
Planning Division Staff Report

Ordinance 59-26

Review Date: October 14, 2026

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Recommendation: Approval

Request: Amends Section 5.9.5. of the Land Development Code (LDC) – Temporary construction or field office, to remove the utility connection requirements for temporary construction trailers and field offices in both residential and non-residential zoning districts.

Positive aspects of the amendment	• Simplifies the permitting process by eliminating utility connection requirements that are better left to the developer's operational needs. • Improves operational efficiencies for both applicants and City staff by removing an unnecessary code-mandated utility standard for temporary uses. • Reduces costs and delays associated with verifying or enforcing potable water, sewer, and electrical connection standards for short-term construction trailers. • Recognizes that the developer is responsible for ensuring utilities are available as needed for staff to utilize the temporary facility.
Negative aspects of the amendment	• None identified. Temporary construction trailers remain subject to setback, size, removal, and non-residential use restrictions. The developer retains responsibility for providing any utilities needed for the temporary facility.
Mitigating factors	• Existing provisions continue to require removal of the construction trailer prior to certificate of occupancy, prohibit overnight residential use, and mandate compliance with applicable setbacks. • Any electrical, plumbing, or other building-code requirements that apply to temporary structures remain enforceable under the Florida Building Code and City codes independent of Section 5.9.5.

BACKGROUND

Section 5.9.5. of the Land Development Code regulates temporary construction trailers and field offices. In residential zoning districts, the current code prohibits connection of construction trailers to potable water and sewer facilities and requires that any electrical wiring conform to applicable City electric codes. In non-residential zoning districts, when a construction trailer is used as a temporary office, the code requires that the trailer be wired for electricity and connected to potable water and sewer facilities if available, with wiring and plumbing conforming to applicable building codes.

These utility-connection mandates have been identified as an unnecessary procedural burden in the permitting of temporary construction trailers. Temporary construction or field offices are short-term facilities whose operational needs (including utilities) are the responsibility of the developer. The developer will ensure that utilities are available as needed for staff to utilize the facility. Retaining rigid utility-connection standards in the LDC for these temporary uses adds review steps and potential delays without a corresponding public-benefit justification, given that the Florida Building Code and other City codes continue to govern electrical and plumbing installations when they are provided.

The proposed amendment therefore deletes the utility connection requirements from Section 5.9.5. while retaining all substantive standards governing removal prior to certificate of occupancy, prohibition of overnight residential use, setback compliance, size limitations in residential districts, and location requirements in non-residential districts.

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to simplify the permitting process and improve administrative efficiencies by eliminating the utility connection requirements for temporary construction trailers and field offices. Because these are temporary uses whose utility needs are operational decisions of the developer, a separate code mandate for water, sewer, and electrical connections is unnecessary. Removal of this procedural requirement will reduce applicant costs, shorten permit review timelines, and free staff resources while preserving the City's substantive protections related to setbacks, duration, and use of the temporary facilities.

ANALYSIS OF PROPOSED CHANGES

The proposed LDC amendment provides several benefits:

- Streamlines permitting. Elimination of the utility connection requirements removes an extraneous review and verification step from the permit process for temporary construction trailers.
- Reduces applicant cost and delay. Applicants will no longer be required to demonstrate or install code-mandated water, sewer, or electrical connections solely to satisfy Section 5.9.5. for a temporary facility.
- Improves staff efficiency. City staff will no longer need to review or enforce utility-connection standards that are more appropriately left to the developer's operational planning and to the Florida Building Code when connections are actually provided.
- Preserves substantive protections. All existing requirements for removal prior to certificate of occupancy, prohibition of overnight residential use, setback compliance, size limits (residential), and location standards (non-residential) remain in place.
- Aligns procedure with practical responsibility. The amendment recognizes that the developer is responsible for ensuring utilities are available as needed for temporary staff facilities and that the LDC need not prescribe those operational details for a temporary use.

COMPREHENSIVE PLAN ANALYSIS

The amendment is consistent with the goals and policies of the Comprehensive Plan that emphasize efficient administration of land development regulations and protection of public infrastructure while supporting orderly private development.

Future Land Use Element

Policy 1.17: Land development regulations, whether adopted or revised subsequent to the adoption of this plan, will address buffering and open space requirements, and will protect existing residential land uses from incompatible land uses.

Staff analysis: The proposed amendment does not alter any buffering, setback, or compatibility standards. It merely removes utility connection requirements for temporary construction trailers while retaining the substantive rules that govern location, size, duration, and use of those temporary facilities. The amendment therefore continues to support protection of residential areas and efficient administration of the LDC.

The amendment is also consistent with the broader Comprehensive Plan objective of providing clear, efficient, and predictable land development regulations that facilitate appropriate private investment while safeguarding public facilities and the public interest.

RATIONALE FOR LDC TEXT AMENDMENTS

LDC Section 3.5.4.A. states that text amendments shall be considered for one or more of eight stated reasons. This LDC amendment is consistent with Section 3.5.4.A.1 and Section 3.5.4.A.2.

1. The amendment clarifies the intent of the LDC.

Staff analysis. The intent of Section 5.9.5. is to regulate temporary construction trailers and field offices so that they remain temporary, do not create residential use, and respect setbacks and site constraints. Prescribing specific utility connections for these short-term facilities is not necessary to achieve that intent. Removing the utility requirements clarifies that operational utility decisions rest with the developer and that the LDC focuses on the land-use and temporary-use controls that protect the public interest.

2. The amendment corrects an error in the LDC.

Staff analysis. Inclusion of mandatory utility connection requirements created an administrative redundancy and process burden for temporary uses. Because the developer is responsible for providing utilities as needed for staff use of the facility, and because the Florida Building Code governs actual installations, the separate LDC utility mandate is unnecessary.

MANNER OF INITIATION

LDC Section 3.5.4.B. states that applications for an LDC text amendment may be initiated by the City Council, the Planning and Zoning Commission, or by the City Manager. This amendment is a City-initiated request advanced by the Development Services Department to improve permitting efficiency and eliminate a redundant procedural requirement for temporary construction trailers and field offices.

REVIEW CRITERIA FOR PROPOSED LDC TEXT AMENDMENTS

LDC Section 3.5.4.C. identifies four review criteria for proposed text amendments to the LDC. Each criterion is evaluated below.

1. Whether the proposed LDC text amendment is consistent with the goals, policies, and future land use designations of the City Comprehensive Plan.

Staff analysis. The amendment is consistent with Comprehensive Plan policies that call for efficient land development regulations. It does not alter any future land use designations or intensity standards.

2. The amendment results in compatible land uses within a zoning designation.

Staff analysis. The amendment does not add, remove, or reclassify any land use. It solely removes utility connection requirements applicable to already-permitted temporary construction trailers. Compatibility of uses is unaffected.

3. The amendment protects the health, safety, and welfare of the community.

Staff analysis. Health, safety, and welfare remain protected by the retained substantive standards of Section 5.9.5., including removal prior to certificate of occupancy, prohibition of overnight residential use, setback compliance, size limitations in residential districts, and location requirements in non-residential districts. Any electrical or plumbing work that is performed remains subject to the Florida Building Code. Elimination of the LDC utility mandates does not diminish these protections.

4. Other factors deemed appropriate by the Planning and Zoning Commission and City Council.

Staff analysis. The amendment advances the City's interest in efficient customer service and responsible use of staff resources. It reduces unnecessary process steps and costs for applicants while preserving the City's land-use and temporary-use controls under the LDC.

RECOMMENDATION

The proposed amendment removes utility connection requirements from Section 5.9.5. of the Land Development Code for temporary construction trailers and field offices. These temporary uses are short-term facilities whose utility needs are operational responsibilities of the developer. Retention of the utility mandates therefore adds administrative burden and cost without commensurate public benefit. The amendment preserves all substantive standards governing removal, use, setbacks, size, and location that protect the public interest and neighboring properties. The proposed amendment is consistent with the Comprehensive Plan and with the review criteria of LDC Section 3.5.4.C. Staff recommends approval of the amendment to Section 5.9.5.

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