

**ORDINANCE NO. 2024-2310**

**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 23.69 ACRES OF PROPERTY, GENERALLY LOCATED ALONG THE NORTH AND SOUTH SIDES OF MARINE PARKWAY EAST OF GRAND BOULEVARD, 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 RESIDENTIAL/OFFICE AND PUBLIC/SEMI-PUBLIC TO MEDIUM DENSITY RESIDENTIAL - 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 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) forward 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 not 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 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 and shown on 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 Residential/Office and Public/Semi-Public to Medium Density Residential - 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 6<sup>th</sup> 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 19<sup>th</sup> 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 9-18-24

# EXHIBIT A

## Location Map and Legal Description



## EXHIBIT A

### LEGAL DESCRIPTION

THE LEGAL DESCRIPTION, TO BE DETERMINED BY A SURVEY, IS TO BE PROVIDED TO THE COMPANY, BY A FLORIDA REGISTERED LAND SURVEYOR; MEETING THE MINIMUM STANDARDS FOR ALL LAND SURVEYS AS SET FORTH IN CHAPTER 472.027, FLORIDA STATUTES OR IN CHAPTER 21 HH 6, FLORIDA ADMINISTRATIVE CODE.

THE COMPANY RESERVES THE RIGHT TO MAKE SUCH ADDITIONAL SCHEDULE B-1, REQUIREMENTS; SCHEDULE B-11, EXCEPTIONS, AND/OR TO MODIFY THE FOREGOING LEGAL DESCRIPTION, AS IT DEEMS NECESSARY.

#### PARCEL A:

A PORTION OF TRACTS 45, 46, 47 AND 48 OF TAMPA-TARPOON SPRINGS LAND COMPANY SUBDIVISION OF SECTION 8, TOWNSHIP 26 SOUTH, RANGE 16 EAST, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 1, PAGES 66, 69 AND 70 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE RUN ALONG THE SOUTH LINE OF SAID SECTION 8, SOUTH 89°38'19" EAST, A DISTANCE OF 1318.44 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 48; THENCE RUN NORTH 0°02'16" WEST, A DISTANCE OF 533.02 FEET TO THE INTERSECTION OF THE EASTERLY EXTENSION OF THE NORTH BOUNDARY OF RIDGEWOOD DRIVE WITH THE EAST BOUNDARY OF SAID TRACT 48, FOR A POINT OF BEGINNING; THENCE RUN NORTH 89°38'19" WEST, A DISTANCE OF 1203.48 FEET TO THE INTERSECTION OF THE NORTH LINE OF RIDGEWOOD DRIVE WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 595, SAID EASTERLY RIGHT-OF-WAY LINE BEING 33 FEET EASTERLY FROM THE CENTERLINE OF PAVING AS IT IS NOW CONSTRUCTED; THENCE RUN ALONG THE EASTERLY BOUNDARY OF SAID STATE ROAD NO. 595 NORTH 0°34'27" EAST, A DISTANCE OF 464.31 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 58.22 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2,787.43 FEET AND A CHORD OF 58.22 FEET WHICH BEARS NORTH 1°10'21" EAST, THENCE PARALLEL TO THE SOUTH BOUNDARY OF RIDGE ROAD (SCHOOL ROAD) AS IT IS NOW ESTABLISHED, SOUTH 89°37'10" EAST, A DISTANCE OF 200 FEET; THENCE NORTH 10°40'05" EAST, A DISTANCE OF 254.09 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID RIDGE ROAD, SAID RIGHT-OF-WAY LINE BEING 10 FEET SOUTH OF THE NORTH BOUNDARY OF SAID TRACT 45; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID RIDGE ROAD, SOUTH 89°37'10" EAST, A DISTANCE OF 450.09 FEET TO THE EAST BOUNDARY OF SAID TRACT 45; THENCE ALONG THE EAST BOUNDARY OF SAID TRACTS 45 AND 48, SOUTH 0°02'16" EAST, A DISTANCE OF 772.13 FEET TO THE POINT OF BEGINNING.

AND INCLUDING THE SOUTHERLY 10 FEET OF THAT PORTION OF RIDGE ROAD RIGHT-OF-WAY LYING ADJACENT TO THE ABOVE DESCRIBED PARCEL.

AND ALSO INCLUDING THE NORTHERLY 25 FEET OF THAT PORTION OF RIDGEWOOD DRIVE RIGHT-OF-WAY LYING ADJACENT TO THE ABOVE DESCRIBED PARCEL.

LESS THAT PORTION LEGALLY DESCRIBED AS FOLLOWS: A PORTION OF TRACTS 45 AND 47 OF TAMPA-TARPOON SPRINGS LAND COMPANY SUBDIVISION OF SECTION 8, TOWNSHIP 26 SOUTH, RANGE 16 EAST, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 1, PAGES 68, 69 AND 70 OF THE PUBLIC RECORDS, OF PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 8, THENCE RUN ALONG THE SOUTH LINE OF SAID SECTION 8, SOUTH 89°38'19" EAST, A DISTANCE OF 1,318.44 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 48; THENCE NORTH 0°02'16"

WEST, DISTANCE OF 1,305.15 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF RIDGE ROAD (SCHOOL ROAD) AS IT IS NOW ESTABLISHED, SAID RIGHT OF WAY LINE BEING 10 FEET SOUTH OF THE NORTH BOUNDARY OF SAID TRACT 45, THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF SAID RIDGE ROAD, NORTH 89°37'10" WEST, A DISTANCE OF 689.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 0°02'16" EAST, A DISTANCE OF 368.00 FEET; THENCE NORTH 89°37'10" WEST, A DISTANCE OF 172.00 FEET; THENCE NORTH 0°02'16" WEST, A DISTANCE OF 368.00 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF SAID RIDGE ROAD; THENCE ALONG THE SOUTH RIGHT OF WAY OF SAID RIDGE ROAD, SOUTH 89°37'10" EAST, DISTANCE OF 172.00 FEET TO THE POINT OF BEGINNING

LESS THAT PORTION LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF TRACTS 45 AND 48 OF TAMPA-TARPON SPRINGS LAND COMPANY SUBDIVISION OF SECTION 8, TOWNSHIP 26 SOUTH, RANGE 16 EAST AS SHOWN ON PLAT RECORDED IN PLAT BOOK 1, PAGES 68, 69 AND 70 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, LYING WITHIN 25.00 FEET OF THE FOLLOWING DESCRIBED CENTERLINE. COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 SECTION 8 AND RUN THENCE SOUTH 89°52'00" EAST ALONG THE SOUTH BOUNDARY OF SAID SECTION 8, A DISTANCE 1,343.45 FEET TO A POINT, SAID POINT BEING 25.00 FEET EAST OF THE SOUTHEAST CORNER OF SILVER OAKS HILL SUBDIVISION AS SHOWN ON PLAT RECORDED IN PLAT BOOK 8, PAGE 18 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE NORTH 0°15'32" WEST PARALLEL TO AND 25.00 FEET EAST OF THE MOST EASTERN BOUNDARY OF SAID SILVER OAKS SUBDIVISION, 483.02 FEET TO AN INTERSECTION WITH AN EASTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF RIDGEWOOD DRIVE; THENCE ALONG A CURVE TO THE LEFT WHICH CHORD BEARS NORTH 10°26'26" WEST, A DISTANCE OF 70.71 FEET, ARC EQUALS 71.08 FEET AND RADIUS EQUALS 200.00 FEET; THENCE ALONG A CURVE TO THE RIGHT WHICH CHORD BEARS NORTH 10°26'26" WEST, A DISTANCE OF 70.71 FEET, ARC EQUALS 71.08 FEET AND RADIUS EQUALS 200.00 FEET TO A POINT ON THE EAST BOUNDARY OF TRACT 48 OF TAMPA-TARPON SPRINGS LAND COMPANY SUBDIVISION OF SAID SECTION 8, THENCE NORTH 0°15'32" WEST ALONG SAID EAST BOUNDARY OF SAID TRACT 48, A DISTANCE OF 403.80 FEET; THENCE ALONG A CURVE TO THE LEFT WHICH CHORD BEARS NORTH 10°26'26" WEST, A DISTANCE OF 70.71 FEET, ARC EQUALS 71.08 FEET AND RADIUS EQUALS 200.00 FEET; THENCE ALONG A CURVE TO THE RIGHT WHICH CHORD BEARS NORTH 10°26'26" WEST, A DISTANCE OF 70.71 FEET, ARC EQUALS 71.08 FEET AND RADIUS EQUALS 200.00 FEET TO A POINT WHICH IS 25.00 FEET WEST OF THE EAST BOUNDARY OF TRACT 45 OF SAID TAMPA-TARPON SPRINGS LAND COMPANY SUBDIVISION OF SAID SECTION 8, THENCE NORTH 0°15'32" WEST PARALLEL TO SAID EAST BOUNDARY OF SAID TRACT 45, A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID TRACT 45, SAME BEING THE NORTH BOUNDARY OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8 TO POINT OF TERMINUS

LESS AND EXCEPT ANY PORTION THEREOF, CONVEYED TO WARREN A. CLARK AND CAROL CLARK, BY VIRTUE OF THAT CERTAIN DEED, RECORDED IN OFFICIAL RECORDS BOOK 1077, PAGE 1227, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACT 47 OF TAMPA-TARPON SPRINGS LAND COMPANY SUBDIVISION OF SECTION 8, TOWNSHIP 26 SOUTH, RANGE 16 EAST, AS SHOWN ON PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 68, 69, AND 70 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE RUN ALONG THE SOUTH LINE OF SAID SECTION 8, SOUTH 89° 38' 19" EAST, A DISTANCE OF 1318.44 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF TRACT 48 OF SAID SECTION 8; THENCE RUN NORTH 0° 02' 16" WEST, A DISTANCE OF 533.02 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF RIDGEWOOD DRIVE AS IT IS NOW ESTABLISHED WITH THE EAST BOUNDARY LINE OF SAID TRACT 48; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID RIDGEWOOD DRIVE, NORTH 89° 38' 19" WEST, A DISTANCE OF 445.63 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID RIDGEWOOD DRIVE, NORTH 89° 38' 19" WEST, A DISTANCE OF 264.55 FEET; THENCE NORTH 0° 02' 16" WEST, A DISTANCE OF 329.37 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SUNSET BOULEVARD AS IT IS NOW ESTABLISHED; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SUNSET BOULEVARD, SOUTH 89° 37' 10" EAST, A DISTANCE OF 264.55 FEET; THENCE SOUTH 00° 02' 16" EAST, A DISTANCE OF 329.28 FEET TO THE POINT OF BEGINNING

OF THE PUBLIC RECORD A OF PASCO COUNTY, FLORIDA, PREVIOUSLY CONVEYED TO THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, BY WARRANTY DEED DATED JANUARY 20, 1971, SAID WARRANTY DEED BEING RECORDED IN OFFICIAL RECORD BOOK 529, PAGE 770 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 2, C. E. CRAFT'S SUBDIVISION NO. 5, AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 2, PAGE 62 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, THENCE RUN ALONG THE SOUTH BOUNDARY LINE OF SAID BLOCK 2, NORTH 89°48'27" WEST, A DISTANCE OF 32.62 FEET; THENCE RUN SOUTH 0°02'16" EAST, A DISTANCE OF 38.73 FEET TO THE NORTH BOUNDARY LINE OF SAID TRACT 45, FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING 50.00 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT 45; THENCE PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 45, SOUTH 0°02'16" EAST A DISTANCE OF 10.00 FEET; THENCE PARALLEL WITH THE NORTH BOUNDARY LINE OF SAID TRACT 45, NORTH 89°37'10" WEST, A DISTANCE OF 807.35 FEET TO THE SOUTHERLY EXTENSION OF THE WEST BOUNDARY LINE OF LOT 8, BLOCK 1, OF SAID C.E. CRAFTS SUBDIVISION NO. 5; THENCE NORTH 0°05'27" WEST, A DISTANCE OF 10.00 FEET TO THE NORTH BOUNDARY LINE OF SAID TRACT 45, THENCE ALONG THE NORTH BOUNDARY LINE OF SAID TRACT 45, SOUTH 89°37'10" EAST, A DISTANCE OF 807.36 FEET TO THE POINT OF BEGINNING.

PARCEL C:

ALL OF LOTS 7, 8, 10, 11 AND 14; THE SOUTH 25 FEET OF LOTS 5 AND 6; AND THE EAST 50 FEET OF LOTS 9 AND 12, ALL LYING IN BLOCK 3 OF PLAT OF RUSH BROTHERS PALM HAVEN ADDITION TO NEW PORT RICHEY, AS RECORDED IN PLAT BOOK 2, PAGE 11, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, IN SECTION 8, TOWNSHIP 26 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA.

PARCEL D:

LOT 3, BLOCK 1, C.E. CRAFT'S NO. 5, SAID LOT, BLOCK AND SUBDIVISION BEING NUMBERED AND DESIGNATED IN ACCORDANCE WITH THE PLAT OF SAID SUBDIVISION AS THE SAME APPEARS OF RECORD IN PLAT BOOK 2 AT PAGE 62 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

PARCEL E:

LOTS 1, 2, 4, 5, 6, AND 7, BLOCK 1, C.E. CRAFTS SUBDIVISION NO. 5, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 62, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

A PORTION OF VACATED RIGHT-OF-WAY FILED JULY 13, 1989, RECORDED IN BOOK 1823, PAGE 1328 OF OFFICIAL RECORDS, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

PARCEL F - VESTING 955-1776 (BLUE):

LOTS 8 THROUGH 23 INCLUSIVE, BLOCK 1; ALSO LOTS 1 THROUGH 16 INCLUSIVE, BLOCK 2; ALSO THAT PORTION OF ASPEN STREET (MAGNOLIA STREET) LYING BETWEEN SAID BLOCKS 1 AND 2, AS VACATED BY THE BOARD OF COUNTY COMMISSIONERS IN OFFICIAL RECORD BOOK 166, PAGES 227 AND 228; ALL LYING IN C.E. CRAFT'S SUBDIVISION NO. 5, AS SHOWN ON PLAT RECORDED PLAT BOOK 2, PAGE 62 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; ALSO LOTS 9, 12 AND 13 BLOCK 3, PALM HAVEN ADDITION AS SHOWN ON PLAT RECORDED IN PLAT BOOK 2, PAGE 11 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; LESS THE EAST 50.00 FEET OF SAID LOTS 9 AND 12.

AND INCLUDING THAT PORTION OF VACATED SCHOOL ROAD LYING ADJACENT TO THE ABOVE DESCRIBED PARCEL AS VACATED BY COUNTY COMMISSIONERS OF PASCO COUNTY RECORDED IN BOOK 1009, PAGE 213 OF OFFICIAL RECORDS, OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

# Exhibit B

## Future Land Use Map

