

ORDINANCE NO. 2025-2321

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 0.28 ACRES OF PROPERTY, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SHAW AND CHARLES STREETS, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT DESIGNATION FOR SAID PROPERTY FROM OFFICE DISTRICT TO MULTI-FAMILY LOW-MEDIUM DENSITY DISTRICT (MF-10); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

PROPERTY PARCEL IDENTIFICATION NUMBER: 08-26-16-0010-04900-0021

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;

WHEREAS, the LDC addresses the procedures for granting an amendment to the Zoning District Map;

WHEREAS, the applicant, Vicki Clark, has filed with the Development Department, a Rezoning (REZ) application to change the zoning district from Office to Multi-Family Low-Medium Density (MF-10) for 0.28 acres of property generally located at the southeast corner of the intersection of Shaw Street and Charles Street;

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

WHEREAS, the Development Review Committee (DRC) has reviewed the REZ application 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 REZ application be approved;

WHEREAS, the Development Department has prepared a staff report and reviewed the REZ application against the guidelines in the LDC, and concludes the REZ application is in conformance with those requirements and that the LDRB should forward

a recommendation to the City Council that the Ordinance approving the REZ application be adopted;

WHEREAS, at the duly noticed LDRB regular public hearing held on February 20, 2025, 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;

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 Office to Multi-Family Low-Medium Density (MF-10).

Section 3. Property description. The property subject to this Zoning Map amendment is located at the southeast corner of the intersection of Shaw Street and Charles Street as shown on the location map attached hereto as Exhibit “A”, and is legally described as follows:

TAMPA TARPON SPRINGS LAND CO; PLAT BOOK 1,
PAGES 68-70, PORTION OF TRACTS 49 & 50, DESCRIBED

AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF CHARLES STREET & SOUTHERLY RIGHT-OF-WAY LINE OF GULF DRIVE THEN SOUTH 00° 32' 57" WEST 240.00 FEET TO POINT OF BEGINNING THEN SOUTH 89° 36' 06" EAST 227.68 FEET THEN SOUTH 00° 32' 57" WEST 54.00 FEET THEN NORTH 89°36' 06" WEST 227.77 FEET THEN NORTN 00° 32' 57" EAST 54.00 FEET TO POINT OF BEGINNING OB A/K/A LOT 1 & LOT 2 & PORTION OF LOT 4.

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.

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 4th day of March, 2025.

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 18th day of March, 2025.

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 2-21-25

**EXHIBIT A
LOCATION MAP**

