

**ORDINANCE NO. 2024-2291**

**AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE (LDC) ZONING DISTRICT MAP; PROVIDING FOR REZONING OF APPROXIMATELY 12.33 ACRES OF PROPERTY, GENERALLY LOCATED AT SOUTHEAST CORNER OF SEA FOREST DRIVE AND GREEN KEY ROAD , HAVING PARCEL IDENTIFICATION NUMBER 06-26-16-0050-03700-0030, AS SHOWN ON THE MAP ATTACHED HERETO AS EXHIBIT "A" AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT DESIGNATION FOR SAID PROPERTY FROM PLANNED DEVELOPMENT DISTRICT (PDD) AND RESIDENTIAL-1 (R-1) TO PLANNED DEVELOPMENT DISTRICT (PDD) WITH AMENDED SITE PLAN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes Chapter 163 requires each county and each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan;

**WHEREAS**, on June 29, 1989, the City Council adopted Ordinance No. 1203, which approved the City's Comprehensive Plan, which includes a 2030 Future Land Use Map;

**WHEREAS**, on November 19, 1991, the City Council adopted Ordinance No. 1268, which enacted the City's Land Development Code (LDC), which provides for a Zoning District Map;

**WHEREAS**, The LDC addresses the procedure for obtaining a change to the Zoning District Map;

**WHEREAS**, the owner/applicant, NPR Townhomes, LLC, filed with the Development Department, a Zoning District Map (ZDM) amendment application (REZ-23-10-0010) to change from PDD and R-1 to PDD with amended site plan the zoning designation of a 12.33 acre property located at the southeast corner of Sea Forest Drive and Green Key Road ;

**WHEREAS**, the Development Department has reviewed the ZDM amendment application and concludes it is consistent with the application filing requirements in the LDC;

**WHEREAS**, the Development Review Committee (DRC) has reviewed the ZDM amendment application and has concluded it is consistent with the LDC, and has recommended the Land Development Review Board (LDRB) forward a recommendation to the City Council that the ZDM amendment application be approved;

**WHEREAS**, the Development Department has prepared a staff report and reviewed the ZDM amendment application against the guidelines in the LDC, and concludes the ZDM amendment application is in conformance with those requirements and that the LDRB should forward a recommendation to the City Council that the Ordinance approving the ZDM amendment application be adopted;

**WHEREAS**, at the duly noticed LDRB regular public hearing held on January 18, 2024, the LDRB sitting as the Local Planning Agency considered the Development Department staff report and recommendation and all competent substantial evidence presented at the hearing, and forwarded the record to the City Council with a recommendation the Ordinance be adopted;

**WHEREAS**, at a duly noticed City Council regular public hearing, the City Council on first reading considered the Development Department and LDRB staff reports and recommendations and all competent substantial evidence presented at the hearing, and approved the Ordinance;

**WHEREAS**, at a duly noticed City Council regular public hearing, the City Council on second reading considered the evidence presented at first reading and all competent substantial evidence presented at the hearing, and adopted the Ordinance;

**WHEREAS**, notice of this Ordinance and the hearings conducted hereunder has been provided in accordance with Florida law; and

**WHEREAS**, the City Council has conducted a quasi-judicial hearing, has received evidence pertaining to the rezoning, and has found that the rezoning of the property as provided herein is consistent with the adopted Comprehensive Plan Future Land Use Map designation for the property, is compatible with the use and zoning of the surrounding properties, is consistent with the adopted Comprehensive Plan and the Land Development Code of the City, meets all of the rezoning criteria of the Land Development Code, and is supported by competent substantial evidence.

**NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:**

**Section 1. Ratification.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**Section 2. Rezoning approved.** The Land Development Code Zoning District Map of the City of New Port Richey is hereby amended to amend the Zoning Designation for the property described herein from Planned Development District (PDD) and Residential-1 (R-1) to Planned Development District (PDD) with amended site plan, as shown in Exhibit “A” attached hereto with the following development standards:

- A. Density: 62 dwelling units
- B. Height: not to exceed 35’
- C. Setbacks:
  - Front – 10’
  - Side – 10’
  - Rear – 26’ from jurisdictional wetland line
- D. Masonry wall 6’ high to be constructed along Sea Forest Dr. and a portion of side yards.
- E. Amenities to include walking trail, kayak launch and pavilion.
- F. Retention ponds to be free form and landscaped.

**Section 3. Property description.** The property subject to this Zoning District Map amendment is located at southeast corner of Sea Forest Drive and Green Key Road , and is legally described as follows:

PARCEL A:

A portion of the Southeast 1/4 of Section 6, Township 26 South, Range 16 East, Pasco County, Florida, being further described as follows: Commencing at the Northeast corner of the Southeast 1/4 of said Section 6; thence run along the North line of the

Southeast 1/4 of said Section 6, South 89 degrees 46 minutes 42 seconds West, a distance of 840.00 feet; thence South 00 degrees 04 minutes 33 seconds East, a distance of 50.00 feet for a Point of Beginning; thence continue South 00 degrees 04 minutes 33 seconds East, a distance of 385.73 feet; thence South 89 degrees 55 minutes 27 seconds West, a distance of 1030.40 feet; thence North 08 degrees 46 minutes 08 seconds East, a distance of 235.01 feet; thence North 89 degrees 46 minutes 57 seconds East, a distance of 193.67 feet; thence North 00 degrees 08 minutes 31 seconds East, a distance of 151.00 feet to the South right of way line of Green Key Road; thence along said South right of way line North 89 degrees 46 minutes 42 seconds East, a distance of 800.02 feet to the Point of Beginning.

**PARCEL B:**

A portion of the Southeast 1/4 of Section 6, Township 26 South, Range 16 East, Pasco County, Florida, being further described as follows: Commencing at the Northeast corner of the Southeast 1/4 of said Section 6; thence run along the North line of the Southeast 1/4 of said Section 6, South 89 degrees 46 minutes 42 seconds West, a distance of 840.00 feet; thence South 00 degrees 04 minutes 33 seconds East, a distance of 435.73 feet for a Point of Beginning; thence continue South 00 degrees 04 minutes 33 seconds East, a distance of 106.20 feet; thence South 89 degrees 55 minutes 27 seconds West, a distance of 196.98 feet; thence North 69 degrees 41 minutes 10 seconds West, a distance of 196.08 feet; thence South 34 degrees 50 minutes 52 seconds West a distance of 184.84 feet; thence South 87 degrees 49 minutes 16 seconds West, a distance of 296.92 feet; thence South 38 degrees 28 minutes 52 seconds West, a distance of 49.97 feet; thence South 53 degrees 22 minutes 42 seconds West, a distance of 33.70 feet; thence South 53 degrees 52 minutes 37 seconds West, a distance of 109.14 feet; thence South 25 degrees 14 minutes 48 seconds West, a distance of 90.12 feet; thence 172.78 feet along the arc of a curve to the right, said curve having a radius of 210.00 feet and a chord bearing and distance of North 23 degrees 25 minutes 44 seconds West, 167.95 feet; thence North 00 degrees 08 minutes 31 seconds East, a distance of 227.60 feet; thence North 08 degrees 46 minutes 08 seconds East, a distance of 23.66 feet; thence North 89 degrees 55 minutes 27 seconds East, a distance of 1030.40 feet to the Point of Beginning

**Section 4. Severability.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**Section 5. Conflicts.** All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

**Section 6. Effective date.** This Ordinance shall be effective upon its adoption as provided by law and upon the effective date of Ordinance 2024-2291 pertaining to the Land Use of the subject property.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

\_\_\_\_\_  
Judy Meyers, CMC, City Clerk

\_\_\_\_\_  
Alfred C. Davis, Mayor – Councilmember

(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

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Timothy P. Driscoll, City Attorney

**EXHIBIT A  
ZONING DISTRICT MAP**

