WINTER HAVEN
THE CHAIN OF LAKES CITY

PLANNING COMMISSION MEETING

DATE: Tuesday, October 6, 2026, 6:00 p.m.

LOCATION: City Hall, John Fuller Auditorium
451 Third Street NW
Winter Haven, FL 33881

---

1. Call to Order

2. Roll Call

3. Invocation and Pledge of Allegiance

4. Approval of Minutes

4.A **September 1, 2026 Meeting Minutes**

Staff Contact: *Jordan Warren, Planning Assistant, jwarren@mywinterhaven.com*

September 1, 2026 Meeting Minutes

5. Explanation of Hearings by Chair

6. Hearings - Old Business

7. Hearings - New Business

7.A **P-26-05-S - Request by Pentecostal Church of God, Inc. for Special Use Approval for an assisted living facility in the Multi-Family Residential- Low Density (R-3) zoning district. General Location: Two parcels and the western portion of a parcel generally located east of Lucerne Park Road (State Road 544), 700+/- feet north of Avenue Y, NE, and 1,150+/- feet west of Lake Smart. The area covered by this request is 17.5+/- acres.**

Staff Contact: *Heather Reuter, Senior Planner, hreuter@mywinterhaven.com*

Summary - Case Number P-26-05-S

7.B **P-26-24 - Request by Ethan Falk, agent for Millers Landing, LLC, to rezone a parcel from Planned Unit Development (PUD) zoning district to Commercial- Highway (C-3) zoning district. General Location: 6980 Cypress Gardens Boulevard. The area covered by this request is 4.68 +/- acres.**

Staff Contact: *Chris Young, Senior Planner, cyoung@mywinterhaven.com*

Summary-Case Number P-26-24

7.C **P-26-25 - Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2, Table 21-32(A), Table of Land Uses and Article IX, Section 21-531,**

Definitions for the purpose of allowing Recreation Indoor Commercial and Clubs, Private in the Mixed Use (MX), Commercial- Downtown (C-1), and Commercial-Neighborhood (C-2) zoning districts

Staff Contact: *Sean Byers, Planning Manager, sbyers@mywinterhaven.com*

Summary - Case Number P-26-25

7.D **P-26-26 - Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2, Table 21-32A (Table of Land Uses) to allow for the placement of off-site manufactured homes in the Residential Estate (RE), Single Family Residential- Large Lot (R-1), Single Family Residential- Small Lot (R-2), Multifamily Residential- Low Density (R-3), Multifamily Residential- Medium Density (R-4), and Mixed Use (MX) zoning districts in accordance with provisions contained in House Bill 399 as passed by the Florida Legislature during their 2026 Legislative Session**

Staff Contact: *Sean Byers, Planning Manager, sbyers@mywinterhaven.com*

Summary - Case Number P-26-26

8. Other Business

8.A **Comments from Staff**

8.B **Comments from Planning Commissioners**

8.C **Comments from the Public**

9. Adjournment

If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and that, for such purpose, they 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 (FS 286.0105). In accordance with the Americans with Disabilities Act and Florida Statutes, Section 286.26, persons with disabilities needing special accommodations to participate in this proceeding, should contact the City Clerk's Office, 451 Third Street, NW, Winter Haven, Florida 33881, in writing, not later than 48 hours prior to the proceeding; if not in writing, then not later than four (4) days prior to the proceeding at (863) 291-5600. Vision or hearing impaired please call (800) 955-8771 for assistance.

CITY OF WINTER HAVEN
PLANNING COMMISSION MEETING MINUTES
September 1, 2026

1. **CALL TO ORDER**
Chair Wells called the meeting to order at 6:00 p.m.

2. **ROLL CALL**
Commissioners Present: Chair Colin Wells, Vice-Chair Wendy Venters, Lorena Cordero, Ed Smith, Kevin Tison, Mario Manago, Tina Summerlin, and Laura Lease

Commissioners Absent: Craig Fuller

Mrs. Warren confirmed a quorum.

Staff Present:
Cedric Cox, Economic Opportunity & Community Investment Assistant Director; Sean Byers, Planning Manager; Heather Reuter, Senior Planner; Chris Young, Senior Planner; Jordan Warren, Planning Assistant; and Commissioner Chad Davis, Liaison

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**
Invocation and Pledge of Allegiance led by Chair Wells.

4. **APPROVAL OF MINUTES**
Chair Wells asked for a motion to approve the August 4, 2026 Planning Commission Meeting Minutes. Motion was made by Commissioner Summerlin for approval of the August 4, 2026 Planning Commission Meeting Minutes; Commissioner Smith seconded the motion. Motion carried by a unanimous voice vote. (8:0)

5. **EXPLANATION OF HEARINGS**

Chair Wells provided the explanation of hearings.

6. **HEARINGS – OLD BUSINESS**

7. **HEARINGS – NEW BUSINESS**

A. Case Number P-26-04-S: Request by Street Land Trust 150 for Special Use Approval for a large-scale drinking establishment located in the Commercial- Downtown (C-1) zoning district. **General Location:** 150 Second Street, NW. The area covered by this request is 0.09± acres.

Mrs. Reuter gave an overview of the request via a slideshow presentation. Mrs. Reuter recommended approval of the request with conditions stated in the agenda packet.

Chair Wells asked the Commissioners if there were any questions for staff. Seeing and hearing none, Chair Wells closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and state their name and

address for the record. Seeing and hearing none, Chair Wells closed the public hearing and reopened the regular meeting.

Chair Wells asked if there were any other questions from commissioners. Hearing and seeing none, Chair Wells sought a motion for the case. Motion was made by Chair Wells to approve Case Number P-26-04-S with the conditions in the agenda packet. Commissioner Cordero seconded the motion. Motion carried by a unanimous voice vote (8:0).

8. **Other Business**

   A. Comments from Staff
      - Mr. Byers gave an update on past items.

   B. Comments from Commissioners – NONE

   C. Comments from the Public – NONE

9. **Adjournment** – 6:06 p.m.

CITY OF WINTER HAVEN, FLORIDA
PLANNING COMMISSION

_____
Chair

ATTEST:

_____
Planning Commission Clerk

DATE: September 21, 2026

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity and Community Investment Director
Sean Byers, Planning Manager

FROM: Heather Reuter, Senior Planner

SUBJECT: **Case Number P-26-05-S:** Request by Pentecostal Church of God, Inc. for Special Use Approval for an assisted living facility in the Multi-Family Residential- Low Density (R-3) zoning district. **General Location:** Two parcels and the western portion of a parcel generally located east of Lucerne Park Road (State Road 544), 700± feet north of Avenue Y, NE, and 1,150± feet west of Lake Smart. The area covered by this request is 17.5± acres.

BACKGROUND

Pentecostal Church of God, Inc., petitioner, requests Special Use Approval for an assisted living facility in the Multi-Family Residential- Low Density (R-3) zoning district. The subject property consists of two parcels and a portion of a third parcel, totaling approximately 17.5 acres. The property is generally located east of Lucerne Park Road (State Road 544), approximately 700 feet north of Avenue Y, NE, and approximately 1,150 feet west of Lake Smart.

The petitioner proposes to develop the subject property with an assisted living facility. The final building size and number of beds have not been determined; however, the petitioner anticipates a building ranging from approximately 12,800 to 20,000 square feet with approximately 60 to 100 beds. Assisted living facilities are permitted in the R-3 zoning district subject to Special Use Approval.

SURROUNDING USES

Surrounding uses include the Pentecostal Church of God to the north; vacant property zoned R-2 and owned by the petitioner to the east; a multi-family residential development and a vacant C-3 zoned property owned by the petitioner to the south; and the Lake Conine Nature Park to the west across Lucerne Park Road (State Road 544).

INFRASTRUCTURE

Based on the existing R-3 zoning, the 17.5-acre subject property could be developed with 263 residential units at a maximum density of 15 units per acre. The proposed assisted living facility with up to 100 beds is anticipated to generate less demand on public infrastructure than development of the property with the maximum number of residential units permitted under the existing R-3 zoning. As this is a new

development, a site plan review will be required and concurrency for water, sewer, and transportation will be determined at that time. As part of the site plan review, and consistent with the Comprehensive Plan's Transportation Map Series, staff is recommending a condition for the applicant to dedicate a minimum 60-foot, east/west rights-of-way through the southern portion of the subject property for a future collector road.

NOTIFICATION

All public notification requirements for this request were met.

CONCLUSION

Staff's review of the petitioner's request yields the following conclusions:

- The subject property is located along a major arterial roadway and is surrounded by a mix of institutional, residential, recreational, and vacant properties. The proposed assisted living facility is consistent with the development pattern of the surrounding area.; and
- The development of the subject property for an assisted living facility, rather than at the maximum residential density permitted under the existing R-3 zoning district, is anticipated to reduce the demand on public infrastructure.

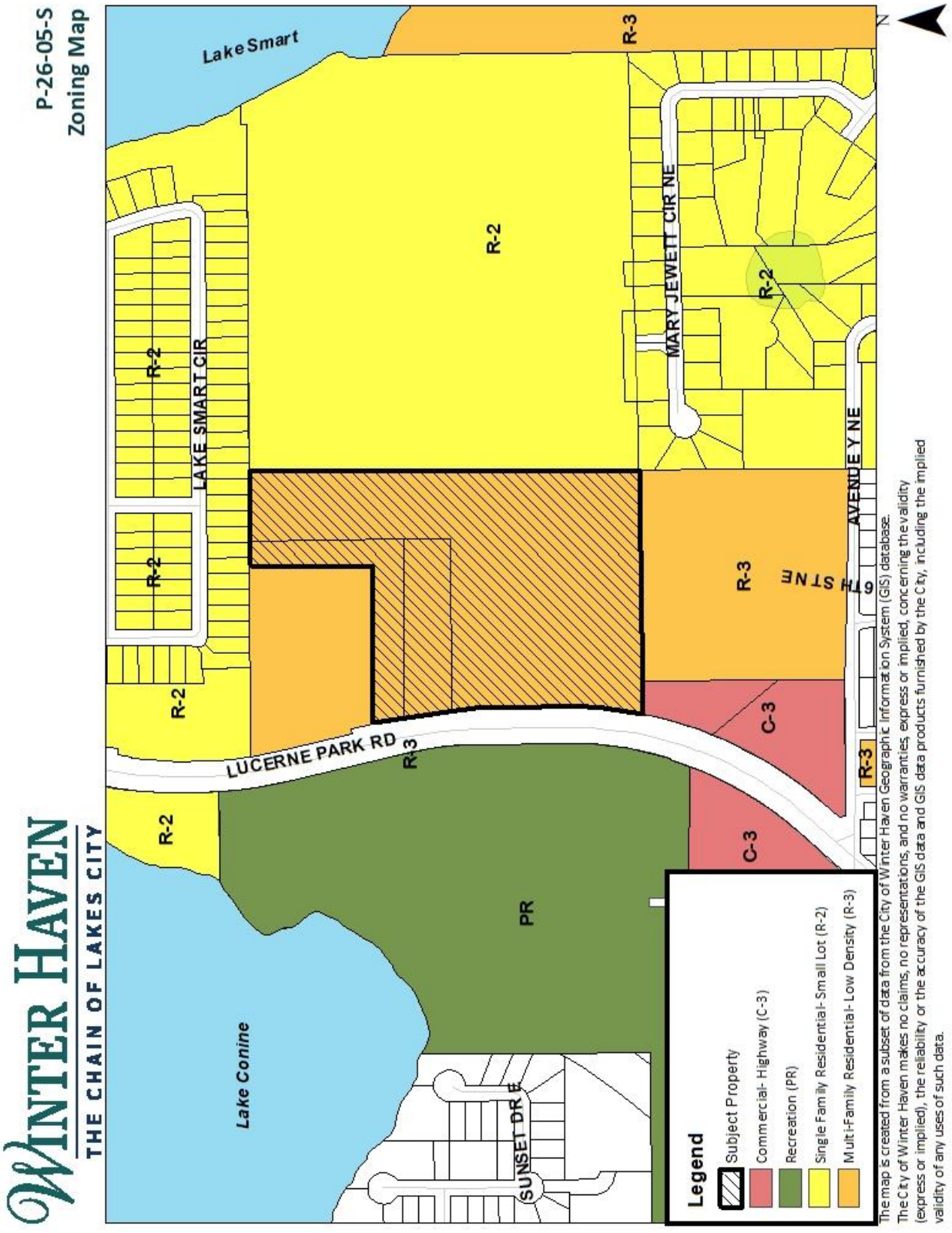
RECOMMENDATION

Staff recommends the Planning Commission approve this request subject to the following condition:

1. Consistent with the City's Comprehensive Plan's Transportation Map Series, the property owner shall dedicate a minimum 60-foot east/west right-of-way through the southern portion of the subject property for a future collector road.

ATTACHMENTS

- Zoning Map
- Aerial Map
- Conceptual Plan
- Winter Haven Area Roadway Network Map


P-26-05-S
Zoning Map
Lake Smart
R-3
R-2
MARY JEWETT CIR NE
LAKE SMART CIR
AVENUE Y NE
6TH ST NE
C-3
LUCERNE PARK RD
PR
Lake Conine
SUNSET DR E
Legend
Subject Property
Commercial- Highway (C-3)
Recreation (PR)
Single Family Residential- Small Lot (R-2)
Multi-Family Residential- Low Density (R-3)
The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database.
The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

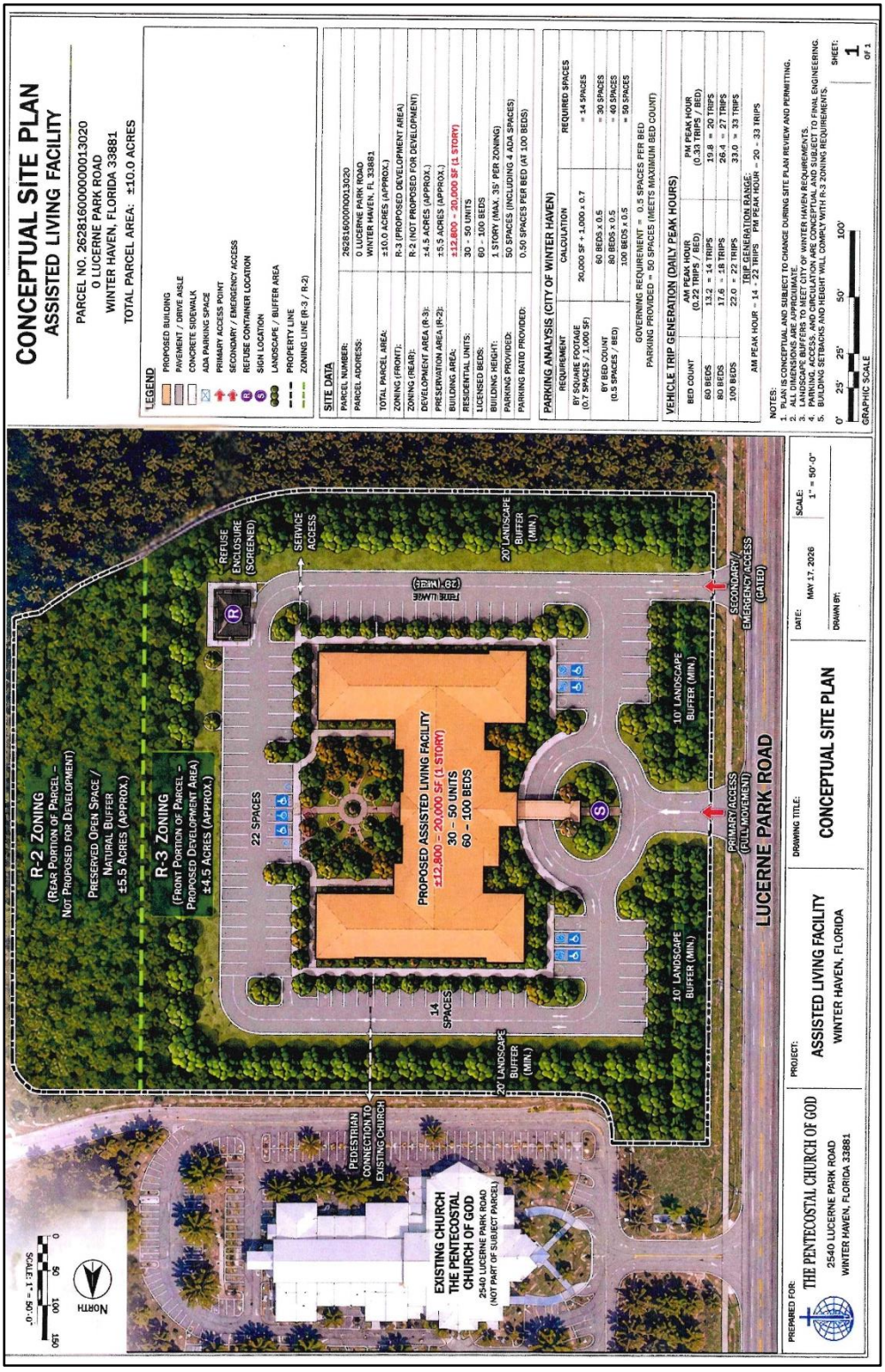
P-26-05-S
Aerial Map

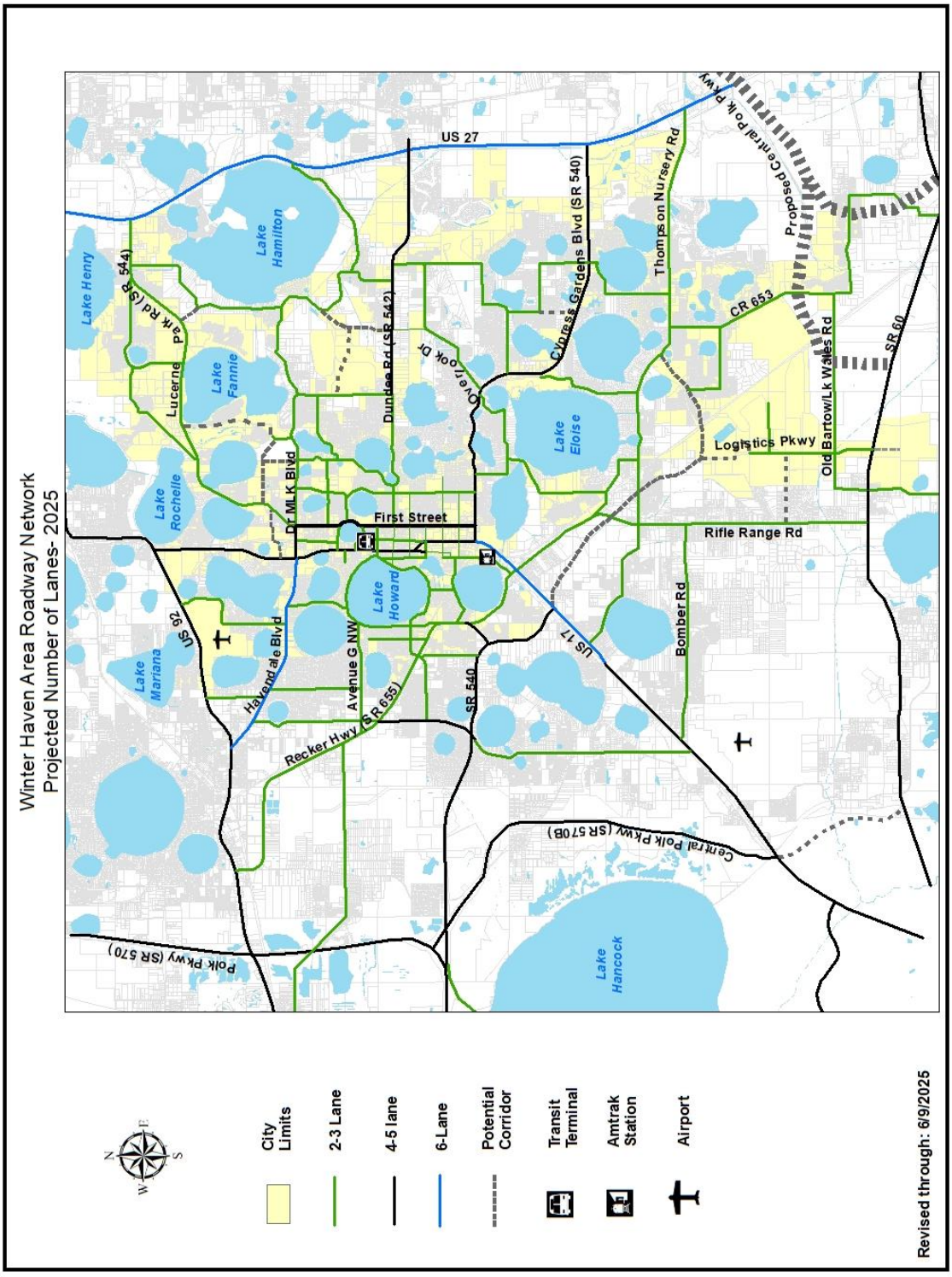


WINTER HAVEN
THE CHAIN OF LAKES CITY

The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database.
The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

Conceptual Plan




Winter Haven Area Roadway Network
Projected Number of Lanes- 2025
US 27
Lake Hamilton
Lake Henry
Lake Fannie
Lake Rochelle
Lake Eloise
Lake Howard
Lake Mariana
Lake Hancock
Lucerne Park Rd (SR 544)
Dundee Rd (SR 542)
Overlook Dr
Cypress Gardens Blvd (SR 540)
Thompson Nursery Rd
Proposed Central Polk Pkwy
CR 653
SR 60
Old Bartow/Lk Wales Rd
Logistics Pkwy
Rifle Range Rd
Bomber Rd
First Street
Dr MLK Blvd
Havendale Blvd
Avenue G NW
Recker Hwy (SR 655)
SR 540
US 17
US 27
Central Polk Pkwy (SR 570B)
Polk Pkwy (SR 570)
City Limits
2-3 Lane
4-5 lane
6-Lane
Potential Corridor
Transit Terminal
Amtrak Station
Airport
Revised through: 6/9/2025

DATE: September 28, 2026

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity & Community Investment Director
Sean Byers, Planning Manager

FROM: Chris Young, Senior Planner

SUBJECT: **Case Number P-26-24:** Request by Ethan Falk, agent for Millers Landing, LLC to rezone a parcel from Planned Unit Development (PUD) zoning district to Commercial– Highway (C-3) zoning district. **General Location**: 6980 Cypress Gardens Boulevard. The area covered by this request is 4.68± acres.

BACKGROUND

Ethan Falk, agent for Millers Landing, LLC, requests the City rezone a parcel from Planned Unit Development (PUD) zoning district to Commercial– Highway (C-3) zoning district. The property totaling 4.68± acres, is located at 6980 Cypress Gardens Boulevard and consists of three commercial retail buildings totaling 29,440 square feet, constructed in 2005. The petitioner is seeking a zoning change as the existing buildings and current uses are more consistent with the C-3 zoning district than the PUD zoning district.

The existing Millers Landing PUD was approved in 2003, and allows a mixture of residential and commercial uses. The permitted commercial uses are generally the lower-intensity commercial and retail uses found in the C-3 zoning district. The requested C-3 zoning is more consistent with the continued commercial development along Cypress Gardens Boulevard and will allow for all of the commercial and retail uses found in the C-3 district. The residential portion of Millers Landing along with a commercial outparcel will remain subject to PUD Ordinance O-03-07.

As the subject property is already developed, this request will have minimal impact on public infrastructure. Furthermore, any redevelopment of the subject property will require site plan review, including a concurrency review at that time.

SURROUNDING USES

Uses surrounding the subject area include medical offices to the north across Cypress Gardens Boulevard; a restaurant and RV park to the east across Lake Bess Road; and residential subdivisions to the south and west.

COMPREHENSIVE PLAN

The current Future Land Use designation on the subject property is Regional Mixed Use Hub. The Requested Commercial- Highway (C-3) zoning district is consistent with the Regional Mixed Use Hub Future Land Use designation.

NOTIFICATION

All public notification requirements for this request were met.

CONCLUSION

Staff's review for this request yields the following conclusions:

- The requested C-3 zoning is consistent with the existing commercial buildings and current uses on the property;

- The requested C-3 zoning is consistent with existing C-3 zoning and commercial uses found on other parcels along Cypress Gardens Boulevard; and

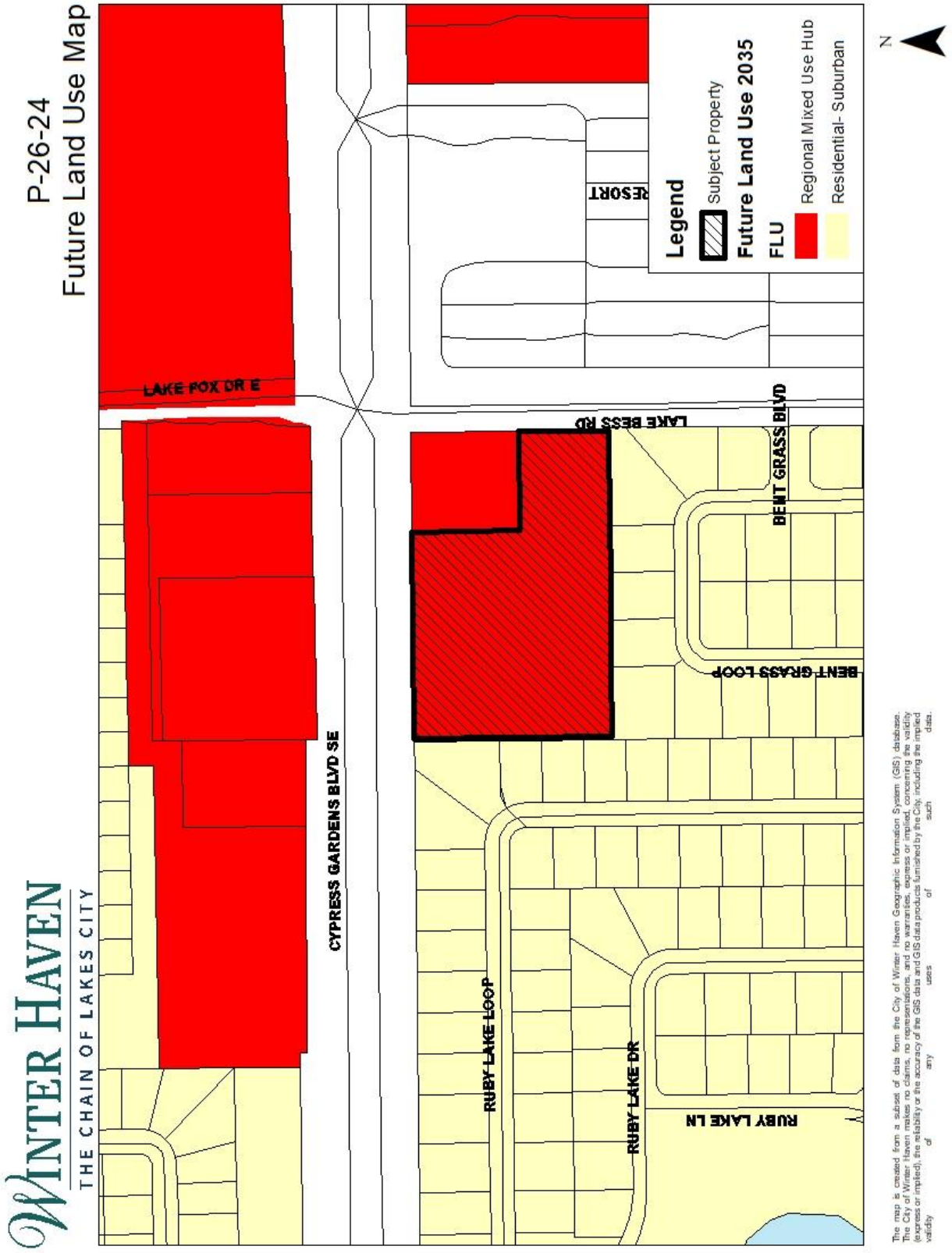
- The requested C-3 zoning district will allow a wider variety of retail activity not currently allowed under the existing PUD. Any future development on the site will be limited due to the existing site constraints.

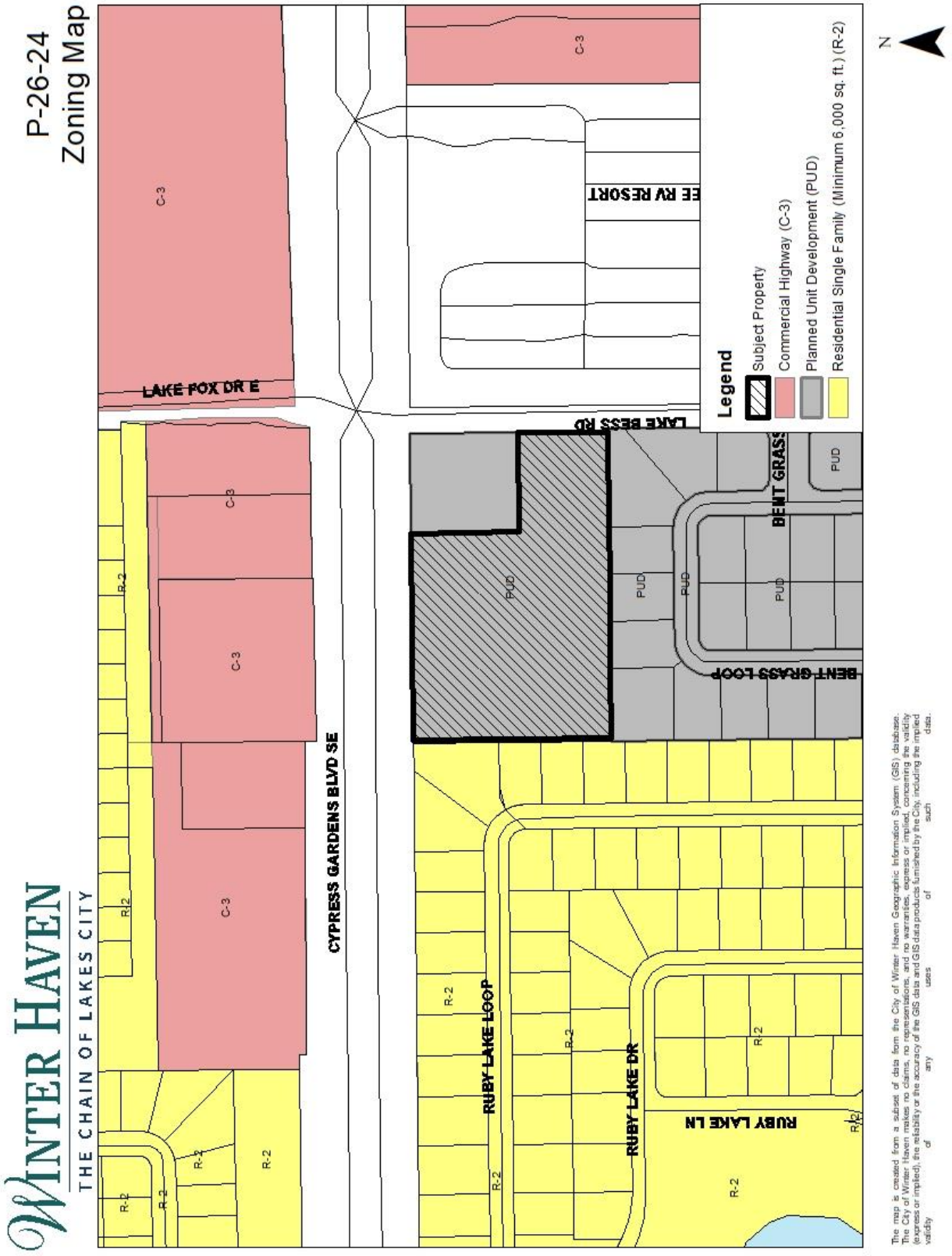
RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this request and its forwarding to the City Commission for final action.

ATTACHMENTS

- Future Land Use Map
- Zoning Map
- Aerial Map


P-26-24
Future Land Use Map
Legend
Subject Property
Future Land Use 2035
FLU
Regional Mixed Use Hub
Residential- Suburban
N
LAKE POX DR E
RESORT
LAKE BESS RD
BENT GRASS BLVD
BENT GRASS LOOP
CYPRESS GARDENS BLVD SE
RUBY LAKE LOOP
RUBY LAKE DR
RUBY LAKE LN
WINTER HAVEN
THE CHAIN OF LAKES CITY
The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied


P-26-24
Zoning Map
Legend
Subject Property
Commercial Highway (C-3)
Planned Unit Development (PUD)
Residential Single Family (Minimum 6,000 sq. ft.) (R-2)
N
LAKE FOX DR E
CYPRESS GARDENS BLVD SE
RUBY LAKE LOOP
RUBY LAKE DR
RUBY LAKE LN
BENT GRASS LOOP
C-3
R-2
PUD
WINTER HAVEN
THE CHAIN OF LAKES CITY


P-26-24
Aerial Map
Legend
Subject Property
N
LAKE FOX DR E
LAKE BESS RD
CAREFREE RV RESORT
BENT GRASS BLVD
BENT GRASS LOOP
CYPRESS GARDENS BLVD SE
RUBY LAKE LOOP
RUBY LAKE PL
RUBY LAKE LN
WINTER HAVEN
THE CHAIN OF LAKES CITY
The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

DATE: August 31, 2026

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity and Community Investment Director

FROM: Sean Byers, Planning Manager

SUBJECT: **Case Number P-26-25:** Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2, Table 21-32(A), Table of Land Uses and Article IX, Section 21-531, Definitions for the purpose of allowing *Recreation Indoor Commercial* and *Clubs, Private* in the Mixed Use (MX), Commercial-Downtown (C-1), and Commercial-Neighborhood (C-2) zoning districts.

BACKGROUND

Recreation Indoor Commercial is defined in Section 21-531 as the following types of indoor recreation uses: bowling alley, dance studio, schools for martial arts, physical fitness centers, private clubs and lodges, movie theater, theaters and auditoriums, and indoor skating rinks, with other similar types of uses also included. Per Table 21-32(A), Table of Land Uses, *Recreation Indoor Commercial* is only permitted in the Commercial- Neighborhood (C-2), Commercial- Highway (C-3), and Commercial- Heavy (C-4) zoning districts.

As the office and retail landscape continues to evolve towards increased remote work and on-line purchasing, brick and mortar commercial is becoming more focused on specialty uses and gathering uses such as restaurants, drinking establishments, and entertainment. This is particularly true in downtown. In keeping with this trend, staff has been receiving an increased number of requests for commercial recreation uses in areas covered by the C-1 zoning district. While restaurants and drinking establishments (by Special Use) are permitted in the Commercial- Downtown (C-1) zoning district, most *Recreation Indoor Commercial* uses are not. There is the ability to have an art, dance, or music studio, a gym, or sports lesson center through the definition of *Personal Services*.

Recognizing the changing nature of commercial brick and mortar buildings, particularly in destination areas, such as downtown, staff proposes to include a new use in Table 21-32(A) for *Recreation Indoor Commercial- Small Scale*. This new use establishes indoor recreation uses which are of an appropriate scale for downtown. The maximum area for a *Recreation Indoor Commercial- Small Scale* use will be 10,000 square feet of gross leasable space. *Recreation Indoor Commercial- Small Scale* is intended to be permitted in the C-1, C-2, C-3, and C-4 zoning districts. Larger indoor commercial recreation uses in C-1 will be permitted by Special Use Approval by the Planning Commission.

As part of this request, definitions contained in Section 21-531 for *Club, Private* and *Recreation Indoor Commercial* will be updated for clarity and to include new uses. Specifically for the definition of *Recreation Indoor Commercial*, the following uses will be added: arcades and gaming rooms, billiards, escape rooms, and indoor sports centers. *Club, Private* is modified to address additional terms which may be associated with the use. Additionally, Table 21-32(A) will be revised to allow *Clubs, community/fraternal* and *Private Club indoor/outdoor* in the same zoning districts.

NOTIFICATION

All public notification requirements for this request were met.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this request, and its forwarding to the City Commission for final action.

ATTACHMENTS

- Revised Article IX, Section 21-531, Definitions
- Revised Article II, Division 2, Table 21-32A, Table of Land Uses

Revisions to Article IX, Section 21-531, Definitions

New language underlined in red and deleted language is ~~stricken through~~ in red.

Club, private means an association of persons for some common purpose, but not including groups organized primarily to render a service which is customarily carried on as a business. This definition shall include, but not be limited to, the terms "lodge," "fraternal orders" and "societies" and shall apply to all social organizations ~~not operated for a profit other than for their own purpose.~~

Recreation uses, indoor commercial consist of uses in greater than 10,000 square feet of gross leasable space that share land use characteristics such as traffic-generation rates and bulk (buildings) requirements. These uses include, but are not limited to, arcades and gaming rooms (excluding games of chance), billiards, bowling alleys, dance studios, escape rooms, schools for martial arts, indoor sporting centers, physical fitness centers, private clubs or lodges, movie theater, theaters and auditoriums, and indoor skating rinks.

Recreation uses, indoor commercial- Small Scale consist of uses in 10,000 square feet or less of gross leasable space that share land use characteristics such as traffic-generation rates and bulk (buildings) requirements. These uses include, but are not limited to, arcades and gaming rooms (excluding games of chance), billiards, bowling alleys, dance studios, escape rooms, schools for martial arts, indoor sporting centers, physical fitness centers, private clubs or lodges, movie theater, theaters and auditoriums, and indoor skating rinks.

Revisions to Article II, Division 2, Table 21-32A, Table of Land Uses

New language underlined in red and deleted language is ~~stricken through~~ in red.

Table 21-32(A)
Table of Land Uses

Category/Use																						
Key to Table: P = Permitted Use; A = Accessory Use; S = Special Use approval required; C = Conditional Use approval required																						
Single Family Detached and Auxiliary uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON				
Single family, std. construction	P	P	P	P	P	P			P													
Single family, modular home	P	P	P	P	P	P			P													
Single family, manufactured home	P							P														
Agricultural uses with house	P																					
Caretaker's Cottage															P	P	P					
Fruit stand	P	P																				
Accessory Residential Unit	P	P	P	P	P	P			P													
Home Occupation/Home-based Business	P	P	P	P	P	P	P	P	P													
Limited agricultural uses with house	P	P																P				
Manufactured home park								P														
Private stable, one horse per acre, limited to two horses	P	P																				
RV park								S														
Servants Quarters	P	P	P																			
Multiple Family Residential	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON				
Multi-unit Residential Building					P	P	P		P	P		P										
Zero Lot Line House					P	S																
Dormitory						P	P		P							P						
Duplex, twin house					P	P			P													
Garden Apartment, atrium house					P																	
Patio house					P	P			P													
Rooming House/Boarding House						S	S															
Townhouse					P	P			P	P												
Group Care Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON				
Adult family care home, Family day care home, Family foster home		P	P	P	P	P		P	S													
Special needs facility					S	S	P		P		P	P				P						
Child care facility					S	S	AS		S	S	P	P				P						
Adult day care center					S	S	AS		P		P	P										
Assisted living facility					S	P	P		P		P	P				P						
Foster care facility					S	S	P		P		P	P				P						

Group home facility					S	S	P		P		P	P							P							
Hospice residential unit					S	S	P		P		P	P								P						
Nursing Home							P		P																	
Transitional Housing							S																			
Lodging	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Bed and breakfast	P	P	P	P	P	P			P	P	P	P	P	P												
Hotel/motel							S		S	P		P	P	P												
RV campground								S					P	P												
Offices/Services	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Business office						S			P	P	P	P	P	P												
Clubs, community/fraternal									P	P	P	P	P	P												
Crematorium													P	P	P											
Funeral home/mortuary									S		S	P	P	P												
Medical/Health-care/Dental Office							AS		P	P	P	P	P													
Medical Clinic							AS		P	P	P	P	P													
Personal Services							AS		P	P	P	P	P	P												
Professional Office						S	S		P	P	P	P	P	P												
Retail Commercial, No Outdoor Storage or Activities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Antique shops									P	P	P	P	P													
Bake shop									P	P	P	P	P	P	P											
Bakery plant													P	P	P											
Convenience store									S	P	P	P	P	P	P											
Convenience store, with gas											P	P	P	P	P											
Dry cleaning drop-off site									P		P	P	P	P												
Gas station												P	P	P	P											
Laundromat—Self Service						A	AS		P		P	P	P	P												
Medical Marijuana Dispensing Facility									AS	S	S	P	P													
Minor repair shop												P	P	P	P											
Pet services, no outdoor activities									S	P	P	P	P													
Pharmacy									AS	S	S	P	P													
Recreation, indoor, commercial- Greater than 10,000 s.f.										S	P	P	P													
Recreation, indoor, commercial- Small Scale (10,000 s.f. or less)										P	P	P	P													
Restaurant—Conventional Sit-down.									P	P	P	P	P	P												
Cafeterias						A	A		P	P	P	P	P	P												
Delicatessens						A	P		P	P	P	P	P	P												

Restaurant—Short-order; min. seating for 20									S	P	P	P	P	P										
Restaurant—Drive-in, drive-thru or walk-up; and short-order with seating for less than 20										S	S	P	P	P										
Retail sales										P		P	P											
Retail shops						AS			P	P	P	P	P	P										
Repair shop for small appliances									P	P	P	P	P											
Shopping center less than 20,000 s.f.											P	P	P	P										
Shopping center small, 20,000—50,000 s.f.											S	P	P											
Shopping center large, more than 50,000 s.f.												P	P											
Retail Commercial Outdoor Storage and Displays Allowed	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON						
Agricultural roadside stand	P												P	P										
Artisan production, small scale									S	P	S	S	P	S										
Artisan production, large scale												S	P	P										
Automotive paint/body shop													P	P	P									
Boat and water craft sales, service and light repair												P	P	P										
Farm equipment sales													P	P										
Major automotive repairs													P	P	P									
Manufactured home sales and/or RV sales													P	P	P									
Marinas						A	A						P	P										
Mobile Food Vending									S	P	S	P	P	P	P	P	P							
Nursery with outdoor displays/storage												P	P	P										
Parking lot - Stand alone			S	S	S	S	S		S	S	S	P	P	P										
Pet services: indoor/outdoor												P	P	P										
Private club: indoor/outdoor									P	P	P	P	P	P										
Recreation, outdoor, commercial												P	P	P										
Recreational vehicle sales and accessory servicing												P	P	P										
Recycling center (outdoor)														P	P									
Rental of motor scooters, motorcycles, automobiles or any other self-propelled conveyance												P	P	P										
Retail sales, outdoor activities												P	P	P										
Retail services, outdoor activities												P	P	P										
Vehicle dealership, except RVs												P	P	P										
Vehicle sales, used												P	P	P										
Vehicle repair shop													P	P										

Non-retail or Service Commercial	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Contractor storage yard													P	P	P			
Heavy equipment sales/repair													P	P	P			
Personal Storage Units										AS		S	P	P	P			
Mini-warehouse													P	P	P			
Petroleum, bulk, storage and distribution														P	P			
Radio and television studios and offices									P	P	P	P	P	P	P			
Recreation vehicle repair, assembly or overhaul													P	P	P			
Septic tank storage/service														P	P			
Boat repair, overhaul and assembly													P	P	P			
Warehouse														P	P			
Wholesale distributor <50,000 sq. ft.													P	P	P			
Wholesale distributor 50,000+ sq. ft.														P	P			
Alcoholic Beverage Establishments	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.a.)										P		P	P	P	P			
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.b.)										S		S	S	S	S			
Large Scale Drinking Establishment/Nightclub (See Sec. 21-96(f)2.i.a.)										S		S	S	S	S			
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.a.)										S		S	S	S	S			
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.b.)										S		S	S	S	S			
Package Stores										P	S	P	P	P	P			
Light Industry	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Airports/aviation uses														C	C	C		
Food processing/packaging														P	P			
Freight/trucking terminal														P	P			
Light industrial park														P	P			
Manufacture of finished products													P	P	P			
Printing/publishing													P	P	P			
Propane gas													P	P	P			
Research and development facilities									S	S	S	P	P	P	P	P		
Heavy Industry	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Auto/vehicle salvage															P			
Citrus processing plant	P														P			
Cold storage and frozen food lockers														P	P			

Communication towers									S	S	S	S	S	S	S	S	S	S	S						
Antennas					A	A		A	S	S	S	S	S	S	S	S	S	S	S						
Concrete plant																			P						
Crate and pallet plant																			P						
Dairy	P																P	P	P						
Dry cleaning plant																			P						
Industrial park																			P						
Junkyard, general																			P						
Junkyard for vehicles																			P						
Laundry plant																	P	P	P						
Manufacturing																	P	P	P						
Mining	C																	C							
Storage of sand/gravel/blocks																	P	P	P						
Truck/vehicle repair for large vehicles/trucks															P	P	P	P	P						
Truck stop															P	P	P	P	P						
Public Service Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON							
Public buildings and grounds/public facilities									P	P	P	P	P	P	P	P	P	P							
Power substation/utility buildings	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P							
Education and Cultural Facilities/Institutional Uses/Recreation Uses/Conservation Uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON							
Cemetery	S	S	S	S	S	S						P	P			P	P								
Church/religious meeting place		S	S	S	S	S	P	S	S	P	P	P	P	P	P	P	P								
Golf course	P	P	P	P	P	S		P				P	P	P	P	P	P								
Hospital												P	P			P									
Private school (Preschool—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P								
Park/open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
Public school (K—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P								
Recreation, indoor, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
Recreation, outdoor, public	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P								
Social centers/museums		S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P								
Vocational/technical school												P	P	P	P	P									
University/college, small scale									S			P	P	P	P	P									
University/college, large scale												P	P	P	P	P									

DATE: September 4, 2026

TO: Winter Haven Planning Commissioners

VIA: Eric Labbe, Economic Opportunity and Community Investment Director

FROM: Sean Byers, Planning Manager

SUBJECT: **Case Number P-26-26:** Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2, Table 21-32A (Table of Land Uses) to allow for the placement of off-site manufactured homes in the Residential Estate (RE), Single Family Residential- Large Lot (R-1), Single Family Residential- Small Lot (R-2), Multifamily Residential- Low Density (R-3), Multifamily Residential- Medium Density (R-4), and Mixed Use (MX) zoning districts in accordance with provisions contained in House Bill 399 as passed by the Florida Legislature during their 2026 Legislative Session.

BACKGROUND

House Bill 399 was passed during the Florida Legislature's 2026 regular session and was subsequently signed into law by the Governor. House Bill 399 adds Chapter 553.385 to Florida Statutes requiring off-site constructed housing be allowed in the same locations as conventional site-built housing. The effective date of this requirement is January 1, 2027.

To meet this requirement, manufactured homes will be added as a permitted use in the Residential Estate (RE), Single Family Residential- Large Lot (R-1), Single Family Residential- Small Lot (R-2), Multifamily Residential- Low Density (R-3), Multifamily Residential- Medium Density (R-4), and Mixed Use (MX) zoning districts. Each of these zoning districts presently allow for the placement of modular homes as a permitted use. The general difference between the two housing types is a manufactured home is constructed off-site on a metal chassis and set up on a lot while a modular home is constructed off-site and attached to a permanent foundation on a lot. As the Multifamily Residential- High Density (R-5) zoning district does not allow for single family residential, we are not required to allow manufactured housing in this district. Additionally, the Argriculture (AG) zoning district already permits both single-family residential and manufactured housing.

This request simply adds manufactured homes as a permitted use to the RE, R-1, R-2, R-3, R-4, and MX zoning districts. No lot or building standards are being modified to specifically accommodate them. Any manufactured home set up on a lot located within one of these districts will be required to follow all of the applicable zoning district's lot and building standards.

NOTIFICATION

All public notification requirements for this request were met.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this request, and its forwarding to the City Commission for final action.

ATTACHMENTS

- Definitions of manufactured home and modular home
- Revised Article II, Division 2, Table 21-32A, Table of Land Uses
- Applicable House Bill 399 Language

Definitions of a Manufactured Home and Modular Home

Manufactured home shall mean a structure, transportable in one (1) or more sections, which, in the traveling mode, is twelve (12) body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards

Modular home shall not mean a manufactured home (aka mobile home) but refers to a unit partially constructed off-site (such as trusses and wall sections) and assembled at the site as a standard home or building unit, meeting all the Southern Building Standard Code requirements. Modular homes are indistinguishable from site-built homes.

Revisions to Article II, Division 2, Table 21-32A, Table of Land Uses

New language underlined in red and deleted language is ~~stricken through~~ in red.

Table 21-32(A)
Table of Land Uses

Category/Use																				
Key to Table: P = Permitted Use; A = Accessory Use; S = Special Use approval required; C = Conditional Use approval required																				
Single Family Detached and Auxiliary uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Single family, std. construction	P	P	P	P	P	P			P									
Single family, modular home	P	P	P	P	P	P			P									
Single family, manufactured home	P	P	P	P	P	P		P	P									
Agricultural uses with house	P																	
Caretaker's Cottage															P	P	P	
Fruit stand	P	P																
Accessory Residential Unit	P	P	P	P	P	P			P									
Home Occupation/Home-based Business	P	P	P	P	P	P	P	P	P									
Limited agricultural uses with house	P	P																P
Manufactured home park								P										
Private stable, one horse per acre, limited to two horses	P	P																
RV park								S										
Servants Quarters	P	P	P															
Multiple Family Residential	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Multi-unit Residential Building					P	P	P		P	P		P						
Zero Lot Line House					P	S												
Dormitory						P	P		P							P		
Duplex, twin house					P	P			P									
Garden Apartment, atrium house					P													
Patio house					P	P			P									
Rooming House/Boarding House						S	S											
Townhouse					P	P			P	P								
Group Care Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Adult family care home, Family day care home, Family foster home		P	P	P	P	P		P	S									
Special needs facility					S	S	P		P		P	P				P		
Child care facility					S	S	AS		S	S	P	P				P		
Adult day care center					S	S	AS		P		P	P				P		
Assisted living facility					S	P	P		P		P	P				P		
Foster care facility					S	S	P		P		P	P				P		

Group home facility						S	S	P		P		P	P								P						
Hospice residential unit						S	S	P		P		P	P								P						
Nursing Home								P		P																	
Transitional Housing								S																			
Lodging	AG	RE	R1	R2	R3	R4	R5		RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Bed and breakfast	P	P	P	P	P	P				P	P	P	P	P	P												
Hotel/motel								S		S	P		P	P	P												
RV campground									S					P	P												
Offices/Services	AG	RE	R1	R2	R3	R4	R5		RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Business office						S				P	P	P	P	P	P												
Clubs, community/fraternal										P	P	P	P	P	P												
Crematorium														P	P	P											
Funeral home/mortuary										S		S	P	P	P												
Medical/Health-care/Dental Office							AS			P	P	P	P	P													
Medical Clinic							AS			P	P	P	P	P													
Personal Services							AS			P	P	P	P	P	P												
Professional Office						S	S			P	P	P	P	P	P												
Retail Commercial, No Outdoor Storage or Activities	AG	RE	R1	R2	R3	R4	R5		RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON								
Antique shops										P	P	P	P	P													
Bake shop										P	P	P	P	P	P	P											
Bakery plant														P	P	P											
Convenience store										S	P	P	P	P	P	P											
Convenience store, with gas												P	P	P	P	P											
Dry cleaning drop-off site										P		P	P	P	P												
Gas station													P	P	P	P											
Laundromat—Self Service						A	AS			P		P	P	P	P												
Medical Marijuana Dispensing Facility										AS	S	S	P	P													
Minor repair shop													P	P	P	P											
Pet services, no outdoor activities										S	P	P	P	P													
Pharmacy										AS	S	S	P	P													
Recreation, indoor, commercial												P	P	P													
Restaurant—Conventional Sit-down.										P	P	P	P	P	P												
Cafeterias						A	A			P	P	P	P	P	P												
Delicatessens						A	P			P	P	P	P	P	P												
Restaurant—Short-order; min. seating for 20										S	P	P	P	P	P												

Restaurant—Drive-in, drive-thru or walk-up; and short-order with seating for less than 20											S	S	P	P	P									
Retail sales											P		P	P	P									
Retail shops						AS			P	P	P	P	P	P	P									
Repair shop for small appliances									P	P	P	P	P	P										
Shopping center less than 20,000 s.f.												P	P	P	P									
Shopping center small, 20,000—50,000 s.f.												S	P	P										
Shopping center large, more than 50,000 s.f.													P	P										
Retail Commercial Outdoor Storage and Displays Allowed	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON						
Agricultural roadside stand	P												P	P										
Artisan production, small scale									S	P	S	S	P	S										
Artisan production, large scale												S	P	P										
Automotive paint/body shop													P	P	P									
Boat and water craft sales, service and light repair												P	P	P										
Farm equipment sales													P	P										
Major automotive repairs													P	P	P									
Manufactured home sales and/or RV sales													P	P	P									
Marinas						A	A						P	P										
Mobile Food Vending									S	P	S	P	P	P	P	P	P							
Nursery with outdoor displays/storage												P	P	P										
Parking lot - Stand alone			S	S	S	S	S		S	S	S	P	P	P										
Pet services: indoor/outdoor												P	P	P										
Private club: indoor/outdoor												P	P	P										
Recreation, outdoor, commercial												P	P	P										
Recreational vehicle sales and accessory servicing												P	P	P										
Recycling center (outdoor)														P	P									
Rental of motor scooters, motorcycles, automobiles or any other self-propelled conveyance												P	P	P										
Retail sales, outdoor activities												P	P	P										
Retail services, outdoor activities												P	P	P										
Vehicle dealership, except RVs												P	P	P										
Vehicle sales, used												P	P	P										
Vehicle repair shop													P	P										

Non-retail or Service Commercial	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON
Contractor storage yard													P	P	P			
Heavy equipment sales/repair													P	P	P			
Personal Storage Units										AS		S	P	P	P			
Mini-warehouse													P	P	P			
Petroleum, bulk, storage and distribution														P	P			
Radio and television studios and offices									P	P	P	P	P	P	P			
Recreation vehicle repair, assembly or overhaul													P	P	P			
Septic tank storage/service														P	P			
Boat repair, overhaul and assembly													P	P	P			
Warehouse														P	P			
Wholesale distributor <50,000 sq. ft.													P	P	P			
Wholesale distributor 50,000+ sq. ft.														P	P			
Alcoholic Beverage Establishments	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.a.)										P		P	P	P	P			
Small Scale Drinking Establishment (See Sec. 21-96(f)1.i.b.)										S		S	S	S	S			
Large Scale Drinking Establishment/Nightclub (See Sec. 21-96(f)2.i.a.)										S		S	S	S	S			
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.a.)										S		S	S	S	S			
Bottle Clubs and Banquet Halls (See Sec. 21-96(f)3.i.b.)										S		S	S	S	S			
Package Stores										P	S	P	P	P	P			
Light Industry	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Airports/aviation uses														C	C	C		
Food processing/packaging														P	P			
Freight/trucking terminal														P	P			
Light industrial park														P	P			
Manufacture of finished products													P	P	P			
Printing/publishing													P	P	P			
Propane gas													P	P	P			
Research and development facilities									S	S	S	P	P	P	P	P		
Heavy Industry	**AG**	**RE**	**R1**	**R2**	**R3**	**R4**	**R5**	**RM**	**MX**	**C-1**	**C-2**	**C-3**	**C-4**	**I-1**	**I-2**	**PI**	**PR**	**CON**
Auto/vehicle salvage															P			
Citrus processing plant	P														P			

Cold storage and frozen food lockers																				P	P								
Communication towers										S	S	S	S	S	S	S	S	S	S	S	S	S	S	S					
Antennas							A	A		A	S	S	S	S	S	S	S	S	S	S	S	S	S	S					
Concrete plant																					P								
Crate and pallet plant																					P								
Dairy	P																			P	P								
Dry cleaning plant																					P								
Industrial park																					P								
Junkyard, general																					P								
Junkyard for vehicles																					P								
Laundry plant																			P	P									
Manufacturing																			P	P									
Mining	C																			C									
Storage of sand/gravel/blocks																			P	P									
Truck/vehicle repair for large vehicles/trucks																	P	P	P										
Truck stop																	P	P	P										
Public Service Facilities	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON											
Public buildings and grounds/public facilities									P	P	P	P	P	P	P	P	P	P											
Power substation/utility buildings	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P											
Education and Cultural Facilities/Institutional Uses/Recreation Uses/Conservation Uses	AG	RE	R1	R2	R3	R4	R5	RM	MX	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	CON											
Cemetery	S	S	S	S	S	S						P	P			P	P												
Church/religious meeting place		S	S	S	S	S	P	S	S	P	P	P	P	P	P	P	P												
Golf course	P	P	P	P	P	S		P				P	P	P	P	P	P												
Hospital												P	P			P													
Private school (Preschool—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P												
Park/open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												
Public school (K—12)	P	P	P	P	P	S	S	P	P	P	P	P	P	P	P	P	P												
Recreation, indoor, public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												
Recreation, outdoor, public	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P												
Social centers/museums		S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P												
Vocational/technical school												P	P	P	P	P													
University/college, small scale									S			P	P	P	P	P													
University/college, large scale												P	P	P	P	P													

Applicable House Bill 399 Language

FLORIDA HOUSE OF REPRESENTATIVES

ENROLLED
CS/CS/CS/HB 399, Engrossed 2 2026 Legislature

a mobile home lot and subject to this section shall be taxed as a mobile home under s. 320.08(11) and is subject to payments to the Florida Mobile Home Relocation Fund under s. 723.06116.

Section 8. Effective January 1, 2027, section 553.385, Florida Statutes, is created to read:

553.385 Zoning of off-site constructed residential dwellings; parity.—

(1) As used in this section, the term:

(a) "Local government" means a county or municipality.

(b) "Off-site constructed residential dwelling" means:

1. A manufactured building, as defined in s. 553.36, intended for single-family residential use; or

2. A manufactured home, as defined in s. 320.01(2)(b),

which is constructed, in whole or in part, off site and is treated as real property.

(2)(a) An off-site constructed residential dwelling must be permitted as of right in any zoning district where single-family detached dwellings are allowed.

(b) A local government may not adopt or enforce any zoning, land use, or development regulation that treats an off-site constructed residential dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district.

(c) This section does not prohibit a local government from

Page 10 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb399 -05-er

FLORIDA HOUSE OF REPRESENTATIVES

ENROLLED
CS/CS/CS/HB 399, Engrossed 2 2026 Legislature

applying generally applicable architectural, aesthetic, design, setback, height, or bulk standards, provided such standards are applied uniformly to all single-family dwellings in the same zoning district.

(d) Compatibility or design standards must be reasonable, may not have the effect of excluding off-site constructed residential dwellings, and, if adopted, must apply equally to single-family, site-built dwellings. Such standards are limited to:

1. Roof pitch.
2. Minimum square footage of livable space.
3. Type and quality of exterior finishing materials.
4. Foundation enclosure.
5. Existence and type of attached structures.
6. Building setbacks, lot dimensions, and orientation.

(e) A local government may not regulate or restrict an off-site constructed residential dwelling based solely on:

1. The method of construction;
2. The location of construction; or
3. The presence of components constructed off site.

(3) A local government may not adopt or enforce any ordinance, regulation, or policy that conflicts with this section or s. 553.38, or that has the effect of excluding off-site constructed residential dwellings. Any such ordinance, regulation, or policy is void and unenforceable as applied to

Page 11 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb399 -05-er