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

### **Section 7. Penalties.**

Any and all violation of the Ordinance shall constitute a separate Class VI offense as set forth in the Uniform Fine and Citation Schedule as adopted by the Sixth Judicial Circuit of Florida for Pasco County, and shall be prosecuted as provided in Section 162.21, Florida Statutes. Each violation and each day constituting a violation shall be fined and prosecuted as a separate offense.

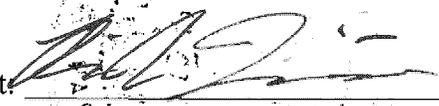
### **Section 8. Severability.**

It is declared to be the intent of the City Council of the City of Zephyrhills, Florida, that if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall be construed as not having continued the said section, subsection, sentence, clause, or provision and shall not be affected by such holding.

**Section 9. Effective Date.**

This Ordinance shall become effective on the later of July 23, 2025, or upon passage on the second reading and signing by the Mayor.

The foregoing Ordinance No. 1502-25 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 23<sup>rd</sup> day of June 2025.

Attest:   
Ricardo Quiñones, City Clerk

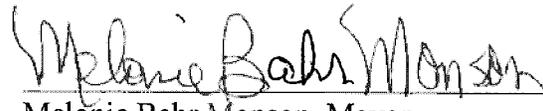
  
Charles E. Proctor  
Council President

The foregoing Ordinance No. 1502-25 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 14<sup>th</sup> day of July 2025.

Attest:   
Eileen Mercado,  
Assistant City Clerk

  
Charles E. Proctor,  
Council President

The foregoing Ordinance No: 1502-25 was approved by me this 14<sup>th</sup> day of July 2025.

  
Melonie Bahr Monson, Mayor

Approved as to legal form and content:

  
Matthew E. Maggard, Esq.  
City Attorney

**TABLE 2.02.01, Permitted Uses in Zoning Distr**

<b>Permission Key:</b>	<b>P</b> Permitted as of right	<b>C</b> Conditional Use - Level 1 Review
	<b>S</b> Provisional - Level 1 Review	<b>A</b> Accessory - ancillary to
	<b>SE</b> Special Exception - Level 2 Review	<b>T</b> Temporary - ancillary to
<b>Blank Spaces</b> on this table indicate that the use is not permitted within zoning districts.		

USES	ZONING DISTRICTS																CODE REFERENCE				
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1		AP2	RC	TCBD	TCBD-H

**RESIDENTIAL**

**SINGLE-FAMILY**

Attached				C	P					C											C	C	C	LDC: 2.01.03.06.01
Detached	P	P	P	P					C	C											S	S	S	
Mobile Home						P	P																	FS 320.01
Mobile Home Subdivision					P																			

**MULTI-FAMILY**

Apartment Building					P					C	C										C	C	C	7.09.10
Bungalow Court				P	P					C	C										S	S	S	7.09.10
Duplex				C	P																			7.09.10
Multi-Plex				C	P					C	C													7.09.10

**RESIDENTIAL**

USES	ZONING DISTRICTS																CODE REFERENCE						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1		AP2	RC	TCBD	TCBD-H	TMU	TMU-H
<b>BOARD &amp; CARE</b>																							
Assisted Living					C					P		C	P										
Group Home / Congregate Care				C	P					P													7.09.06
Nursing Home				C	C					P	C		P										7.09.17
Residential Care Facility					P					P	P												
Retirement Housing					P						C												
<b>OTHER RESIDENTIAL</b>																							
Accessory Dwelling Unit	A	A	A	A																	A	A	RESERVED LDC 7.09.29

RESIDENTIAL

USES	ZONING DISTRICTS																CODE REFERENCE						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1		AP2	RC	TCBD	TCBD-H	TMU	TMU-H
Accessory Residential Structure	A	A	A	A	A	A	A														A	A	LDC 7.09.01 LDC 7.09.22 ORD No. 1359-18
Bed & Breakfast		SE	SE	SE	SE					S	C									S	S	S	LDC 11.09.01(E)
Home Occupation	P	P	P	P	P																P	P	LDC 7.09.15
Hotel										S	P	P					C				C		
Inn										S	P	P									S		
Live / Work Quarters										S	S									S	S	S	LDC
Motel												C	C										
Recreational Vehicle (RV)								P	P														LDC 7.09.19 LDC 7.09.20

RESIDENTIAL

USES	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H	CODE REFERENCE	
	COMMERCIAL																							
<b>AUTOMOBILE SALES / SERVICE</b>																								
Automobile / Vehicle Sales													P											
Automobile Repair / Service											C	P	P	P										LDC 7.09.04
Car Wash											C	P	P										LDC 7.09.04	
Gasoline (Fuel) Service Station												P	P	P				P						LDC 7.09.04
Heavy Equipment Repair / Service														P										LDC 7.09.04
Parts & Accessory Sales												P	P	S										
<b>RETAIL SALES / SERVICE</b>																								
Convenience Store											P	P	P	P							S	S	S	
Department Store, Big Box, Large Retail, etc.												P	P											LDC 7.10.02
<b>ZONING DISTRICTS</b>																								

COMMERCIAL

USES	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H	CODE REFERENCE
	Drive-in Business												P										
Flea Market (Indoor/Enclosed)												C	C										LDC 7.09.12
Flea Market (Outdoor/Open)													C	S									LDC 7.09.12
General Retail Store											P	P	P							P	P	P	
Liquor Store											S	S	S										LDC 7.09.03
Mixed Use (Permitted & Accessory Uses)										P	P									P	P	P	
Pawn Shop												S	P										
Shopping Center												P	P										
<b>HEALTH &amp; PERSONAL SERVICES</b>																							
Beauty / Barber Shop										P	P	P								P	P	P	
<b>ZONING DISTRICTS</b>																							

COMMERCIAL

USES	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H	CODE REFERENCE	
	Laundry / Dry Cleaning Plant													P	P									
Laundry / Dry-Cleaning Services										P	P	P	P								C			
Pharmacy/Drug Store										P	S	P									S	S		
<b>COMMERCIAL</b> Medical Marijuana Treatment Centers <a href="#">(MMTC)</a>										P	S	P									S	S		
Tattoo & Body Piercing Services										S	P	P									S			
Other Personal Services										P	P	P	P								S	S	S	
<b>FINANCIAL, BUSINESS AND PROFESSIONAL</b>																								
Financial Services (Bank)										P	P	P	P								S	S	S	
Financial Services (Commercial Lender, Non-Bank)										P	P	P												

USES	ZONING DISTRICTS																	CODE REFERENCE							
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2		RC	TCBD	TCBD-H	TMU	TMU-H		
Office (Professional)										P	P	P	P								P	P	P		
Office (Trades/Fleet)												S	P	P											
<b>FOOD SERVICES</b>																									
<b>COMMERCIAL</b>	Bar/Tavern / Drinking Establishment										S	S	P				C				S	S	S	LDC 7.09.03	
	Brewery												P	P											
	Catering / Food Service Contractor									P	P	P	P									S	S	S	

USES	ZONING DISTRICTS																CODE REFERENCE						
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HF	AP1		AP2	RC	TCBD	TCBD-H	TMU	TMU-H
Catering / Food Service Contractor										P	P	P	P							S	S	S	
Mobile/Push Cart Food Services																		T		T	T	T	
Restaurant (Neighborhood Cafe)										P	P	P					SE			P	S	S	
Restaurant (Full Service)										S	P	P	P	SE		SE				P	S	S	LDC 11.09.01(D)
Restaurant (Drive-thru)										S	P	P											
<b>ANIMAL ORIENTED</b>																							
Grooming Services										P	P	P	P							P	P	P	
Kennel														P									
Pet Care Services (Indoor)										S		S	C							S			
Pet Care Services (Indoor/Outdoor)												C	C	P									
<b>ZONING DISTRICTS</b>																							

COMMERCIAL

USES	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2	RC	TCBD	TCBD-H	TMU	TMU-H	CODE REFERENCE
	ZONING DISTRICTS																						CODE REFERENCE
Veterinary Clinic/Hospital												P	P	P									LDC 7.09.26
<b>OTHER COMMERCIAL USES</b>																							
Adult (Regulated) Uses												C	C										LDC 7.09.02
Outdoor Merchandising Display										A	A	A	A								T	T	T
Outdoor Merchandise Storage												A											
<b>AGRICULTURE</b>																							
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P		P	P	P	LDC 7.09.28
Greenhouse											C	C	P	P							S		
Landscape Supply / Garden Center												P	P	P									
Nursery (Commercial)											P	P	P	P								C	C
<b>ARTS, RECREATION &amp; ENTERTAINMENT</b>																							
<b>ARTS</b>																							

COMMERCIAL







**INDUSTRIAL, TRANSPORTATION, & STORAGE**

USES	ZONING DISTRICTS																	CODE REFERENCE					
	ER	R1	R2	R3	R4	M1	M2	M3	M4	OP	C1	C2	C3	LI	HI	AP1	AP2		RC	TCBD	TCBD-H	TMU	TMU-H
Heavy Industry / Manufacturing																							
High-Tech Manufacturing															P		S						
Laboratory (Testing)											C	P	P										
Light Assembly & Processing															P		S						
Publishing & Printing											S	S	P										
Wood Products / Lumber Yard														C									





**ripts**

el 3 Review  
o the principal use only, review may be required  
to the principal for a set limited time

**DEFINITION**

A planned arrangement of buildings which touch lot lines but are individually owned and occupied for residential purposes including but not limited to the following: row houses, townhouses, villas, and condominiums.

A single-family dwelling structure separated by at least five feet in horizontal distance from any other building, structure, or unit.

A dwelling unit 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 eight body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

Development subdivide for sale of individual lots for the placement of mobile homes.

A high density, multi-family dwelling structure containing multiple, separate residential dwellings (apartments) for lease under common ownership.

A series of small, detached residential structures arranged to define a court perpendicular to the street on a single lot under common ownership.

A single structure containing two dwelling units, each of which has direct access to the outside for lease under common ownership.

Structures containing between three and ten dwelling units with direct access to the outside on a single lot under common ownership.

**DEFINITION**

Establishment providing residents with assistance with daily activities such as dressing, grooming, bathing and the like.

A facility providing a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult congregate care facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding houses, clubs, fraternities or sororities, monasteries or convents, hotels, residential treatment facilities, nursing home or emergency shelters.

A home licensed by the state for the aged or chronically or incurably ill persons in which five or more such persons not of the immediate family are provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Facility providing primarily non-medical services to seven or more individuals in need of personal assistance essential for sustaining the activities of daily living or for the protection of the individual, excluding members of the resident family, continuing care retirement centers and the like.

A residential complex containing multi-family dwellings designated for and principally occupied by senior citizens. The facilities may include a congregate meal program in a common dining area, but exclude institutional care such as medical or nursing care and are distinguished from nursing homes.

Residential dwelling unit, structure or living space, ancillary and subordinate to the principal permitted or conditional 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.

**DEFINITION**

Uses and/or structures that are ancillary, subordinate to and located on the same parcel of land as the principal, permitted or conditional use such as pools, storage sheds, etc., and are not to be inhabited.

A transient lodging establishment, generally in a single-family dwelling and/or detached guesthouse, with a maximum of five rooms primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

Occupation carried on in a dwelling unit by the resident thereof, provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

A building 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 as herein defined.

Transient lodging establishment, offering between six and twelve bedrooms, primarily engaged in providing overnight or otherwise temporary lodging for the general public and permitted to provide meals for compensation.

Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation and in which direct access to and from each room or unit is through an exterior door.

Any building, structure or vehicle designed and/or used for living or sleeping and/or recreational purposes and equipped with wheels to facilitate movement from place to place and automobiles when used for living or sleeping purposes including pick-up coaches (campers), motorized homes, boats, travel trailers, and camping trailers not meeting the specifications required for a manufactured or mobile home.

**DEFINITION**

The use of any building, land area or other premises or portion thereof, for the display, sale or lease of new or used automobiles (vehicles), panel trucks or vans, trailers or recreational vehicles (motorhomes, campers, boats, golf carts, motorcycles, etc.) and including any warranty repair work and other repair service conducted as an accessory use.

Any building, structure, improvements or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers and similar vehicles including, but not limited to: body, fender, muffler or upholstery work, oil change and lubrication, painting, tire service and sales or installation of CB radios, car alarms, stereo equipment or cellular telephones.

Establishment providing full-service or self-service washing and detailing of motor vehicles and domestic equipment.

Establishment selling automotive fuels (diesel fuel, gasoline, ethanol, etc.) comprised of gas or fuel pumps, overhead canopy and attendant shelters or convenience stores.

Any building, structure, improvements or land used for the repair and maintenance of heavy vehicles (farm equipment, construction equipment, etc.) and similar vehicles, not in conjunction with the sale of equipment or vehicles.

Establishment selling automotive parts and accessories. This use may also be considered ancillary to another principal use.

A small retail establishment usually located within or associated with another use that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods.

A singular retail or wholesale user who occupies no less than 75,000 square feet of gross floor area, typically requires high parking area ratios and has a regional sales market. Regional retail/wholesale sales can include, but are not limited to, membership warehouse clubs that emphasize bulk sales, discount stores and department stores.

**DEFINITION**

Drive-in retail establishment offering for sale goods to the general public. This definition is separate from Drive-in theaters and restaurants and financial institutions with drive-thru services.

An indoor commercial activity, not including shopping centers, individual retail operations or sales conducted by a non-profit or charitable organization, that is open to the general public and composed of five or more semi-enclosed or outdoor stalls, rooms, stands or spaces used for the purpose of display and sale, exchange or barter of merchandise.

An outdoor commercial activity, not including shopping centers, individual retail operations or sales conducted by a non-profit or charitable organization, that is open to the general public and composed of five or more semi-enclosed or outdoor stalls, rooms, stands or spaces used for the purpose of display and sale, exchange or barter of merchandise.

Selling of goods to the general public, businesses and institutions for professional, personal and household consumption. After sales services may be provided (repair and installation services incidental to the sale of goods). Merchandise display, retail and service transactions shall be conducted within completely enclosed buildings.

Retail establishment selling beverages containing more than 14% alcohol by weight for off-premises consumption only.

Establishment with two or more different uses, determined by the specific zoning district, on the same site. This term shall not include live/work units, home occupations, and/or accessory dwelling units.

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.

A group of three or more business establishments within a single architectural plan, with common ownership of property or cooperative or condominium ownership.

Any commercial establishment, residence or vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis; may include the training of apprentices under regulations of the board.

DEFINITION

Establishment providing laundry / dry-cleaning services to the public with pick-up at an off-site location.

Establishment providing laundry / dry-cleaning services directly to the public, *excluding those providing service for pickup off premises.*

Establishment where the primary business is the filling of medical prescriptions and the sale of medication, medical devices and supplies, and nonprescription medicines. Non-medical products may also be sold. Compounding facilities may be approved as an accessory use.

~~Retail sales component of a Medical Marijuana Treatment Center~~An entity that ~~has been licensed by the Florida Department of Health Office of Medical Marijuana Use pursuant to Section 381.986~~ acquires, Florida Statutes cultivates, and is authorized by the State to dispense possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, ~~but does not include the cultivation products containing marijuana, processing related supplies, or distribution facilities of educational materials to qualifying patients or their caregivers and is registered by the~~ Medical Marijuana Treatment Center Florida Department of Health.

Establishment licensed to provide tattoo and body piercing services to individuals.

Establishment providing individual and personal services such as but not limited to nail and tanning salons, day spas, licensed massage establishments, shoe shine and repair, dressmaking, tailoring and garment repair shops. Specifically excluding adult regulated uses.

A licensed establishment providing financial services including bank cashing, accepting deposits, lending and safeguarding of money or other valuable items.

Establishment without a full banking license and not subject to national or international banking regulations providing financial services including lending.

**DEFINITION**

The office of a member of a recognized profession maintained for the conduct of that profession. A profession is a vocation, calling, occupation or employment requiring training in the liberal arts or sciences or combination thereof, requiring advanced study in a specialized field; any occupation requiring licensing by the state and maintenance of professional standards applicable to the field. *This definition does not include offices for trade professions requiring fleet vehicles such as construction, pest control, etc.*

The office of a business or establishment utilizing light commercial or fleet vehicles to provide primarily off-site/mobile services including but not limited to: pest control, cable television/internet, plumbing, electrical, air conditioning, lawn care, mobile detailing tree services, taxi and limousine services.

Any establishment serving alcoholic beverages for on-premises consumption in conjunction with or without the 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/drinking establishment under this definition. This definition shall include micro brewing producing less than 405,000 US Gallons (15,000 barrels) of beer per year offering tasting, on-site consumption and retail carryout.

Establishment, primarily a brewery, producing more than 405,000 US Gallons of beer (15,000 barrels) per year. Breweries sell to the public through wholesalers, retailers and directly to the consumer but does not provide for retail carryout sales, or consumption of product on the premises.

Establishment providing pre-arranged, on or off-site meal preparation and delivery services for off-site consumption at a lawful principal use, excluding restaurants and bars which may perform the same function.

**DEFINITION**

Establishment providing pre-arranged, on or off-site meal preparation and delivery services for off-site consumption at a lawful principal use, excluding restaurants and bars which may perform the same function.

The selling or business of selling food from a mobile food vending vehicle (food truck) from which food items are sold to the general public. Mobile food vendors are only allowable by permit, for temporary sales and in conjunction with special event permits.

Establishment serving or selling food or beverage prepared on the premises for immediate consumption on or off-site utilizing existing buildings intended for commercial use or new buildings and non-commercial use intended buildings less than 2,400 sf in traditional districts downtown zoning districts (TCBD-H, TMU & TMU-H). This term shall include but is not limited to cafes, coffee-shops, bakeries, boutique restaurants, etc. This term shall not provide for provision of drive-thru facilities but shall include outdoor seating areas for eating, drinking and socializing.

Establishment serving or selling food or beverages prepared on the premises for immediate consumption on or off-site. This term shall include an outdoor seating area for eating, drinking and socializing. This term shall not include the use of drive-thru facilities.

Establishment serving or selling food or beverages prepared on the premises for immediate consumption on or off-site utilizing a drive-thru facility allowing customers in parked vehicles to transact business with persons inside the principal building.

Establishment providing hygienic care, cosmetic care, and cleaning services for household pets such as dogs and cats.

Establishment for keeping of five or more domestic dogs and/or ten or more cats on site for longer than 24 hours.

Establishment providing individual and personal service functions, including pet day care services for a period not to exceed twenty-four (24) hours. Outdoor areas for pets are prohibited.

Establishment providing individual and personal service functions, including pet day care services for a period not to exceed twenty-four (24) hours. Outdoor areas for pets may be permitted.

**DEFINITION**

Establishment with licensed practitioners of veterinary medicine, dentistry or surgery for animals, including establishments providing testing services for licensed veterinary practitioners.

Uses including adult arcade, adult book store, adult dancing establishments, adult entertainment, adult theater and/or adult massage establishments.

Fenced outdoor area of a designated size used for the display of merchandise or tangible property normally vended within the contiguous principal use during regular business hours only. Multiple items may be displayed on a rack but shall not be stacked upon each other. Site Plan Approval is required. This term is separate from Outdoor Storage and Outdoor Merchandise Storage is only intended for display of merchandise during business hours.

Storage, collection or display for more than 24 consecutive hours of any merchandise, products, materials, appliances, equipment, etc. associated a principal businesses on an enclosed, covered or uncovered area. This term is separate from Outdoor Storage and Outdoor Merchandising Display. Site Plan Approval is required.

A piece of land that is managed and maintained by a group of people to grow and harvest food crops and non-food ornamental crops, such as flowers, for personal or group use, consumption, donation, or limited sale. A community garden may be divided into separate plots for cultivation by one or more individuals, or may be farmed collectively by members of a group, and may include common areas maintained and used by group members.

Establishment for propagation, processing and storage of plants produced for wholesale or retail sales. Uses include growing beds, greenhouses, vertical farming and hydroponic systems.

Establishment licensed for the retail sale of landscape materials and garden supplies such as but not limited to landscape stones, gravel, mulch, plants, etc.

Establishment licensed for the retail sale of nursery and garden products such as trees, shrubs, plants, seeds, bulbs and sod, where 50% of products are grown off-site. This definition does not include landscape supply and garden centers.

**DEFINITION**

Any visual art displayed for two weeks or more in an open city-owned area, on the exterior of any city-owned facility, within any city-owned facility in areas designated as public area, lobbies or public assembly areas or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

Establishment for the exhibition and preservation of historical, cultural and educational objects and structures.

Establishment for the enactment of live performances. This term specifically excludes adult theaters and dinner theaters.

Establishment utilized for the creation, showing and selling of art such as but not limited to film or television, sculptures, photographs, paintings, drawings and woodworking.

Establishment for the showing of motion pictures, specifically excluding adult theaters.

Establishment offering membership to the general public for use of exercise equipment, rooms, classes, and related services.

Outdoor establishment on public or private property used for recreational entertainment such as, but not limited to outdoor auditoriums, amphitheaters, swimming pools and/or tennis courts.

Neighborhood, community or regional open space (state, county or city owned and operated) intended to serve the recreation and open space needs of the community.

Recreational center for the exclusive use of members and their guests with facilities usually including swimming pools and/or tennis courts, but specifically excluding golf courses.

A facility or area surrounded by seats for spectators where sports, entertainment and other public events are held.

An enclosed, specialized facility designed for practicing, training and educational use of firearms and archery, including target practice and competitions.

**DEFINITION**

Establishment offering academic or technical courses and graduate degrees, certificates or diplomas at the associate or higher levels. Admission requires a high school diploma or equivalent.

Elementary schools, special education facilities, alternate education facilities, middle schools and high schools operated by Pasco County School District or a private entity. Charter schools are included for the purpose of this definition.

Educational establishment providing vocational and technical training of nonacademic subjects for job-specific certification (beauty schools, computer training, driving education, flight training, language instruction, etc.)

Structures, offices, and lands owned, leased or operated by a government entity, such as civic and community centers, libraries, fire stations, and government administrative buildings.

Establishment 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.

A place, other than an occupied dwelling, that provides for the care of children or adults; or a large care home. Those receiving care are not all related to each other by blood or by marriage and are not legal wards or foster children of the attendant adults and for which care a payment, fee or grant is made. Of those receiving care, only dependents of a large care home operator may reside on the site.

Establishment for preparation of human remains for burial or interment of human remains as regulated by the City of Zephyrhills, Pasco County and the State of Florida.

**DEFINITION**

Establishment providing medical, diagnostic, surgical and treatment services including physician, nursing, specialized accommodations and other health services to inpatients. Hospitals may also provide outpatient services.

Establishment providing routine medical, eye, or dental examinations, treatments and procedures as outpatient services.

Establishment dedicated to rehabilitation and restoration, to the extent possible, of physical, mental and psychological function of ill or disabled persons providing for professional counselling and guidance services and treatment programs.

Organization consisting of nonprofit, nongovernmental agencies utilizing donated assets and income to provide social services, such as community foundations, endowments and charitable trusts. This term includes but is not limited to: civic, social and fraternal organizations; business associations and professional memberships; labor and political organizations; and philanthropic organizations.

Establishment primarily used for religious worship and related activities.

Establishments consisting of personal care services, drop-in centers, short term/emergency housing, food centers, supply pantries and homeless services.

Establishments involved in construction of new buildings, additions, alterations, reconstruction, installation, repairs, demolition, blasting, test drilling, leveling, dredging, earthmoving, excavating land, drainage, and other land preparation development. Accessory office space is permitted.

Facility involved in only in the manufacturing, production and compounding of prescription medicine but does not include a retail pharmacy component open to the general public.

**DEFINITION**

A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials or a use engaged in storage of 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 process of raw materials and activities or processes necessitating the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations a part of their manufacturing process.

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.

Establishment for testing and analysis of products, materials or biological organisms; investigation of natural, physical or social sciences; or engineering and development as an extension of investigation, with the objective of creating an end product. No manufacturing is conducted on premises except for experimental or testing purposes. Onsite distribution is prohibited.

A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of products, but excluding basic industrial processing.

Establishments for the mass printing of books, newspapers or other printed materials, or create, reproduce or package printed materials or software. Distribution and circulation facilities are permitted. This term does not include small printing / copying services such as those associated with office supply stores, photographic processing services, stationary printing, and low volume printing services.

Area used for the storage, distribution and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products or firewood.

**DEFINITION**

Establishment engaged in the movement, protection, storage and control of materials and products through manufacturing, distribution, consumption and disposal utilizing manual, semi-automated or automated equipment.
Establishment consisting of separate storage units (less than 400 square feet each) used for storage of personal property and leased to the general public.
The storage, collection or display for more than three consecutive days or any part of any day for three consecutive days, of any products, materials, equipment, appliances, vehicles not in service, and/or personal property of any kind on an unenclosed, uncovered area. This term is regulated separately from outdoor merchandise display and outdoor merchandise storage.
Establishment for storing, distributing, and shipping, but not selling, 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 arrangement.
Establishment operating from a warehouse building, closed to the general public, selling goods exclusively to other businesses. Outdoor merchandise display is prohibited.
Establishment operating from a warehouse building, open to the general public, selling wholesale or bulk items. Outdoor merchandise display is prohibited.
A building structure or parcel of land or portion thereof, used for collecting, storage or sale of waste paper, rags, scrap metal, rubber tires, bottles, or discarded material. Where the materials are a byproduct of a permitted use, the activity shall be considered outdoor storage.
Facility specifically for the collection of recyclable materials for delivery to a processing facility.
Facility specifically for processing of recyclable materials.
<b>DEFINITION</b>

Enclosed area with emission controls for the purpose of spray painting fabricated items.

Area or facility used for the storage of petroleum products prior to distribution to consumers and retail facilities. This term includes oil deposit and installation or oil terminals.

Facility specifically for the service, maintenance and repair of aircraft.

A raised structure used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged independently of any other use of the premises.

A parcel of land or portion thereof paved and used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged independently of any other use of the premises.

Local and suburban ground passenger transit system using more than one mode of transportation over regular routes and on regular schedules.

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.

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.

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**ORDINANCE NO. 1510-25**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA AMENDING SECTION 2.05.05. DEFINITION OF TERMS AND PART 13.02.00. DEFINITION OF TERMS OF THE CITY OF ZEPHYRHILLS LAND DEVELOPMENT CODE TO REDEFINE MEDICAL MARIJUANA TREATMENT CENTERS; AMENDING TABLE 2.02.01 (ALLOWABLE USES IN ZONING DISTRICTS) REMOVING MEDICAL MARIJUANA TREATMENT CENTERS AS AN ALLOWABLE USE; PROVIDING FOR REPEALER, CONFLICT SEVERABILITY, INCLUSION INTO THE CODE AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, Florida Constitution of 1968, and Chapter 166, Florida Statutes, the City of Zephyrhills has the authority to adopt regulations relating to land uses available in zoning districts; and

**WHEREAS**, the City Council has determined that it is in the City’s best interest to update the Land Development Code from time to time to assure that the Land Development Code adequately meets the needs of the City; and

**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 part of this Ordinance.

**Section 2. Land Development Code Text Amendment.**

A. PART 13.02.00. - DEFINITION OF TERMS is hereby amended as shown below:

~~Medical marijuana *treatment center dispensing facility*. The retail sales component of a medical marijuana treatment center that has been licensed by the Florida Department of Health Office of Medical Marijuana Use pursuant to F.S. § 381.986, and is authorized by the state to dispense marijuana, but does not include the cultivation, processing, or distribution facilities of the medical marijuana treatment center.~~

Medical Marijuana Treatment Centers (MMTC). An entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana,

products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Florida Department of Health.

B. Section 2.05.05. - Definitions of terms. is hereby amended as shown below:

~~*Medical marijuana treatment center dispensing facility.* The retail sales component of a medical marijuana treatment center that has been licensed by the Florida Department of Health Office of Medical Marijuana Use pursuant to F.S. § 381.986, and is authorized by the state to dispense marijuana, but does not include the cultivation, processing, or distribution facilities of the medical marijuana treatment center.~~

*Medical Marijuana Treatment Centers (MMTC).* An entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Florida Department of Health.

C. Table 2.02.01 ALLOWABLE USES IN ZONING DISTRICTS is hereby amended as reflected on *Exhibit "A"* attached hereto and made a part hereof.

### **Section 3. Repealer.**

Any ordinance or part of any ordinance in conflict herewith is hereby repealed to the extent of any conflict.

### **Section 4. Conflict Severability.**

If is declared to be the intent of the City Council of the City of Zephyrhills, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall not be construed as not having contained said section, subsection, sentence, clause, or provision and shall not be affected by such holding.

### **Section 5. Inclusion in Code.**

The provisions of this Ordinance shall become 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. Effective Date.**

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

The foregoing Ordinance No. 1510-25 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 8<sup>th</sup> day of December 2025.

Attest: \_\_\_\_\_  
Ricardo Quinones, City Clerk

\_\_\_\_\_  
Charles E. Proctor  
Council President

The foregoing Ordinance No. 1510-25 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 12<sup>th</sup> day of January 2026.

Attest: \_\_\_\_\_  
Ricardo Quinones, City Clerk

\_\_\_\_\_  
Charles E. Proctor  
Council President

The foregoing Ordinance No. 1510-25 was approved by me this 12<sup>th</sup> day of January 2026.

\_\_\_\_\_  
Melonie Bahr Monson, Mayor

Approved as to legal form and content

\_\_\_\_\_  
Matthew E. Maggard, City Attorney