

ORDINANCE NO. 2024-2308

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA PROVIDING FOR A SMALL-SCALE AMENDMENT OF THE FUTURE LAND USE MAP OF THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR A CHANGE IN THE LAND USE DESIGNATION FOR APPROXIMATELY 16 ACRES OF PROPERTY, GENERALLY LOCATED ALONG LEISURE LANE AND VAN DOREN AVENUE, AS SHOWN ON THE MAP ATTACHED HERETO AS EXHIBIT "A" AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE LAND USE DESIGNATION FOR SAID PROPERTY FROM PASCO COUNTY RETAIL/OFFICE/RESIDENTIAL (ROR) AND PASCO COUNTY RESIDENTIAL-24 TO MEDIUM DENSITY RESIDENTIAL – 20 (MDR-20); 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 a comprehensive land use plan to guide its future development and growth;

WHEREAS, on June 29, 1989, the City Council adopted Ordinance No. 1203, which approved the City's Comprehensive Plan;

WHEREAS, consistent with Florida Statutes 163.3182 the property that is the subject of the proposed amendment is not located within an area of critical state concern;

WHEREAS, the City of New Port Richey annexed subject property and in compliance with Section 171.062 Florida Statutes is proposing to amend the Future Land Use Map from Pasco County Residential-24 and Retail/Office/Residential to Medium Density Residential-20 (MDR-20);

WHEREAS, the Development Department has reviewed the Small-Scale FLUM application and concludes it is in conformance with Land Development Code (LDC) on land use plan amendments;

WHEREAS, the Development Department has distributed the Small-Scale FLUM application to the Development Review committee (DRC) and the DRC recommended that the Land Development Review Board (LDRB) forwarded a recommendation to the City Council that the Small-Scale FLUM application be approved;

WHEREAS, the Development Department has prepared a staff report concluding the Small-Scale FLUM application is in conformance with state and local requirements and recommending the LDRB forward a recommendation to the City Council that the Ordinance adopting the Small-Scale FLUM application be approved;

WHEREAS, at the duly called LDRB regular public hearing held on September 26, 2024, the LDRB sitting as the Local Planning Agency, considered the Development Department staff report and recommendation and all evidence presented at the LDRB hearing, and forwarded the record to the City Council with a recommendation the Ordinance be approved;

WHEREAS, the City Council hereby finds that adoption of the Ordinance is in the best interest of the health, safety and general welfare of residents, property owners, and businesses;

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

WHEREAS, at the duly noticed City Council regular public hearing on second reading considered the evidence presented at first reading and all 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;

WHEREAS, the City Council has conducted a hearing, has received evidence pertaining to the land use amendment and has found that the amendment of the designation of the property as provided herein is consistent with the adopted Comprehensive Plan Future Land Use Map, is compatible with the use and zoning of the surrounding properties, is consistent with the adopted Comprehensive Plan, is supported by the record of the proceedings; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police and legislative powers.

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

Section 1. Whereas clauses and staff report. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and accurate and are hereby made a part of this Ordinance.

Section 2. Property description. The property subject to this Small-Scale FLUM amendment is legally described as:

See Exhibit "A" attached hereto.

Section 3. FLUM Amendment. The Future Land Use Map of the City of New Port Richey Adopted Comprehensive Plan is hereby amended to amend the Land Use Designation for the property described herein from Pasco County's Retail/Office/Residential and Residential-24 designation to Medium Density Residential-20 (MDR-20), as shown in Exhibit "B" attached hereto.

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 adopting a Small-Scale Future Land Use Map (FLUM) amendment shall become effective as provided by state law upon adoption hereof, and

upon approval of the state land planning agency and all appeals of any order are final, if applicable.

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 6th day of November, 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 19th day of November, 2024.

ATTEST:

By: _____
Judy Meyers, MMC, City Clerk

By: _____
Alfred C. Davis, Mayor-Council Member

(Seal)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney CA approved 9-12-24

EXHIBIT A

GENERAL DESCRIPTION AND MAP

PARCEL 1

TAMPA TARPON SPRINGS LAND CO SUB PB 1 PGS 69 & 70 NORTH 125 FT OF SOUTH 525 FT TRACT 32 LESS THAT POR OF PARCEL WITHIN R/W OF U S 19 AS IT NOW EXISTS OR 8838 PG 678 OR 9316 PG 3891 OR 9678 PG 3702

PARCEL 2

TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF TRACT 32 DESC AS COM AT SW COR OF NW1/4 OF SEC 8 LYING ON CENTERLINE GULF DR TH S89DEG 36' 29"E ALG CENTERLINE OF R/W 1231.38 FT TH N00DEG23' 31"E 25 FT TO NORTH R/W OF GULF DR TH N45DEG13' 42"E 14.10 FT TO WLY R/W OF US HWY 19 TH CONT ALG WLY R/W N00DEG03' 53"E 180.00 FT TO POB TH CONT ALG US 19 WLY R/W N00DEG03' 53"E 200.00 FT TH N89DEG36' 29"W 193.00 FT TH S00DEG03' 53"W 200.00 FT TH S89DEG36' 29"E 193.00 FT TO POB

PARCEL 3

TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 PORTION OF TRACT 32 DESC AS COM AT SW COR OF NW1/4 OF SEC 8 LYING ON CENTERLINE OF GULF DR TH S89DEG36'29"E ALG CENTERLINE 872.70 FT TH N00DEG23'51"E 25 FT TO NORTH R/W LINE OF GULF DR TH S89DEG36'29"E ALG SAID NORTH R/W LINE 138.68 FT TH N00DEG03'53"E 190.00 FT TH S89DEG36'29"E 37.00 FT FOR POB TH S89DEG36'29"E 193.00 FT TO POINT ON WEST R/W LINE OF US HWY 19 TH S00DEG03'53"W 50.00 FT TH N89DEG36'29"W 193.00 FT TH N00DEG03'53"E 50.00 FT TO POB TOGETHER WITH INGRESS & EGRESS EASEMENT AS DESC IN OR 10439 PG 1639

PARCEL 4

TAMPA-TARPON SPRINGS LAND COMPANY SUB PB 1 PG 69 POR OF TR 32 DESC AS COM SW COR OF NW1/4 SEC TH ALG S LN OF NW1/4 S89DG 36' 29"E 1091.30 FT TH N00DG 03' 53"E 15 FT FOR POB TH N00DG 03' 53"E 150 FT TH S89DG 36' 29"E 150 FT TO WLY R/W LN US HWY NO 19 TH ALG SAID WLY R/W LN S00DG 03' 53"W 150 FT TH N89DG 36' 29"W 150 FT TO POB OR 8636 PG 3188

PARCEL 5

TAMPA-TARPON SPRINGS LAND COMPANY SUB PB 1 PG 69 POR OF TRACT 32 DESC AS FOLL: COM AT SW COR OF NW1/4 OF SEC (SAID POINT ALSO BEING ON CENTERLINE OF GULF DR) TH S89DEG36' 29"E ALG SOUTH LINE OF NW1/4 OF SEC (& CENTERLINE OF GULF DR) 1051.30 FT TH N00DEG03' 53"E 25 FT TO NORTH R/W LINE OF GULF DR FOR POB TH N00DEG03' 53"E 140 FT TH S89DEG36' 29"E 40 FT TH S00DEG03' 53"W 140 FT TO NORTH R/W LINE OF GULF DR TH N89DEG36' 30"W ALG SAID R/W LINE 40 FT TO POB

PARCEL 6

TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF TRACT 32 DESC AS COM AT SW COR OF NW1/4 OF SEC 8 LYING ON CENTERLINE OF GULF DRIVE TH S89DG 36' 29"E ALG CENTERLINE 872.70 FT TH N00DG 23' 31"E 25 FT TO NORTH R/W OF GULF DR FOR POB TH N00DG 29' 31"E 390.00 FT TH S89DG 36' 29"E 172.70 FT TH S00DG 03' 53"W 250.00 FT TH S89DG 36' 29"E 3.00 FT TH S00DEG 03'53"W 140.00 FT TO POINT ON NORTH R/W LINE OF GULF DR TH N89DEG 36'29"W 178.68 FT TO POB SUBJECT TO INGRESS & EGRESS EASEMENT AS DESC IN OR 8798 PG 3241 & PER OR 8798 PG 3234

PARCEL 7

TAMPA AND TARPON SPRINGS LAND CO SUB PB 1 PGS 69 & 70 POR TR 53 DESC AS COM NW COR OF TR 53 TH E 50 FT FOR POB TH E 50 FT TH S 125 FT TH W 50 FT TH N 125 FT TO POB AKA E 50 FT OF W 100 FT OF N 125 FT OF TR 53 OR 1216 PG 21

PARCEL 8

TOWN & COUNTRY VILLAS SO MB 6 PG 119 LOTS 8 , 9 RB 951 PG 727

PARCEL 9

TOWN & COUNTRY VILLAS SO MB 6 PG 119 LOT 10 RB 951 PG 728

PARCEL 10

TOWN & COUNTRY VILLAS S MB 6 PG 119 LOT 11 OR 9334 PG 1786

Exhibit B

Future Land Use Map

