



MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY

NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

March 5, 2024

7:00 PM

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Chopper Davis at 7:00 p.m. Those in attendance were Deputy Mayor Matt Murphy, Councilman Peter Altman, Councilman Mike Peters and Councilwoman Kelly Mothershead.

Also in attendance were City Manager Debbie L. Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Finance Director Crystal Dunn, Fire Chief Chris Fitch, Public Works Director Robert Rivera, Police Chief Bob Kochen, Library Director Andi Figart, Technology and Innovations Director Robert Greene, Assistant City Manager Gregory Oravec and Human Resources Director Arnel Wetzel.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of February 15, 2024 Special Meeting and February 20, 2024 Regular Minutes

Motion was made to approve the minutes as presented.

Motion made by Matt Murphy and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

5. Proclamation: Irish American Heritage Month

6. Proclamation: Athletic Training Month

7. Proclamation: Problem Gambling Awareness Month (By Title Only)

8. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Davis opened the floor for public comment. The following people came forward to speak:

- Rob Marlowe, 5603 Palmetto Rd., NPR spoke regarding Schwettman, 5462 Grand Blvd., commended City Manager Manns and the new entryway sign.
- Darla Schwendeman, 2940 Meadowood Dr., NPR spoke regarding a lawsuit.
- Ryan Knowles, 6431 Taylor Ct., NPR spoke regarding the new solid waste program.
- Tom Finn, 5949 Tennessee Ave., NPR spoke regarding the new solid waste ordinance and lawsuit.
- Laurie Baker, 5853 Lafayette Ave., spoke regarding the upcoming Pasco County Women Pioneer performance.
- Michael Turansky, 6932 Washington Ave., NPR spoke regarding the new solid waste program and opting out of the new system.
- Judith Allen, 5940 Grand Blvd., NPR spoke regarding meetings on the website, the ordinance and flex card.
- Shinikki Whiting, 5755 Indiana Ave., NPR spoke regarding comments at the last meeting regarding bullying and derogatory remarks.
- Kimberly Cox, 7336 Ashmore Dr., NPR spoke regarding the conduct of Mayor and Council members.
- Nathan Pollock, 6153 Massachusetts Ave., NPR spoke regarding the fundraiser at Patriot Stogies, the new solid waste program and grants.
- Marlowe Jones, 6141 Pine Hill Rd., PR spoke regarding Shinikki Whiting, public records request.

With no one else coming forward for public comment, Mayor Davis closed Vox Pop.

- a Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

9 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Matt Murphy and seconded by Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

- a Purchases/Payments for City Council Approval
- b Cultural Affairs Committee Minutes - November 2023 - January 2024
- c Library Advisory Board Minutes - November 2023 and January 2024

10 Public Reading of Ordinances

- a First Reading, Ordinance No. 2024-2291: Rezoning for 12.42 Acres of Property Located at Sea Forest Drive and Green Key Road

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct a first reading of an ordinance to rezone a 12.42 acre property located at Sea Forest Drive and Green Key Road from PDD and R-1 to PDD. She then introduced Senior Planner Lisa Algieri who then made a presentation to Council. The subject property is located at the southeast corner of Sea Forest Drive and Green Key Road. The future lane use is low density. The property is vacant with the eastern and southern portions lying in wetlands. The applicant is requesting to rezone from PDD & R-1 to a PDD

with an amended site plan. The revised site plan will consist of 60 single-family attached townhomes with site amenities. She stated there was a change requested by the applicant in height from 35' to 50'. The proposal is consistent with the City's Comprehensive Plan.

Upon opening the floor to public comment, the following people came forward to speak:

- Raquel Thiebes, 4731 Sanctuary Dr., NPR spoke regarding flooding, the amount of fill, runoff and parking. She urged Council to go out and visit the site.
- John Kane, 6041 Florida Ave., NPR cautioned Council about the number of homes that can be put there and flooding.
- George Thiebes, 4731 Sanctuary Dr., NPR spoke regarding environmental assessment and traffic impacts.
- Ron Orchard, 6719 Manor Beach Rd., NPR spoke regarding previous zonings, the amount of fill, runoff and the Coastal Management statute.
- Bertell Butler, IV, 5335 Bellview Ave., NPR spoke regarding long term impacts of the project, FEMA, flood insurance for the residents and environmental aspects.
- Ryan Knowles, 6431 Taylor Ct., NPR asked about loss of life should there be a hurricane.
- Kimberly Cox, 7336 Ashmore Dr., NPR spoke about not building and to let properties just exist. She also spoke about gentrification.
- Marlowe Jones, 6141 Pine Hill Rd., PR spoke regarding tabling the item. He also about an environmental assessment and if it can be made public.
- Denise Blume, 4631 Green Key Rd., NPR spoke homeless on her street and the view of the water from her backyard.
- Judith Allen, 5940 Grand Blvd., NPR spoke regarding the no name storm in 1993 and urged caution on building on the west side of 19.
- Cheryl Orchard, 6719 Manor Beach Rd., NPR spoke regarding the Coastal Management statute, the no name storm of 1993, the conditions when the County installed their sewers and the lack of swails at Manor Beach and Green Key.
- Sherry Stamback, 6926 Washington St., spoke regarding emergency services for the area.
- Donna Jensen, 5922 Wyoming Ave., NPR spoke about conserving the area and bringing back the area to what it was in the past.
- Dave Schwendeman, 2940 Meadowood Dr., NPR spoke about slowing down building and leaving land for the animals.

With no one else coming forward Mayor Davis returned the floor to Council. Amy Huber from NPR Townhomes came forward to make a presentation on behalf of the applicant. She stated that this agenda item is solely for a rezoning and is not a site plan. She stated what is being asked is to rezone the entire parcel PDD. She then made a presentation to Council. She said they are only developing on the upland. She stated an environmental assessment and traffic study has been submitted. Ms. Huber then highlighted the criteria in order to adhere to quasi-judicial guidelines. She then highlighted the amenities for the project. Councilman Altman spoke about his history with the property. He stated our job is to weigh the evidence and the existing zoning. He stated he is aware of the resiliency issues. City Attorney Driscoll stated Council is constrained to review the evidence presented and not speculation or conjecture. He stated Council is approving a PDD and site plan. He stated any development is subject to SWFWMD and FDEP review. Motion was made to approve the ordinance upon its first reading.

Motion made by Pete Altman and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

11 Business Items

a Board Appointment: David P. Folds, III, Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of David P. Folds, III as member to the Cultural Affairs Committee. If approved, Mr. Folds' term will be for two years and will be up for renewal on March 6, 2026. Upon opening the floor to public comment, the following people came forward to speak:

- David P. Folds, III, 5743 Delaware Ave., NPR introduced himself to Council.
- Marlowe Jones, 6141 Pine Hill Rd., PR spoke in support of the appointment and his application to the committee.

With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

b 2024 Sims Park Artificial Turf Installation

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a proposal from FieldTurf USA Inc., in the amount not to exceed \$231,708.90 for the installation of artificial turf in Sims Park. He stated that improvements to Sims Park were completed in 2016. The sod was replaced in 2019 and 2021. The sod is due once again to be replaced again. Mr. Rivera then highlighted the benefits of artificial turf. He stated funding for this project is available in the CIP. Mr. Rivera then highlighted the Capital Cost Operation and Maintenance of regular sod versus artificial turf.

Upon opening the floor to public comment, the following people came forward to speak:

- John Kane, 6041 Florida Ave., NPR spoke regarding the park usage and thinking out of the box by using road areas and Railroad Square. He also suggested limiting park events.
- Ryan Knowles, 6431 Taylor Ct., NPR asked about golf carts, stakes and motorcycles on the turf.
- Darla Scwendeman, 2940 Meadowood Dr., NPR asked about the heat on the turf.
- Judith Allen, 5940 Grand Blvd., NPR spoke about the CDBG Grant and Council decisions.

With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

c Auxiliary Power Generator Purchase – Fire Station No. 2

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a proposal from Ring Power Systems Incorporated in the amount not to exceed \$133,842.00 for the purchase of a 300KW auxiliary power generator for Fire Station No. 2 and corresponding budget amendment. In an effort to reduce costs associated with the project, staff has begun the direct purchase of several items. The first being the auxiliary power generator. This direct purchase reduces the cost of the project by eliminating the sales tax, contractor's profit and insurance, as well as competitive pricing thru the use of the Sourcewell Coop contract bid process.

Upon opening the floor to public comment, the following people came forward to speak:

- Laurie Baker, 5853 Lafayette St., NPR spoke about qualifying for Penny for Pasco funds.

With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented and have staff look for alternate funding sources.

Motion made by Pete Altman and seconded by Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

d Resolution No. 2024-03: Amending City Council Meeting Times

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to adopt Resolution No. 2024-03 which amends the start time for all regular City Council meetings and work sessions to 6:00 p.m. At your regular meeting on February 20, 2024, Councilman Peters brought up the suggestion of amending the start time for City Council meetings from 7:00 p.m. to 6:00 p.m. Staff has researched what times the other five municipalities in Pasco County begin their meetings. The results are as follows:

- City of Dade City meetings begin at 5:30 p.m.
- City of Port Richey meetings begin at 6:00 p.m.
- Town of St. Leo meetings begin at 7:00 p.m. but are only held once a month.
- City of San Antonio meetings begin at 6:30 p.m. but are only held once a month.
- City of Zephyrhills meetings begin at 6:00 p.m.

Upon opening the floor to public comment, the following people came forward to speak:

- Deanna Wilson, 5532 Delaware Ave., NPR spoke in opposition of the item.

With no one else coming forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented effective April 2, 2024.

Motion made by Pete Altman and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

e Potential Acquisition of 5462 Grand Boulevard

City Manager Manns introduced Asst. City Manager Gregory Oravec who then presented the item to Council. He stated that the purpose of this agenda item was to authorize the City Manager to participate in an online auction for 5462 Grand Blvd., New Port Richey, FL 34652, approving a bid up to appraised value or \$575,000, whichever is less, to be funded by the Community Redevelopment Agency. As set forth in the companion item to the CRA Board, the subject property (hereinafter referred to as the "Property") is prominently located at 5462 Grand Boulevard, at the southeast corner of Grand Boulevard and Gulf Drive, directly across Gulf Drive from Historic Gulf High School (a/k/a Schwettman Education Center). It is critical to highlight that the Property includes the two lots on the east side of George Street, contiguous to Historic Gulf High School's remote parking lot. According to the Property Appraiser's records, the Property is described as Parcel ID 08-26-16-0240-00300-0010 and Parcel ID 08-26-16-0250-03504-0080; approximately 0.69 acres in the aggregate; occupied by a 3-story office building of approximately 13,310 SF; and currently valued at \$401,302 in the aggregate. Unfortunately, this key site on our City's premier local north-south thoroughfare has had multiple unresolved code violations since 2019; and this ultimately led the City to seek relief through court action, which it won pursuant to a Uniform Final Judgment of Foreclosure dated January 18, 2024. The Judgment of Foreclosure has ordered a public sale, via online auction, on March 18, 2024. As you may know, in such an auction, the effective opening bid will start with the amount owed to the City, which is currently estimated at \$241,000. Further, if no other party bids on the Property, the City could acquire title to the Property for that amount owed plus miscellaneous fees; and should it elect to bid, would only have to "come out of pocket" for that amount over \$241,000. Given the Property's prominence on Grand Boulevard and strategic location in relation to Historic Gulf High School and the remote parking lot, staff believes that the City and Agency are being presented with a special opportunity to assemble a catalytic redevelopment site which would not only squarely address the running code violations on the Property, but also enable the City, Agency, and our community to plan and then implement a transformational project for both sides of Gulf Drive. The Agency has ordered an appraisal of the Property to help guide the City's participation, if authorized, in the online auction. It is anticipated to be complete by close of business, March 8. Consequently, staff has structured this request with a cap of \$575,000 or appraised value, whichever is less, and that cap represents the total maximum bid amount inclusive of any City credits, such as the aforementioned \$241,000. When considering valuation of the Property, its current state of vacancy and physical condition, and the difference that active property ownership and reinvestment can make, it is

interesting to compare the building on the Property to the building at the northwest corner of Grand Boulevard and Gulf Drive, 5509 Grand Boulevard. Even though the buildings are very similar in size and architecture, the Property Appraiser values the building at 5509 at \$22/SF and the building at 5462 at \$13.17/SF. If the Property is acquired, Agency staff would outline a proposed procurement process, to be considered at a future meeting of the Agency Board, by which a multidisciplinary planning firm would be selected to lead a community-oriented master planning process for the Property, Historic Gulf High School, and the surrounding Schwettman Oaks Neighborhood. Such a master planning process would include several opportunities for citizen engagement and would be expected to result in the Agency Board's adoption of a master plan for the sites and surrounding area, which would then be implemented through subsequent action.

Upon opening the floor to public comment, the following people came forward to speak:

- Dale Webb, 5647 Kentucky Ave., NPR spoke regarding the condition of the building and advised the City not go acquire it.
- Deanna Wilson, 5532 Delaware Ave., NPR spoke about buying the building to get the place.
- Bertell Butler, IV, 5335 Bellview Ave., NPR spoke regarding this being a selling point for private investment. He asked if this was included in the CRA Master Plan or is this a decision now because of the foreclosure.

With no one else coming forward Mayor Davis returned the floor to Council. Councilman Altman stated it is blighted and would most likely fall within the Plan. He stated the goal is going to see this demolished. He stated the CRA Plan has to be updated to include the projects that we envision. Motion was made to approve the item as presented.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

f City Manager Performance Evaluation

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct the annual evaluation of her performance as City Manager. She stated that the evaluation ensures an open and productive communication. She stated that we are ruled by a Charter and she is one of two Charter officials. City Manager Manns then highlighted the Council-Manager form of government, budget and employees. She stated it is her job to make sure Council makes the most informed decisions they can. She stated Council oversees the Strategic Plan and Budget. She spoke about what Council was looking for in a manager when she interviewed ten years ago. They were looking for someone who could steer the City and that is what they received. She stated there is still a lot of hard work to do and she is looking forward to continuing the work. City Manager Manns stated she has great passion for wanting to make the city better. She then proceeded to introduce the changes to her contract as follows:

- The term of contract shall be for five years and shall be up for renewal on June 2, 2029.
- The city shall provide an annual salary adjustment as a cost-of-living rate adjustment on an annual basis which shall be the percentage increase in the CPI and shall be determined based on comparing the CPI for the March immediately preceding the proposed rate adjustment. The rate adjustment if any, shall take effect on June 2, 2024, and each year thereafter.

Upon opening the floor to public comment, the following people came forward to speak:

- Bertell Butler, IV, 5335 Bellview Ave., NPR spoke regarding severance and postponing the item until March 19th.
- Katie McQuillan, 6442 River Rd., NPR spoke about her daughter's wedding and the group effort led by the City Manager she deserves the contract extension.
- Kimberly Cox, 7336 Ashmore Dr., NPR spoke in opposition of the item.
- Judith Allen, 5940 Grand Blvd., NPR spoke in opposition of the item.
- John Kane, 6041 Florida Ave., NPR spoke regarding the length of the contract, the timing in relation to the election and secret ballots for employees.

- Nathan Pollock, 6153 Massachusetts Ave., NPR read scripture from the Bible and in opposition of the item.
- Laurie Baker, 5853 Lafayette St., NPR asked about making decisions.

With no one else coming forward Mayor Davis returned the floor to Council. Councilman Altman stated he would reiterate his comments made last year. He suggested a term until October. He stated the Council should be receiving financial information to make decisions. Councilwoman Mothershead stated a current Council should provide the review and not a new Council coming in. She stated City Manager Manns is very committed to our city and wants what's best. She stated she attacks all of the challenges head on. She stated she is very active in the community. Deputy Mayor Murphy stated that the good she's done for our community is light year's ahead of where our city has been. He stated that not everybody has the ability to look into the future. He stated that the important things try to get done right away. He stated it would not be fair for someone to rate her who has not worked with her. He stated he appreciates all the hard work and commitment that she puts into the city. He stated she is dedicated to what is going on in this city. Councilman Peters stated that it wasn't that many years ago that people called NPR no place really. He stated that we are here to improve our citizens quality of life. He stated the City is moving forward in that direction. He stated the City Manager job is not an easy job. He stated there have been some really great hires lately. He stated if there is one criticism it is that City Manager Manns sets her expectations high so sometimes there aren't ones that are a good fit. He stated City Manager Manns navigated the city through the COVID pandemic. Councilman Peters stated he has seen her interact with other local, State and Federal leaders. Mayor Davis stated he part of the team that hired City Manager Manns. He said she was head and shoulders above the other two. He stated that she has set up a wage system for all employees. He stated she has built an excellent relationship with our labor unions. He stated she has always tried to keep healthcare costs down. Mayor Davis spoke about City Manager Manns' negotiation with Keiser University and securing their location in the city. Motion was made to extend the term of the contract for five years and provide an annual salary adjustment as a cost-of-living rate adjustment on an annual basis which shall be the percentage increase in the CPI and shall be determined based on comparing the CPI for the March immediately preceding the proposed rate adjustment.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 4-1. Ayes: Davis, Mothershead, Murphy, Peters Nays: Altman

12 Communications

None.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 10:48 p.m.

(signed) _____
 Judy Meyers, CMC, City Clerk

Approved: _____ (date)

Initialed: _____

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 50’ measured from the ground**
- 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 5th day of March, 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

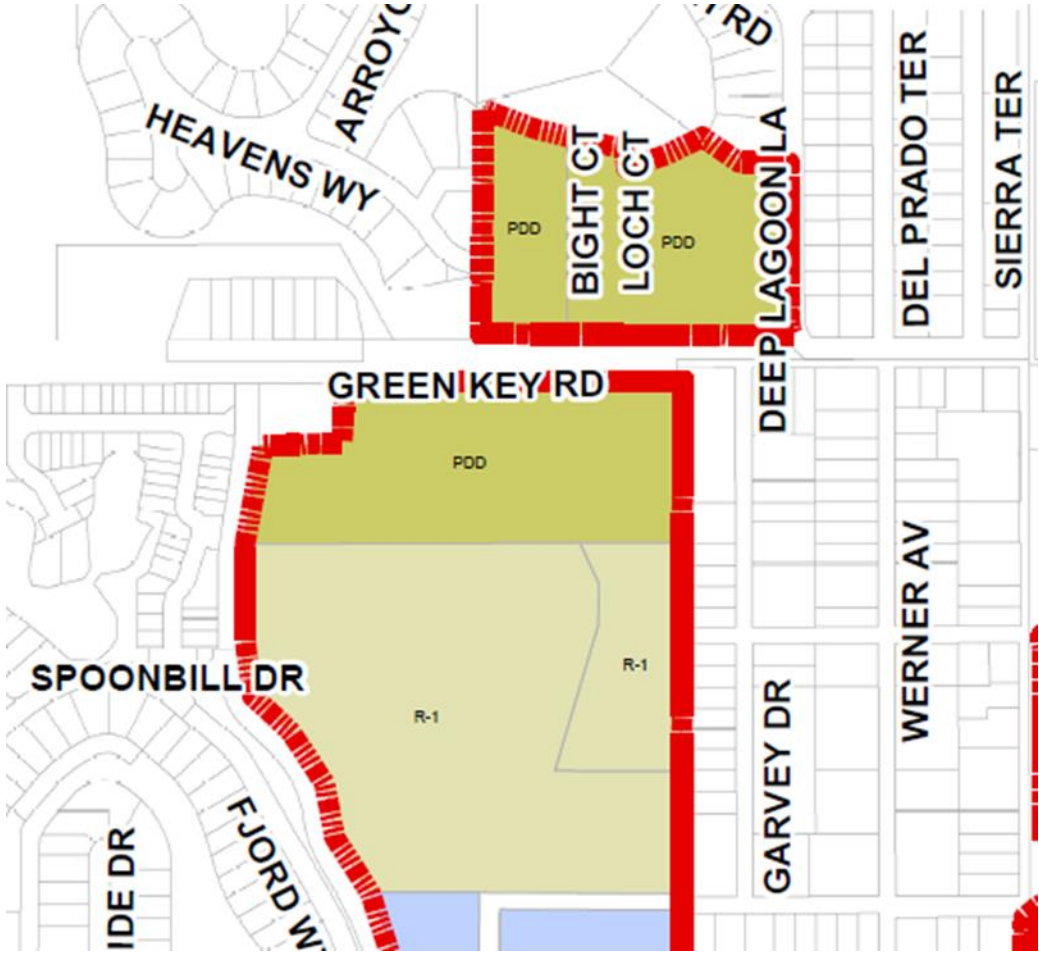
(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney

CA Approved – 3-5-24

**EXHIBIT A
ZONING DISTRICT MAP**



Thank you Mayor Davis and Council Members for letting me speak. Sometimes bigger is not better. **We currently have a one structure project approved as in the photo below.** Suddenly, there is now room for a large 10 building, 60 unit development with all the amenities where half of the property is conservation and unsuitable due to **the tidal pools** which I want to remind the council overflow with **storm surge** covering almost the whole property. I can see this happening from our property.

I'm also greatly **concerned about run off** and changing the topography of this piece of property full of wildlife and habitat. Most of it is 1-2 feet above sea level, except for the path of the old driveway to our property which has parts at 5 ft and a small bit of high ground to the East. There is a test case just North across Green Key Rd, **Oyster Bayou Cottages that needed 900 dump truck loads to bring it up to grade.** Afterwards, the residents of Green Key experienced **frequent flooding** even after nominal rains which still to this day hasn't been addressed by the county.

The engineer of this Sea Forest project told me at the development meeting that they will not be bringing in that much fill and that these buildings are on stilts. **That doesn't sound like the new residents' garages, driveways and streets will stay dry.** Plus you've got Green Key Rd and Main St, two of the three accesses to this property which flood regularly. It just seems like a nightmare scenario.

Lastly, in looking at the plans from the development meeting, **is there any guest parking set aside?** The streets as noted on the plans do not seem wide enough for street parking. There are four parking spots I see in the culdesac. Where will visitors and overflow cars park? Will this street be city owned or private?

I invite any council members to our property to see first hand the tidal pools and stream connecting them as well as the large mangrove forest between the smaller tidal pool and Sea Forest Drive. All that would be impacted with this many buildings. I urge you to vote down such a large project.

Currently approved building at 6450 Sea Forest Dr:



The 2023 Florida Statutes (including Special Session C)

[Title XI](#)
COUNTY ORGANIZATION AND INTERGOVERNMENTAL
RELATIONS

[Chapter 163](#)
INTERGOVERNMENTAL
PROGRAMS

[View Entire
Chapter](#)

163.3178 Coastal management.—

(1) The Legislature recognizes there is significant interest in the resources of the coastal zone of the state. Further, the Legislature recognizes that, in the event of a natural disaster, the state may provide financial assistance to local governments for the reconstruction of roads, sewer systems, and other public facilities. Therefore, it is the intent of the Legislature that local government comprehensive plans restrict development activities where such activities would damage or destroy coastal resources, and that such plans protect human life and limit public expenditures in areas that are subject to destruction by natural disaster.

(2) Each coastal management element required by s. [163.3177\(6\)\(g\)](#) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:

(a) A land use and inventory map of existing coastal uses, wildlife habitat, wetland and other vegetative communities, undeveloped areas, areas subject to coastal flooding, public access routes to beach and shore resources, historic preservation areas, and other areas of special concern to local government.

(b) An analysis of the environmental, socioeconomic, and fiscal impact of development and redevelopment proposed in the future land use plan, with required infrastructure to support this development or redevelopment, on the natural and historical resources of the coast and the plans and principles to be used to control development and redevelopment to eliminate or mitigate the adverse impacts on coastal wetlands; living marine resources; barrier islands, including beach and dune systems; unique wildlife habitat; historical and archaeological sites; and other fragile coastal resources.

(c) An analysis of the effects of existing drainage systems and the impact of point source and nonpoint source pollution on estuarine water quality and the plans and principles, including existing state and regional regulatory programs, which shall be used to maintain or upgrade water quality while maintaining sufficient quantities of water flow.

(d) A component which outlines principles for hazard mitigation and protection of human life against the effects of natural disaster, including population evacuation, which take into consideration the capability to safely evacuate the density of coastal population proposed in the future land use plan element in the event of an impending natural disaster. The Division of Emergency Management shall manage the update of the regional hurricane evacuation studies, ensure such studies are done in a consistent manner, and ensure that the methodology used for modeling storm surge is that used by the National Hurricane Center.

(e) A component which outlines principles for protecting existing beach and dune systems from human-induced erosion and for restoring altered beach and dune systems.

(f) A redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise. The component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

expansions, projects, or facilities are consistent with comprehensive master plans that are in compliance with this section.

(4) Improvements and maintenance of federal and state highways that have been approved as part of a plan approved pursuant to s. 380.045 or s. 380.05 shall be exempt from the provisions of s. 380.27(2).

(5) The appropriate dispute resolution process provided under s. 186.509 must be used to reconcile inconsistencies between port master plans and local comprehensive plans. In recognition of the state's commitment to deepwater ports, the state comprehensive plan must include goals, objectives, and policies that establish a statewide strategy for enhancement of existing deepwater ports, ensuring that priority is given to water-dependent land uses. As an incentive for promoting plan consistency, port facilities as defined in s. 315.02(6) on lands owned or controlled by a deepwater port as defined in s. 311.09(1), as of the effective date of this act shall not be subject to development-of-regional-impact review provided the port either successfully completes an alternative comprehensive development agreement with a local government pursuant to ss. 163.3220-163.3243 or successfully enters into a development agreement with the state land planning agency and applicable local government pursuant to s. 380.032 or, where the port is a department of a local government, successfully enters into a development agreement with the state land planning agency pursuant to s. 380.032. Port facilities as defined in s. 315.02(6) on lands not owned or controlled by a deepwater port as defined in s. 311.09(1) as of the effective date of this act shall not be subject to development-of-regional-impact review provided the port successfully enters into a development agreement with the state land planning agency and applicable local government pursuant to s. 380.032 or, where the port is a department of a local government, successfully enters into a development agreement with the state land planning agency pursuant to s. 380.032.

(6) Each port listed in s. 311.09(1) and each local government in the coastal area which has spoil disposal responsibilities shall provide for or identify disposal sites for dredged materials in the future land use and port elements of the local comprehensive plan as needed to assure proper long-term management of material dredged from navigation channels, sufficient long-range disposal capacity, environmental sensitivity and compatibility, and reasonable cost and transportation. The disposal site selection criteria shall be developed in consultation with navigation and inlet districts and other appropriate state and federal agencies and the public. For areas owned or controlled by ports listed in s. 311.09(1) and proposed port expansion areas, compliance with the provisions of this subsection shall be achieved through comprehensive master plans prepared by each port and integrated with the appropriate local plan pursuant to paragraph (2)(k).

(7) Each county shall establish a county-based process for identifying and prioritizing coastal properties so they may be acquired as part of the state's land acquisition programs. This process must include the establishment of criteria for prioritizing coastal acquisitions which, in addition to recognizing pristine coastal properties and coastal properties of significant or important environmental sensitivity, recognize hazard mitigation, beach access, beach management, urban recreation, and other policies necessary for effective coastal management.

(8)(a) A proposed comprehensive plan amendment shall be found in compliance with state coastal high-hazard provisions if:

1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or
2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
3. Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by following the process in paragraph (a), the level of service shall be no greater than 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale.