

ORDINANCE NO. 2024-2309

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 16 ACRES OF PROPERTY, GENERALLY LOCATED ALONG LEISURE LANE AND VAN DOREN AVENUE, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT DESIGNATION FOR SAID PROPERTY FROM PASCO COUNTY RESIDENTIAL MOBILE HOME TO R-4 COASTAL COTTAGE DISTRICT; 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 ("ZDM");

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

WHEREAS, the City of New Port Richey has annexed subject property and in compliance with Section 171.062 Florida Statutes is proposing to rezone said property from Pasco County Residential Mobile Home to R-4 Coastal Cottage;

WHEREAS, the City has filed a Small-Scale Future Land Use Map amendment from Pasco County Retail/Office/Residential and High Density Residential-24 to Medium Density Residential-20 to accompany this Zoning District Map amendment;

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

WHEREAS, the Development Review Committee (DRC) has reviewed the ZDM amendment 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 approved;

WHEREAS, at the duly noticed 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 competent substantial evidence presented at the hearing, and forwarded the record to the City Council with a recommendation the Ordinance be approved;

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 Pasco County Residential Mobile Home to R-4 Coastal Cottage as shown in Exhibit “A” attached hereto.

Section 3. Property description. The property subject to this Zoning District Map amendment is located along Leisure Lane and Van Doren Avenue, and is legally described as follows:

See Exhibit “A” 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 shall be effective upon its adoption as provided by law and upon the effective date of Ordinance 2024-2308 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 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:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, MMC, City Clerk

Alfred C. Davis, Mayor – Councilmember

(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

