

ORDINANCE NO. 2025 - 16

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELAND LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 33-12 “DEFINITIONS”; BY AMENDING SECTION 33-17 “ZONING DISTRICTS”; AND BY AMENDING SECTION 33-19 “SPECIAL REQUIREMENTS APPLICABLE TO CONDITIONAL USES” BY ADDING A NEW SUB-SECTION 33-19.15 “TINY HOME COMMUNITY PERFORMANCE STANDARDS AND CONDITIONS”; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to amend Chapter 33 “Land Development Regulations” of the Code of Ordinances of the City of DeLand in order to update the regulations regarding Tiny Home Communities; and

WHEREAS, staff finds that the proposed revisions to allow Tiny Home Communities will provide additional housing option, while maintaining and complementing existing housing neighborhoods within the core area; and

WHEREAS, the revisions set forth in this ordinance will be beneficial to the efficient administration of Chapter 33 of the Code of Ordinances of the City of DeLand.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. Chapter 33 of the Code of Ordinances of the City of DeLand is hereby amended by amending Section 33-12, “Definitions” by adding the new underlined language alphabetically into the existing definitions, to be read in full as follows

Tiny Home – means an attached or detached residential dwelling with a minimum 200 square feet to a maximum of 600 square feet under heat and air, that is set on an approved permanent foundation. The structure contains plumbing, heating, air conditioning, and an electrical system, meets all applicable Florida Building Code standards. The structures must be site built or of modular construction.

Tiny Home Community – means a single development of 3 or more Tiny Homes on a single lot or parcel.

Tiny Home Community Building – means a structure designed to serve a Tiny Home Community which may contain, but are not limited to, a club house, common dining area, kitchen, bathroom, laundry facilities, and/or storage.

Manufactured Modular Home means a structure or building module as defined by statute and under the jurisdiction and control of the Florida Department of Community Affairs, installed

and used as a residence, that is set on an approved permanent foundation. The structure contains plumbing, heating, air conditioning, and an electrical system. The term does not include a mobile home. Modular homes must comply with the standards of the Florida Building Commission, be constructed off-site, and possess a Department of Business and Professional Regulation (DBPR) Insignia label. The term may include a Tiny Home (see Tiny Home).

Transitional Housing - means a Tiny Home Community linked to support services that are offered, for a period less than 24 months, to transition into independent living and permanent housing for persons with low incomes, experiencing homelessness or at imminent risk of homelessness. Support services may include meals, child care, counseling, vocational rehabilitation and other similar services. Transitional Housing shall be managed by a non-profit, religious, institutional, or other quasi-government entity.

Transit Stop – means a designated location or facility where City-recognized public transportation operators pick up and drop off passengers.

Section 2. Chapter 33 of the Code of Ordinances of the City of DeLand is hereby amended by amending the chart for Section 33-17 “Zoning Districts.” by adding the new underlined language (to be inserted into the existing chart) to be read in full as follows:

USES	R-R	R-R1	R-1AA	R-1A	R-1B	R-1	R-1C	R-2	R-8	R-12	R-16	R-M	E-1
<u>Tiny Home Community</u>										<u>C</u>	<u>C</u>		

Section 3. Chapter 33 of the Code of Ordinances of the City of DeLand is hereby amended by amending Section 33-19 “Special Requirements applicable to conditional uses.” by adding the new underlined sub-section 33-19.15 “Tiny Home Community Performance Standards and Conditions”, to be read in full as follows:

Sec 33-19. – Special requirements applicable to conditional uses.

33-19.15. Tiny Home Community Performance Standards and Conditions.

a) Intent. A Tiny Home Community is intended to provide affordable housing options and opportunities for infill development within the City’s Core Gateway Overlay, with site designs that minimize the impact on adjacent properties and promote development patterns that are compatible with the surrounding areas.

b) General regulations and restrictions Tiny Home Communities are allowed in the R-12, R-16, C-1 and C-2 zoning districts, provided the following standards and conditions are met:

1. Locational Standards

- i. A Tiny Home Community shall be located only within the Core Gateway Overlay.
- ii. A Tiny Home Community shall not be located on lots or parcels abutting or with direct access on New York Avenue or Woodland Boulevard.

2. Maximum Density

- i. A maximum of 20 Tiny Home units per acre.
- ii. For purposes of calculating density, each Tiny Home unit shall be calculated as 0.5 dwelling units.

3. Dimensional Standards

- i. Maximum lot or project size 2 acres.

4. Setbacks

- i. Perimeter – 10 feet.
- ii. Street – 20 feet.
- iii. Vehicle use separation setback is 5 feet. The vehicle use separation area may encroach up to a maximum of 5 feet into the perimeter landscape buffer area.

5. Minimum separation between structures

- i. 10 feet

6. Maximum Impervious Surface Area

- i. 60%

7. Maximum Building Height

- i. 35 feet

8. Parking

- i. All parking shall be clustered or grouped to maximize open space and common areas.
- ii. 1 space per unit
- iii. 0.25 guest spaces per unit

9. Bicycle Parking

- i. 0.5 bicycle parking spaces per Tiny Home.
- ii. Bicycle parking shall be secure, covered, and centrally located.

10. Landscape buffers Landscaping shall be provided to minimize impact to surrounding properties and to create a cohesive site.

- i. A minimum Class B landscape buffer is required along the street frontage.

- ii. A minimum of a 10-foot landscape buffer shall be provided along the perimeter, and shall contain a minimum of 1 tree and 5 shrubs every 50 linear feet.

11. Tree Protection Area

- i. Fifteen (15) percent of the square footage of the Tiny Home Community shall be designated for the protection of trees.

12. Design Standards

- i. Front facades shall include a covered porch, deck, or patio.
- ii. Facades oriented toward public rights-of-way shall include a covered stoop or other type of wall articulation to provide interest and variety.
- iii. Pitched roofs are encouraged.
- iv. A variety of architectural styles and rooflines are required:

<u>0-16 tiny home units</u>	<u>2 styles</u>
<u>17-30 tiny home units</u>	<u>3 styles</u>
<u>> 30 tiny home units</u>	<u>4 styles</u>

13. Common Area

- i. All Tiny Homes should face the common area or common walkways.
- ii. The common area shall be usable and may include gathering spaces, common green space, community gardens, recreational areas, play areas, and plazas.
- iii. An internal paved sidewalk system shall be included to connect all Tiny Homes to the common open space area and group/clustered 4 parking areas as well as any on-site amenities such as covered bike parking area(s), recreation areas, community gardens, passive park(s), or dog park(s), etc.

14. Tiny Home Community Building

- i. No more than two (2) Tiny Home Community Building(s), with a cumulative area of up to 1,200 square feet, shall be allowed in any single Tiny Home Community.

15. Maintenance

- i. Each Tiny Home Community shall be responsible for maintaining all common areas, trash areas, common landscaping, stormwater facilities, buffers, parking areas, lighting, shared utility buildings, sidewalks, emergency vehicle access, and internal drives.

16. Alternative Standards for Transitional Housing Development Tiny Home Communities consisting of Transitional Housing may apply the following standards:

- i. Parking shall be provided at 0.5 parking spaces per Tiny Home unit. A fifty (50) percent reduction is applied if any of the following conditions apply:
 - a. The development is within 0.25 miles of a transit stop;
 - b. Shared parking is available within 660' and a shared parking agreement is approved by the Technical Review Committee, Planning Board, or the City Commission, as applicable, and recorded prior to issuance of a development order. Said shared parking agreement shall be in place for a minimum of 10 years which agreement is binding upon the shared parking location and is recorded in the public records.
- ii. A maximum of two (2) independent living areas within a Tiny Home shall be permitted to share a common cooking facility.
- iii. A Tiny Home Community Building may be located on an adjacent site with approval by the Technical Review Committee, Planning Board, or the City Commission, as applicable.

Section 4. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 5. Codification; Directions to Code Codifier; Correction of Scrivener's Errors.

(a). The provisions of Sections of this Ordinance shall become and be made a part of the Code of Ordinances of the City of DeLand and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 4 and 5 shall not be codified.

(b). The Code codifier shall instruct the Municipal Code Corporation to make all changes necessary in the Code of Ordinances of the City of DeLand to implement the provisions of this Ordinance and is granted liberal authority to codify the provisions of this Ordinance in such manner and in such places as deemed advisable.

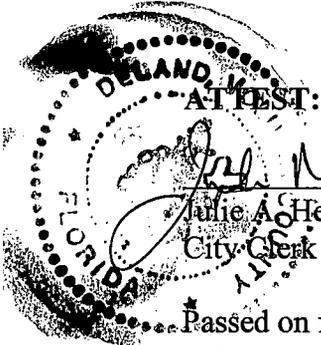
(c). In accordance with the City's ongoing codification program; the City Clerk, in conjunction with the City Attorney, may make corrections to the provisions of this Ordinance relative to Scrivener's errors of whatever type or nature.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its adoption.

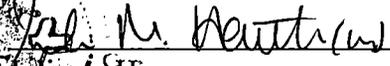
PASSED AND DULY ADOPTED this 20th day of October, 2025.



Christopher M. Cloudman
Mayor-Commissioner



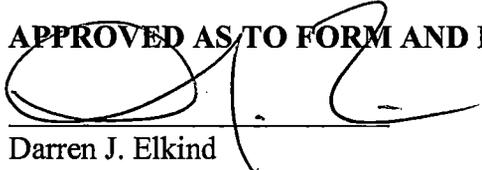
ATTEST:



Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: October 06, 2025
Adopted on second reading: October 20, 2025

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind
City Attorney