

ORDINANCE NO. 2020-2179

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE (LDC) ZONING DISTRICT MAP; GRANTING TO THE OWNER RNTC, LLC A DEVELOPMENT ORDER APPROVING A CHANGE IN THE ZONING DISTRICT AS IS DISPLAYED IN EXHIBIT A FROM GENERAL COMMERCIAL (C-2) TO LIGHT INDUSTRIAL (LI) FOR A 0.726 ACRE PROPERTY, THE STREET ADDRESS BEING 6656 AND 6700 ORCHID LAKE ROAD, THE PARCEL IDENTIFICATION NUMBER BEING 33-25-16-015A-00000-0240, AND THE LEGAL DESCRIPTION PROVIDED IN EXHIBIT B; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes § 163.3202(1) 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; and

WHEREAS, on June 29th, 1989, the City Council adopted Ordinance Number 1203, which Ordinance approved the City's Comprehensive Plan, which includes a 2030 Future Land Use Map; and

WHEREAS, on November 19th, 1991, the City Council adopted Ordinance Number 1268, which ordinance enacted the City's Land Development Code (LDC), which provides for a Zoning District Map; and

WHEREAS, LDC § 5.01.00 addresses the procedure for obtaining a change to the Zoning District Map; and

WHEREAS, RNTC, LLC a Florida Limited Liability Corporation, is the owner of a 31,661+ square foot (0.726 acre) real property located at 6656 and 6700 Orchid Lake Road, New Port Richie, Florida; and

WHEREAS, the Future Land Use Map shows the property is located within the Industrial category and the Zoning District Map shows the property is situated in the General Commercial (C-2) zoning district; and

WHEREAS, the Owner has leased the premises to a granite fabrication business and that land use is prohibited in the C-2 zoning district but is a permitted use in the Light Industrial (LI) zoning district; and

WHEREAS, in order to bring the business in compliance, the Owner has filed with the Development Department a Zoning District Map amendment (i.e., rezoning) application (REZ 2019-07) and fee to change the zoning from C-2 to LI district; and

WHEREAS, the Development Department has reviewed rezoning application REZ 2019-07 and concludes it is consistent with the application filing requirements in LDC § 5.01.02; and

WHEREAS, the Development Department concludes rezoning application REZ 2019-07 is consistent with LDC § 5.01.03 because the public notice requirements have been met; and

WHEREAS, the Development Review Committee has reviewed rezoning application REZ 2019-07 consistent with LDC § 3.11.02 and has recommended the application be approved; and

WHEREAS, the Development Department has prepared a staff report and reviewed rezoning application REZ 2019-07 against the guidelines in LDC § 5.01.10 and concludes the rezoning application should be forwarded to the LDRB with a recommendation the Ordinance be adopted; and

WHEREAS, at the duly noticed Land Development Review Board (LDRB) regular public hearing held on May 21st, 2020, 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; and

WHEREAS, at the duly noticed City Council regular public hearing held on June 2nd, 2020, the City Council on first reading considered the Development Department and LDRB staff report and recommendations and all competent substantial evidence presented at the hearing, and approved the Ordinance; and

WHEREAS, at the duly noticed City Council regular public hearing held on June 16th, 2020, 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.

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

Section 1. Ratification. The foregoing “Whereas” clauses and staff report are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. Rezoning approved. The City Council hereby grants to RNTC, LLC an amendment to the Zoning District Map from General Commercial (C-2) to Light Industrial (LI) as is displayed in Exhibit A.

Section 3. Property description. The property subject to this Zoning District Map amendment has a size of 31,661+ square foot (0.726 acre) and is located at 6656 and 6700 Orchid Lake Road, New Port Richey, Florida, the parcel identification number being 33-25-16-015A-00000-0240, and the legal description provided in Exhibit B.

Section 4. Effective date. This Ordinance shall be effective immediately upon its adoption.

The foregoing Ordinance was duly 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 May, 2020 and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 19th, day of May, 2020.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor – Councilmember

(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney

EXHIBIT A ZONING DISTRICT MAP CHANGE

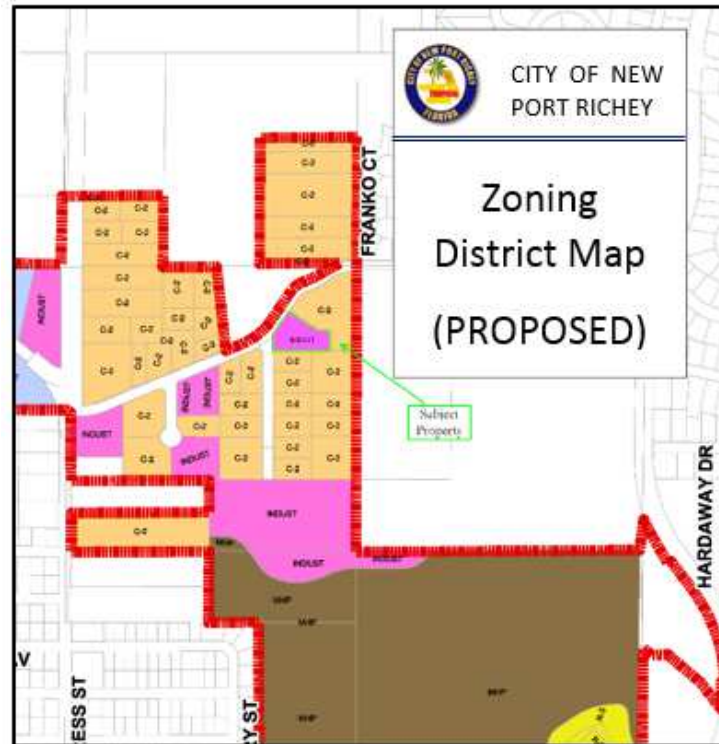


EXHIBIT B LEGAL DESCRIPTION

Parcel 5 being further described as follows:

A portion of Lot 24 and Lot 25, Oreto and Francine Commercial Center First Addition, as shown on plat recorded in Plat Book 23, Pages 131 thru 134, inclusive of the Public Records of Pasco County, Florida; being more particularly described as follows:

Commence at the Southeast corner of said Lot 25; thence South $89^{\circ}52'47''$ West 120.01 feet to the Point of Beginning; thence continue South $89^{\circ}52'47''$ West 261.77 feet to the Easterly right of way of Rutilio Court; thence along the Easterly right of way of Rutilio Court North $00^{\circ}16'18''$ East 66.10 feet; thence 18.13 feet along the arc of a curve concave to the East; said curve having a radius of 25.00 feet and a chord which bears North $21^{\circ}02'45''$ East 17.73 feet; thence along the arc of a curve on the Southerly right of way of Orchid Lake Road 52.05 feet; said curve being concave to the West; having a radius of 375.00 feet and a chord which bears North $37^{\circ}50'37''$ East 52.00 feet; thence North $33^{\circ}52'03''$ East 65.37 feet; thence South $56^{\circ}07'57''$ East 162.49 feet; thence North $89^{\circ}52'47''$ East 52.62 feet; thence South $00^{\circ}30'39''$ West 87.01 feet to the Point of Beginning.

Together with and subject to easements for ingress, egress and utilities as set out in mutual grant and reservation of easement agreement as recorded in O. R. Book 3158, Page 33 and corrective easement recorded in O. R. Book 3199, Page 582, Public Records of Pasco County Florida.