



LAND USE PLAN AMENDMENT & REZONING APPLICATION

City of New Port Richey
 Planning and Development Department
 City Hall, 5919 Main Street, 1st Floor
 New Port Richey, FL 34652
 Phone (727) 853-1044 * Fax (727) 853-1052

Case #: 1019 2020-0003
 Land Use Plan Amendment Rezoning
 Send copy to Pasco County, if w/in 1 mile
 Send to Pasco Schools, if residential

DRC Date: 10.11.2020 LDRB Date: 11.19.2020
 Date Received:



- Submit one original signed and notarized application
- Submit original signed and sealed survey
- Submit 1 digital version of application
- Submit application fees: \$750 for small-scale land use plan amendment; \$1,000 for large-scale land use plan amendment; \$750 for rezoning (checks made payable to the *City of New Port Richey*)

Property Owner and Representative Information:

Current Property Owner(s): VS NP RICHEY, LLC		Phone: C/O Brian Aungst (727) 444-1403
Owner Address: 260 East Brown Street Suite 380 Birmingham, MI 48009		
Owner Email Address: C/O Brian Aungst bja@macfar.com		
Owner's Representative(s): Brian Aungst	Relationship to Owner: Attorney	
Representative Mailing Address: 625 Court Street, Suite 200, Clearwater, FL 33756		
Representative Email Address: bja@macfar.com	Phone: (727) 444-1403	
Primary contact: <i>(This is the <u>one</u> person to whom the City will send all communication regarding this application)</i>		

Property Information:

Site Address: 6120 Congress Street New Port Richey, FL 34653		
General Location: South of Main Street East of Cogress Street. Directly behind US Post Office		
Size of Site:	Square Feet: 85,813	Acres: 1.97
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal) Portion of Tracts 41 and 42, Port Richey Land Company Subdivision of Section 4, Township 26 South, Range 16 Further Described as Follows: The South 194.98 Feet of Tract 42 and the South 70.00 Feet of Tract 41, Less the West 25 Feet Thereof Said Portion of Tract 41 For Road Right-of-Way		
Parcel Number(s): 04-26-16-0010-04100-0020		

Zoning District Planning and Development will complete MF-30	Proposed Zoning District (<i>check with Development Department</i>): MF-30 (Existing/No Change)
Future Land Use Category Planning and Development will complete LMD	Proposed Future Land Use Category (<i>check with Development Department</i>): HDR-30
Existing Use (<i>Include number of residential units/ and or square footage of non-residential uses</i>): 126 Unit Assisted Living Facility	Proposed Use (<i>Include number of residential units/ and or square footage of non-residential uses</i>): No Change

How is proposal consistent with the goals and objectives of the Comprehensive Plan?

Please see enclosed Narratvie Report by Robert Pergolizzi, AICP and Development Review Report prepared by City Planning Staff.

Consistency with Concurrency: The following calculations shall be used to determine the projected demand of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type. (*Please fill in blanks.*)

<p>POTABLE WATER - Adopted level of service (LOS) = 152 gal/day/capita (nonresidential uses are included in the adopted LOS). Existing Onsite No Change</p> <p>Residential:</p> <p><i>Single-family:</i> 152 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><i>Multi-family:</i> 152 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p>WASTEWATER - Adopted level of service (LOS) = 114 gal/day/capita (nonresidential uses are included in the adopted LOS). Existing Onsite No Change</p> <p>Residential:</p> <p><i>Single-family:</i> 114 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><i>Multi-family:</i> 114 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>
--	---

<p>SOLID WASTE - Adopted level of service (LOS) = 6.3 lbs/day/capita (nonresidential uses are included in the adopted LOS).</p> <p>Residential:</p> <p><i>Single-family:</i> 6.3 lbs × 2.12 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><i>Multi-family:</i> 6.3 lbs × 1.90 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p>Commercial: See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p>RECREATION/OPEN SPACE - Refer to the New Port Richey Comprehensive Plan for adopted level of service standards.</p> <p><i>Single-family:</i> _____ units × 2.12 persons/household = _____ (population projection)</p> <p><i>Multi-family:</i> _____ units × 1.90 persons/household = _____ (population projection)</p> <p>Sites over five acres in area and zoned MF-30 District shall provide five percent of the total net acreage of the development for recreational purposes. Refer to Section 7.06.07 of the Land Development Code.</p>
--	---

Stormwater Management. Refer to the Stormwater Management and Erosion Control Policy and Procedures Manual for standards necessary to comply: LOS = 25-year, 24-hour storm event.

Transportation. Refer to the New Port Richey Comprehensive Plan for the adopted Level of Service Standards. Refer to the Land Development Code for the requirements of a **Transportation Study**.

1. Determine the number of trips generated by the proposed project during the **PM PEAK** hour using the most recent edition of the ITE "Trip Generation" report with no adjustments for internal capture or passerby trips. **Include your calculation(s) here:** _____.
2. If the total number of trips is equal to or greater than 50 trips, then a transportation study shall be prepared. The report shall be signed and/or sealed by either a registered professional engineer or a member of the American Institute of Certified Planners.
 - a. If no study is required, the applicant is required to provide only the existing directional **PM PEAK** hour traffic volumes and level of service for the roadway link to which project driveways connect. This information shall include project traffic. **Provide this information here:** _____.
 - b. The data shall be in conformance with Notes 3a and 3b of "Existing Conditions" contained in the Land Development Code.
3.
 - a. Existing directional **PM PEAK** hour traffic volumes and LOS on all existing collectors/arterials in study area. **Provide information here:** _____.
 - b. Existing turning movement volumes at the impacted intersection(s) and intersection LOS.

Process:

A pre-application meeting will be held with City Staff to ensure the application is complete. Applications must be submitted on Friday by 10:00 am. Once deemed complete, the application will be scheduled for review by the Development Review Committee (DRC). The DRC will review the application for compliance with codes and regulations. Changes may be suggested and additional reviews by the DRC may be necessary. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) and City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about my application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Land Use Plan Amendment/Rezoning Application. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

Attendance at meetings:

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1039 to find out when this case will be scheduled for these meetings.

Submittal Information Authorization to visit the property:

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

Authorization for owner's representative(s):

I Scott Clark, the owner, hereby authorize Brian Aungst to act as my representative(s) in all matters pertaining to the processing and review of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): [Signature]

Date: 10/10/20

Subscribed and sworn to before me this 13th day of October, 2020

who is personally known to me and/or produced _____ as identification

STATE OF FLORIDA, COUNTY OF PASCO



Notary Public: [Signature] My Commission Expires: 09/23/2022

Applicant's Affidavit:

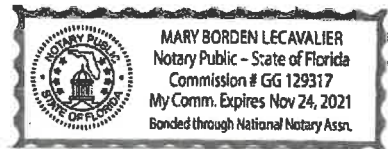
I Brian Aungst, the owner or authorized representative, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. It is also acknowledged that the filing of this application does not constitute automatic approval of the request and, further, if the request is approved, I will obtain all necessary permits to comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Owner or Authorized Representative: [Signature] Date: 10/15/20

Subscribed and sworn to before me this 15th day of October, 2020

who is personally known to me and/or produced _____ as identification.

STATE OF FLORIDA, COUNTY OF PASCO



Notary Public: [Signature] My Commission Expires: _____

**GRAND VILLA ALF
6120 CONGRESS STREET
NARRATIVE SUMMARY
LAND USE PLAN AMENDMENT**

Owner: VS NP RICHEY, LLC
260 E Brown St., Suite 380
Birmingham, MI 48009

Management Company:
Senior Management Advisors, Inc. (Attn: Scott Clark)
13770 58th Street N., Suite 312
Clearwater, FL 33760

Attorney: Mr. Brian Aungst
MacFarlane Ferguson McMullen
625 Court Street, Suite 200
Clearwater, FL 33756

Architect: Behar-Peterencz Architecture (Attn: Joshua Whitaker)
2430 Terminal Drive South
St. Petersburg, FL 33712

Planning/Engineering Consultant:
Robert Pergolizzi, AICP/PTP
Gulf Coast Consulting, Inc.
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760

Parcel ID # 04-26-16-0010-04100-0020 – 6120 Congress Street

I. INTRODUCTION

The subject property contains 1.97 acres and is located on the east side of Congress Street approximately 550 feet south of the Main Street intersection. The subject property currently contains a 126 bed assisted living facility (Grand Villa ALF) was constructed in 1986 prior to the adoption of the City of New Port Richey Comprehensive Plan in 1989.

The site is presently zoned MF-30 (High Density Residential) and the existing use as an ALF is a permitted use consistent with this zoning district. However, due to an apparent oversight the corresponding Future Land Use of High Density Residential-30 (HDR-30) was never assigned to this parcel to provide consistency with the zoning. Presently the Future Land Use Designation on the subject property is Low-Medium Residential-10 (LMDR-10). Zoning and land use should always be internally consistent with each other. Therefore, to resolve this internal inconsistency, the applicant seeks this amendment to the land use plan to High- Density Residential-30 (HDR-30). This is considered a small scale amendment since the property is only 1.97 acres.

II. LAND USE

The subject site is presently developed with an ALF which has MF-30 zoning. The surrounding uses are mixed and are as follows:

North: Retail shopping center on the corner of Main Street/ Congress Street having General Commercial Land Use and C-1 zoning. Also a US Post Office on land having Public/Semi-Public Land Use and MF-30 zoning. Both of these uses front on Main Street.

South: Bonnie Dale Villas (multi-family) development in unincorporated Pasco County on land having Residential 12 (RES-12) Land Use and Multi-Family Medium (MF-1) zoning. Residential 12 land use allows up to 12 units per acre.

East: The Wilds multi-family development on land having HDR-30 Land Use and MF-30 zoning in the City of New Port Richey.

West: Immediately adjacent is the existing Southern Pines Nursing Home on land having LMDR-10 Land Use and MF-30 zoning, and on the west side of Congress Street single-family homes on land having LMDR-10 Land Use and MF-30 zoning in the City of New Port Richey.

The mixed-use area contains retail commercial, Post Office, high-density multi-family development, an ALF on the subject property and a nursing home. The change in land use from LMDR-10 to HDR-30 would serve as a transition from the higher density to the north and east, to the lower density to the south. Furthermore, a change to HDR-30 will allow the existing ALF to become a conforming use.

Under the HDR-30 Future Land Use designation, the 1.97 acre site would have a maximum density of 59 dwelling units, and using the conversion ratio of 1 unit = 3 ALF beds, a maximum ALF density of 177 beds. Since the property is already zoned MF-30, a companion zoning is not needed since the MF-30 zoning is fully consistent and compatible with the requested HDR-30 land use.

III. TRANSPORTATION

The property is regulated by the City of New Port Richey and currently contains a 126 bed ALF. Assisted Living Facilities are low traffic generators, per Institute of Transportation Engineers (ITE) Trip Generation, 5th Edition rates an increase of beds up to the maximum 177 beds could potentially generate an additional 133 daily trips and 13 PM peak hour trips which is minimal impact.

IV. UTILITIES

Potable water and sanitary sewer lines are located within the Congress Street Right-Of-Way and already serve the property. There would be no change to the existing system.

V. FLOOD PLAIN/ WETLANDS/TOPOGRAPHY

Based on FEMA data the site lies within Flood Zone X which is out of the 500-year floodplain. This is an area of minimal flooding per FIRM Map 12101C0352G dated June 5, 2020. There are no wetlands on the site per the National Wetlands Inventory (NWI) Maps. Topography of the site is nearly level with an elevation of 19 feet at the base of the building, the site slopes upward to elevation 29 at Congress Street.

There are no physical or environmental impediments to redeveloping this site under HDR-30 Future Land Use and MF-30 zoning regulations.

VI. RELEVANT CONSIDERATIONS & CONCLUSION

The amendment from does not encourage the proliferation of “urban sprawl” rather it is an “infill” development since the property is surrounded by already developed properties.

The proposed amendment does not expand the existing development pattern as all surrounding properties are already developed.

The proposed amendment does not affect any agricultural areas, and utilizes existing public facilities such as roads and utilities without the need for extending such infrastructure. Therefore it maximizes the use of existing infrastructure per Future Land Use Element Policies 1.4.4 and 1.4.6.

The proposed amendment does not significantly impact public services such as roads and utilities, law enforcement, fire protection, education and health care as this is an “urban infill” site that is located in an area currently served by these services.

The proposed amendment has no impact on the retention of open space as it is already developed with an ALF and associated parking.

In summary, the plan amendment to convert 1.97 acres of property to HDR-30 on the east side of Congress Street 66th Street immediately south of Main Street is consistent with the surrounding land uses, and is well suited for HDR-30 residential (ALF) uses as part of the New Port Richey urban area.



GRAND VILLA OF NEW PORT RICHEY
6120 CONGRESS ST
AERIAL PHOTOGRAPH

CONCEPT PLAN ONLY
SUBJECT TO CHANGE BASED ON FINAL DESIGN BOUNDARY
TOPOGRAPHY, SURVEY DATA, AND LAND
CONCURRENCE. SUBJECT TO CITY PLANNING DEPT.



Site Plan
Scale: 1" = 100'
Date: 11/15/2011
Project: Grand Villa of New Port Richey
6120 Congress St
New Port Richey, FL 34653
Client: [Redacted]
Prepared by: [Redacted]



U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

October 8, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

National Flood Hazard Layer FIRMette

82°42'35"W 28°15'9"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Legend

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, ADP
- With BFE or Depth Zone AE, AH, AO, AV, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone 2)
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- No Screen
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

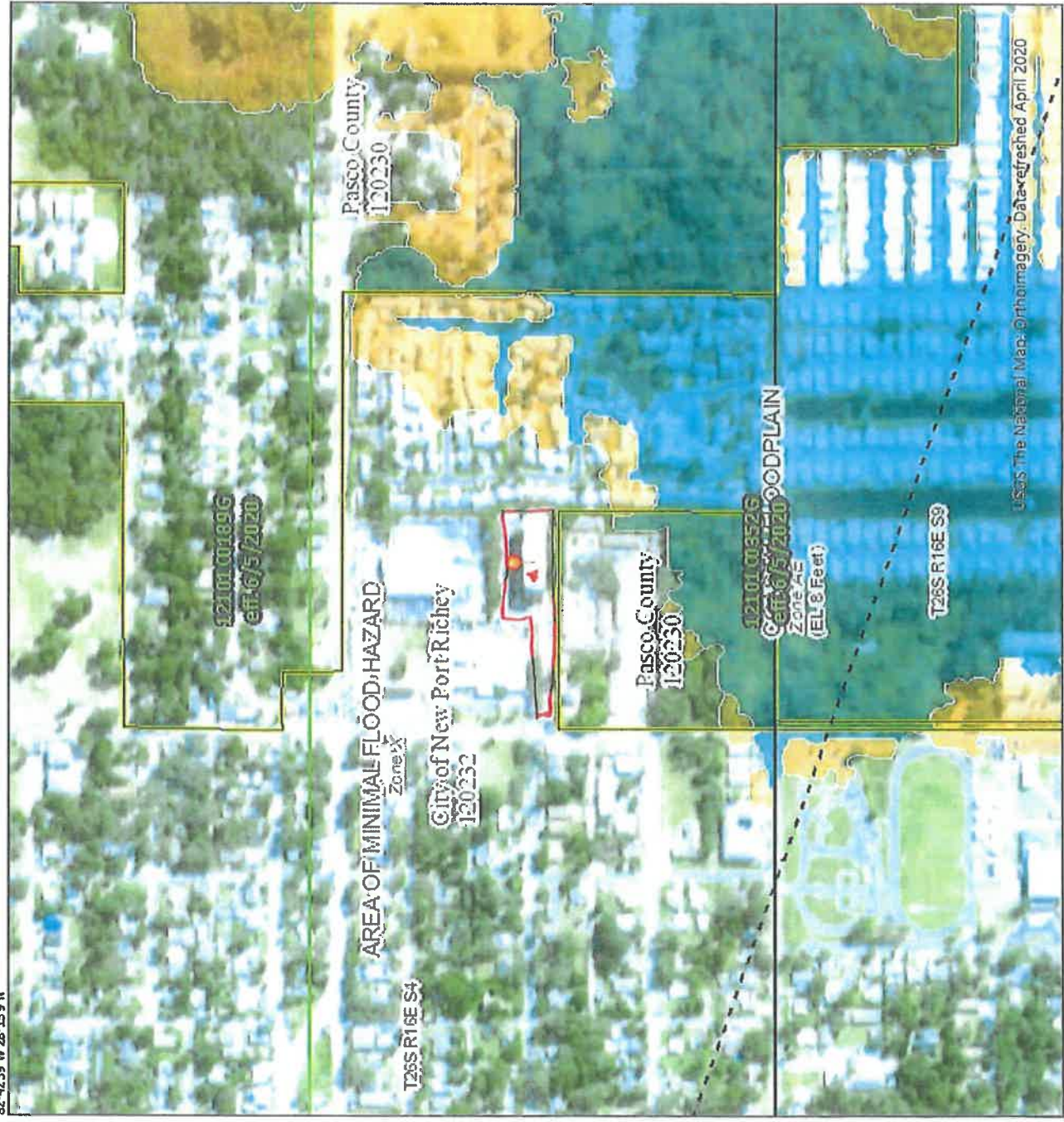
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

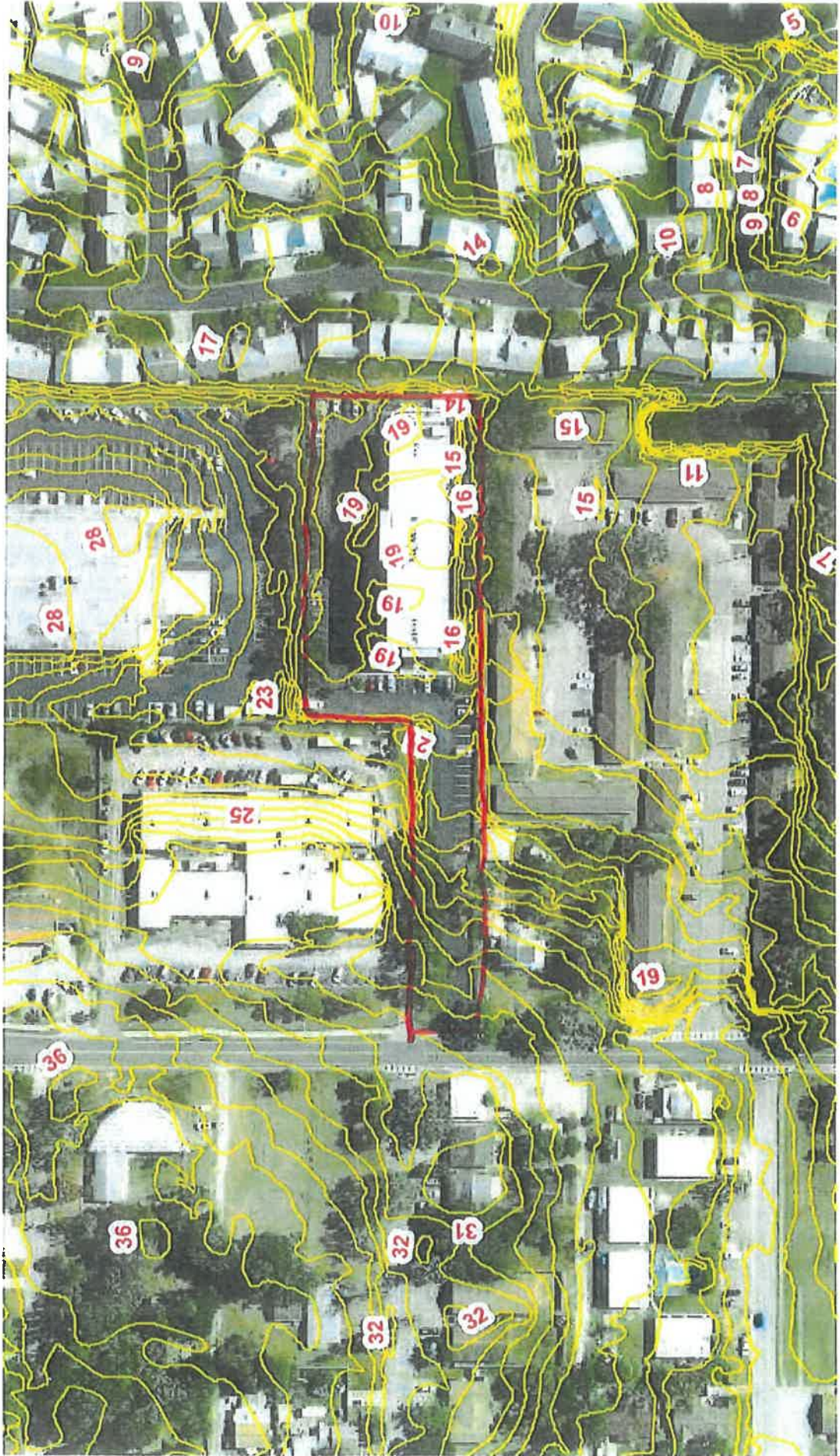
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/6/2020 at 8:28 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmemoized areas cannot be used for regulatory purposes.



82°42'35"W 28°15'9"N

0 260 500 1,000 1,500 2,000 1:6,000 Feet



Small Scale Future Land Use Map Amendment

Applicant: City of New Port Richey

Owner: VS NP Richey LLC
260 E Brown St STE 380
Birmingham, MI 48009-6223

DEVELOPMENT REVIEW REPORT

The City is requesting to amend the Future Land Use Map (FLUM) from Low Medium Density Residential – 10 (LMDR-10) to High Density Residential - 30 (HDR-30) to allow for consistency to the Future Land Use Map, Comprehensive Plan, and Land Development Regulations. The agenda request before the Land Development Review Board is a proposed Ordinance amending the Comprehensive Plan's 2030 Future Land Use Map through a Small-Scale amendment that changes the designation of 1.96-acres for property generally located at 6120 Congress Street, on the east side of Congress Street approximately three blocks south of Main Street. The Ordinance is before the Board because for small scale amendments, state law requires only one hearing with public notice.

I. BACKGROUND

This 1.96-acre parcel consists of a portion of 2 tracts of the 1911 plat of Town of New Port Richey. This parcel is located on the east side of Congress Street, approximately 3 blocks south of Main Street. The City's official zoning map shows that the zoning is MF-30 High Density Residential. The 2030 Future Land Use Map (FLUM) shows that the parcel is designated as Low Medium Density Residential (LMDR-10). The attached boundary survey describes the subject parcel in Attachment A.

This request is to change the 2030 adopted Future Land Use Map from Low Medium Density Residential – 10 (LMDR-10) to High Density Residential - 30 (HDR-30) designation for this 1.96-acre parcel. Florida Statutes Section 163.3187 allows FLUM amendments with a size less than 10-acres and meeting other requirements to be adopted with only a single adoption public hearing.

The existing Assisted Living Facility was built in 1986, prior to the adoption of the City's Comprehensive Plan and Future Land Use Map on June 29, 1989. The existing zoning and existing use are compatible with the High Density Residential – 30 Future Land Use. The existing use is not compatible with the existing Low Medium Density Residential – 10 Future Land Use Map designation adopted in 1989, after the construction of the existing facility.

Site Details	
Parcel ID	04-26-16-0010-04100-0020
Address	6120 Congress Street
Acres	1.96 acres more or less
Site Area	85,377.6 sq ft more or less
Existing Future Land Use	Low Medium Density Residential (LMDR-10)

Existing Zoning	MF-30 High Density Residential
Proposed Future Land Use	High Density Residential - 30
Existing Use	Assisted Living Facility (Adult Congregate Care)
Proposed Use	Assisted Living Facility (Adult Congregate Care)

The subject property's zoning designation is MF-30 High Density Residential and will remain unchanged. The MF-30 multifamily high-density district is created to provide for high density apartment development use. The maximum density permitted in this district is thirty (30) dwelling units per net acre. Adult congregate care facilities are specifically allowed in the zoning district. The Residential Equivalent density for Adult Congregate Care facilities comes from Future Land Use Table 1.1.3.

The density allowed Under the existing Future Land Use of Low Medium Density Residential (LMDR-10) is a maximum of 2.0 beds per residential density per acre. This 1.96-acre parcel would allow the residential equivalent of 39 beds. The existing facility has 126 licensed beds.

Future Land Use Policy LU 1.8. notes that "those activities existing as of June 29, 1989, the effective date of this Comprehensive Plan which were conforming prior to such adoption and have now been rendered nonconforming, shall be considered grandfathered legally nonconforming uses, as defined in the Land Development Code."

The change to High Density Residential will allow those lots developed already developed with residential assisted living use to become a conforming use.

The density allowed for FLUM Category High Density Residential - 30 is a maximum of 3.0 beds per residential density per acre. Under the proposed Future Land Use this 1.96-acre parcel would allow the residential equivalent of 176 beds. This proposed change would allow for expansion of the number of beds at the facility.

A concurrent rezoning is not needed in this circumstance since the current MF-30 zoning is compatible with the requested High Density Residential - 30 (HDR-30) land use as outlined in Zoning Table 7.21.00 Land Use And Zoning Consistency and Table FLU 1.1.3.

Surrounding Zoning and Uses			
	Zoning	Future Land Use	Existing Use
North (west)	MF-30 High Density Residential	Low Medium Density Residential – 10	Nursing Home
North (east)	MF-30 High Density Residential	Public / Semi Public	US Post Office
South (west)	Unincorporated Pasco County / Professional Office PO-1	Unincorporated Pasco County / Residential – 12 du/acre	Residential / Office
South (east)	Unincorporated Pasco County / Multi Family Medium Density MF-1	Unincorporated Pasco County / Residential – 12 du/acre	Multi Family Residential
East	MF-30 High Density Residential	High Density Residential -30	Multi Family Residential
West	MF-30 High Density Residential	Low Medium Density Residential – 10	Single Family Residential

II. PROPOSED ORDINANCE

Attachment B is an Ordinance initiated by the City amending the City of New Port Richey Comprehensive Plan Future Land Use Element Map through a Small-Scale amendment that changes from Low Medium Density Residential – 10 (LMDR-10) to High Density Residential - 30 (HDR-30) the designation of 1.96 +/- acres for property generally located on the east side of Congress Street, approximately 3 blocks south of Main Street, the legal description being portion of Tracts 41 and 42, Port Richey Land Company Subdivision of Section 4, Township 26 South, Range 16 East, as shown on plat recorded in Plat Book 1, Page 61, Public Records of Pasco County, Florida, being further described as follows: The South 194.98 feet of Tract 42 and the South 70.00 feet of Tract 41, less the west 25 feet thereof of said portion of Tract 41 or road right-of-way. Incorporating the whereas clauses and staff report; and providing an effective date.

III. DATA AND ANALYSIS

Section 163.3177(1)(f), Florida Statutes, provides that all mandatory and optional elements of a comprehensive plan and plan amendments are to be based upon and appropriate data and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of amendment adoption.

A. Consistency with Section 163.3177(6)(a)8, Florida Statutes. This Section provides that Future Land Use Map (FLUM) amendments shall be based upon an analysis of three factors. The three factors and consistency of the proposed FLUM amendment with each of the three factors is addressed below.

1. *An analysis of the availability of facilities and services.*

Potable water and sanitary sewer lines are located within the right-of-way of Congress Street and are available to serve the parcel. There will be no change to the existing system.

Based on these findings, it is concluded the proposed amendment is **consistent** with Section 163.3177(6)(a) 8. Florida Statutes.

2. *An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.*

Attachment C is a flood plain map. The flood plain map shows the parcel is within the Zone X which are areas of minimal flood hazard determined using approximate methodologies.

Attachment D is a Wetlands Map. The National Wetlands Inventory Map shows that there are no wetland resources on the site.

Attachment E is an excerpt from the Pasco County Soil Survey, showing the predominant soil classification is Tavares Sand with 0 to 5% slope. These soils consist of very deep, moderately well drained soils that formed in sandy marine or eolian deposits. Tavares soils are found on the hills, ridges, and knolls of the lower Coastal Plain.

Attachment F is a topographic map and it shows the parcel has an elevation of 19-feet.

Based on the above findings, it is concluded the application is **consistent** with Section 163.3177(6)(a)8, Florida Statutes

3. *An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.* The parcel is designated Low Medium Density Residential – 10. This parcel is the minimum number of parcels needed to achieve the goals of this section and to reduce the extent of non-conforming uses.

Based on the above, it is concluded that proposed amendment is **consistent** with Section 163.3177(6)(a)8, Florida Statutes.

B. Conformance to Section 163.3177(6)(a)9. a, Florida Statutes. This section provides the future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. It requires two different types of analysis: primary indicators and urban form factors.

1. The 13 primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. An analysis of whether the proposed FLUM amendment discourages the proliferation of sprawl is addressed below.

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low density, or single-use development or uses.

The proposed amendment applies to one parcel totaling 1.96 +/- acres. Since the amendment can be processed as a small-scale amendment, by definition this does not designate a substantial area. Thus, the amendment discourages the proliferation of sprawl.

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

The proposed amendment does not designate a significant amount of land. Thus, the amendment does not encourage the proliferation of sprawl. The subject property is surrounded by previously developed properties.

c. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

The proposed change does not expand the existing urban development pattern. Thus, the amendment does not encourage the proliferation of sprawl.

d. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater

aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This staff report documents that wetlands and other environmentally sensitive areas, or floodplains are not present. Based on the above, the amendment does not encourage the proliferation of sprawl because environmental sensitive areas will be protected.

e. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

The parcel is being re-designated Low Medium Density Residential – 10 to High Density Residential - 30 and have no impact on agricultural lands. Further, the City has no lots designated Agricultural on the FLUM. Additionally, the adjacent Pasco County FLUM does not have Agricultural or Agricultural/Rural classification in proximity to the site. Based on the above, the amendment does not encourage the proliferation of sprawl because it adequately protects agricultural areas.

f. Fails to maximize use of existing public facilities and services.

Future Land Use Element (FLUE) Policy 1.4.6 provides that “The City shall promote land use patterns that maximize investments in public facilities and services (e.g., maintaining planned land use intensities adjacent to Public Transit Corridors).” Existing potable water and sanitary sewer lines run within Congress Street. Based on the above, the amendment does not encourage the proliferation of sprawl because it maximizes the use of existing public facilities and services.

g. Fails to maximize use of future public facilities and services.

FLUE Policy 1.4.4 provides that “Public facilities and utilities shall be located to maximize the efficiency of services provided; to minimize their costs; and to minimize their impacts on the natural environment.” Existing potable water and sanitary sewer lines run within Congress Street. Further, this parcel is already developed as are the surrounding parcels and this parcel is already connected to public facilities. Based on the above, the amendment does not encourage the proliferation of sprawl because it maximizes the future use of public facilities and services.

h. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

The proposed amendment does not disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. It simply replaces a lower density residential designation with a higher density residential designation, thereby alleviating nonconforming uses and potential land use incompatibilities. Thus, the amendment does not encourage the proliferation of sprawl.

i. Fails to provide a clear separation between rural and urban uses.

The change in designation is from one urban residential designation to another urban residential designation, that is, from Low Medium Density Residential – 10 to High Density Residential - 30. This use is not adjacent to Rural or Agricultural land uses. Thus, the amendment does not encourage the proliferation of sprawl.

j. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

The proposed amendment encourages the development of infill parcels by allowing further development on an existing developed site to take place. Thus, the amendment does not encourage the proliferation of sprawl.

k. Fails to encourage a functional mix of uses.

The proposed amendment would allow a mix of residential multifamily uses on this site. Moreover, this is one small 1.96-acre parcel, and while adjacent to one parcel with the same FLUM category, the other three sides are parcels which have different land use categories, enabling a mix of uses. Based on the above, the amendment does not encourage the proliferation of urban sprawl.

l. Results in poor accessibility among linked or related land uses.

The proposed amendment does not change the relationship among any linked or related land uses and does not affect the use or accessibility of any abutting parcels. This change does not restrict access and therefore this amendment does not encourage the proliferation of sprawl.

m. Results in the loss of significant amounts of functional open space.

The proposed amendment would allow expansion of use on an already developed site. The 1.96-acre site is already primarily developed and paved, and already has no significant amount of open space. Therefore, this amendment does not encourage the proliferation of sprawl.

Exhibit A

City of New Port Richey - Future Land Use Map

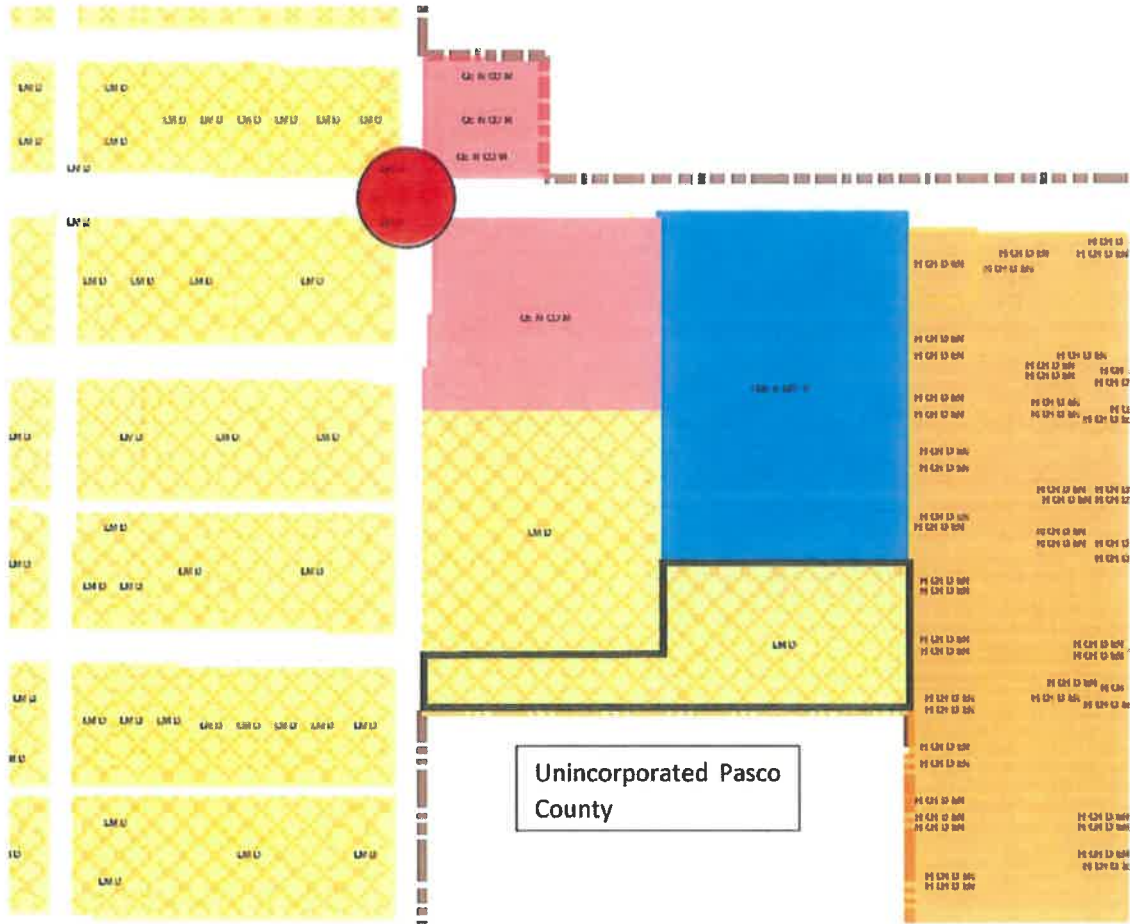


Exhibit B

City of New Port Richey – Zoning Map

