

ORDINANCE # 2016-2095

AN ORDINANCE AMENDING THE CITY OF NEW PORT RICHEY COMPREHENSIVE PLAN; AMENDING TABLE FLU 1.1.3 TO INCREASE MAXIMUM RESIDENTIAL DENSITY IN THE DOWNTOWN (D) FUTURE LAND USE CATEGORY FROM 15 DWELLING UNITS PER ACRE TO 20 DWELLING UNITS PER ACRE, TO INCREASE MAXIMUM RESIDENTIAL DENSITY IN THE DOWNTOWN CORE (DC) FUTURE LAND USE CATEGORY FROM 30 DWELLING UNITS PER ACRE TO 40 DWELLING UNITS PER ACRE, TO ENCOURAGE GROUND FLOOR RETAIL USES IN THE DOWNTOWN FUTURE LAND USE CATEGORY AND TO CLARIFY THAT PORTIONS OF THE DOWNTOWN CORE FUTURE LAND USE CATEGORY HAD BEEN DESIGNATED WITH THE DOWNTOWN FUTURE LAND USE CATEGORY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. Seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each municipality in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the state land planning agency; and

WHEREAS, the City of New Port Richey has adopted a Comprehensive Plan pursuant to the Growth Management Act of 1985; and

WHEREAS, the City recognizes a need for downtown resiliency and sustainability; and

WHEREAS, the City seeks downtown development that is compatible with surrounding areas; and

WHEREAS, the subject area is fully and adequately served by public facilities and services including significant downtown recreational, cultural, and civic assets; and

WHEREAS, the request would not increase the population in the Coastal High Hazard Area as anticipated by the adopted Future Land Use Map; and

WHEREAS, the City adopted Ordinance #2015-2052 to establish the DC, Downtown Core Plan Category, to allow for a higher density of 30 dwelling units per acre; and

WHEREAS, the City finds that increasing the Downtown Plan Category maximum density to 20 dwelling units per acre and the Downtown Core Plan Category maximum density to 40 dwelling units per acre are necessary to encourage and accommodate proposed development in the City's downtown; and

WHEREAS, the Local Planning Agency of the City of New Port Richey held a duly noticed public hearing on October 20, 2016, in accordance with the procedures in Chapter 163, Part II, Florida Statutes, on the proposed Comprehensive Plan amendment and considered the findings and advise of staff, citizens and all interested parties submitting written and oral comments and has recommended adoption to the City Council; and

WHEREAS, the Local Planning Agency recommended the City Council transmit the subject Expedited State Review Comprehensive Plan amendment to the Florida Department of Economic Opportunity for its review and comment; and

WHEREAS, the City Council of the City of New Port Richey finds and declares that this amendment is consistent with the adopted Comprehensive Plan.

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

SECTION I. That Future Land Use Element Table FLU 1.1.3 is hereby amended as set forth below:

Table FLU 1.1.3 Future Land Use Map Categories New Port Richey 2030 Comprehensive Plan				
FLUM Category	Purpose	Uses		Gross Density/Intensity and Locational Criteria
		Primary	Secondary	
MIXED USE CATEGORIES				
Downtown (D)	<ul style="list-style-type: none">• To encourage and maintain the redevelopment of Downtown as the financial, commercial, governmental, cultural and recreational center of West Pasco through continued enhancement to its multi-modal accessibility, appearance, historic resources, utilization and facilities.• Provide a mix of housing that responds to the City’s changing household demographics (e.g., age, household formation/size, income, etc.).	<ul style="list-style-type: none">• Residential• Transient Accommodation• Office• Retail• Public/ Semi-Public• Recreation/ Open Space	<ul style="list-style-type: none">• Residential Equivalent¹• Urban Agriculture⁴	<ul style="list-style-type: none">• Residential: A range from 5.0-20.0 15.0 dwelling units per acre• Intensity: A range from 0.0-2.0 FAR.• Residential Equivalent: Maximum of 2.0 beds per residential density per acre.• Sites greater than 1.0 acre shall be required to incorporate a residential component.• <u>Ground floor retail uses are encouraged. Residential developments shall include ground floor retail uses.</u>
Downtown Core (DC)	<p>In addition to those purposes identified for the Downtown future land use category, the purpose of the Downtown Core category is to:</p> <ul style="list-style-type: none">• Encourage the best use of the premium location and to strengthen the city’s core.• Provide for a critical mass of residential and	<ul style="list-style-type: none">• Residential• Transient Accommodation• Retail• Service• Office	<ul style="list-style-type: none">• Public/ Semi-Public• Recreation/ Open Space• Residential Equivalent¹• Urban Agriculture⁴	<ul style="list-style-type: none">• Residential: 10 – 40.0 30.0 dwelling units per acre.• Intensity: 0.0 - 2.0 FAR.• Residential Equivalent: Maximum of 2.0 beds per residential density per acre.• Sites greater than 1.0 acre are required to incorporate a residential component.• Ground floor retail uses are encouraged.• Sites located within the

	non-residential uses that support a resilient and sustainable urban center. <ul style="list-style-type: none"> • Provide for a functional mix of downtown-appropriate development that offers a high-quality public realm with interesting places to live, work, and socialize. 			Coastal High Hazard Area may not include a residential component that is greater in density than allowed by the <u>Downtown Plan Category</u> site's former land use designation unless development rights for the additional increment of density have been approved through the City's Coastal Transfer of Development Rights program. <ul style="list-style-type: none"> • Any increase in density exceeding that permitted by a site's existing zoning must be based, in part, upon a finding that the proposed change is compatible with the existing uses, density, intensity, and scale of development in the surrounding area.
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NOTES: *(excerpt)*

1. Residential Equivalent: A residential-like accommodation other than a dwelling unit, including group home, congregate care, nursing home, and comparable assisted living facilities.
4. Urban Agriculture: Agricultural activity, including the cultivation, processing and distribution of plants and other food products. This use may include horticulture, indoor crop production (including aeroponic, aquaponic or hydroponic systems) and wholesale and/or retail sales. The raising and processing of livestock is prohibited.

SECTION II. Severability. If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, clauses or phrases and their application shall not be affected thereby.

SECTION III. Incorporation Into Comprehensive Plan. Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of New Port Richey Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION IV. Effective Date and Legal Status of the Plan Amendment. This Ordinance shall become effective as provided by law.

The above and foregoing ordinance was read and approved on first reading at the duly convened meeting of the City Council of the City of New Port Richey, Florida, this _____ day of _____, 2016.
 The above and foregoing ordinance was read and approved on second reading at the duly convened meeting of the City Council of the City of New Port Richey, Florida, this _____ day of _____, 2017.

ATTEST:

(SEAL)

CITY OF NEW PORT RICHEY,
FLORIDA

Judy Meyers, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney