

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 ____ day of ____, 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 ___ day of ___, 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

DRAFT

EXHIBIT A

Location Map and Legal Description



Exhibit B

Future Land Use Map

