

AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FROM COM (COMMERCIAL) TO RES- 6 (RESIDENTIAL 6 DU/GA) ON 87 ACRES M.O.L; AND AN AMENDMENT TO THE FUTURE LAND USE MAP FROM RES- 3 (RESIDENTIAL 3 DU/GA) TO RES- 6 (RESIDENTIAL 6 DU/GA) ON 60 ACRES M.O.L. OF REAL PROPERTY LOCATED NORTH OF SR 54 AND EAST OF CURLEY ROAD; AND AN AMENDMENT TO REMOVE SUBAREA POLICY FLU 7.1.3; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes, authorize and require the Board of County Commissioners of Pasco County to prepare and enforce a Comprehensive Plan for the development of the County; and

WHEREAS, the Board of County Commissioners adopted a Comprehensive Plan on June 15, 1989, which has been subsequently amended; and

WHEREAS, the Local Planning Agency, on January 29, 2015 held a public hearing on the proposed Amendment to the Comprehensive Plan with due public notice provided pursuant to Section 163.3184, Florida Statutes, and recommended approval of the Amendment to the Board of County Commissioners; and

WHEREAS, on February 24, 2015, the Board of County Commissioners held an initial public hearing on the proposed Amendment to the Comprehensive Plan, with due public notice provided, pursuant to Section 163.3184, Florida Statutes, and authorized transmittal of the proposed Amendment to the adopted Comprehensive Plan to the Florida Department of Economic Opportunity (FDEO) and other agencies to obtain review and comment on the said Amendment; and

WHEREAS, on April 20, 2015, the Board of County Commissioners received a letter of no comment from the FDEO; and

WHEREAS, no objections have been received from the other reviewing agencies; and

WHEREAS, the proposed Amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, and Chapter 163, Florida Statutes; and

WHEREAS, the Board of County Commissioners, on May 5, 2015, held an adoption public hearing on the proposed Amendment to the Comprehensive Plan with due public notice provided, pursuant to Section 163.3184, Florida Statutes, and considered all comments received during the public hearing.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. The Official Future Land Use Map Amendment

The Official 2025 Future Land Use Comprehensive Plan Map 2-15, Map Sheet No. 22, is hereby amended to change the Future Land Use (FLU) designation to amend a portion of the properties 87 acres of Commercial

(COM) to Residential 6 (RES-6), and 60 acres of Residential 3 (RES-3) to Residential 6 (RES-6), totaling approximately 147 acres m.o.l. of real property, attached hereto as Exhibit A and made a part hereof.

SECTION 2. The Pasco County Comprehensive Plan, Future Land Use Element, Subarea Policy FLU 7.1.3 is deleted in its entirety and shown below in strikethrough format:

~~CURLEY ROAD/S.R. 54 SUBAREA POLICIES~~

~~POLICY FLU 7.1.3: CURLEY ROAD/S.R. 54 SUBAREA POLICIES~~

~~Identify the Curley Road/S.R. 54 Subarea on Subarea Map 2-9 and Map 2-9(1). Any property located in this subarea shall be zoned MPUD Master Planned Unit Development and shall be governed by the terms and conditions thereof. The subarea shall consist of not more than two (2) MPUD Master Planned Unit Developments, and all MPUD Master Planned Unit Development applications shall be submitted simultaneously. Any development that would exceed the level of development allowed under this subarea policy shall require an amendment to Policy 7.1.3, and such amendment shall be supported by data and analysis that demonstrate adequate public facilities, services, and infrastructure are available to accommodate the proposed density and intensity of development. Such amendment shall be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; the requirements of Rule 9J-5, Florida Administrative Code; and Chapter 163, Florida Statutes. The maximum levels of development within the Curley Road/S.R. 54 Subarea shall be limited to the following:~~

Land Use	Square Footage/ Dwelling Units
Office	280,000 Square Feet
Retail	699,000 Square Feet
Multiple-Family Residential	1,945 Dwelling Unit

~~The general range of potential uses for the office, retail, and multiple-family residential land uses shall be established as a condition of the MPUD Master Planned Unit Development zoning approval and be consistent with the Comprehensive Plan.~~

~~The minimum upland acres for the office land uses shall be eighteen (18) acres. The location of the required office acreage shall be shown on the MPUD Master Planned Unit Development zoning master plans for any property located in the subarea.~~

~~The minimum upland acres for the multiple-family residential land uses shall be fifty-five (55) acres. The location of the required multiple-family residential acreage shall be shown on the MPUD Master Planned Unit Development zoning master plans for any property located in the subarea.~~

~~The office entitlements and the eighteen (18) acres of land necessary to construct the entitlements within the Curley Road/S.R. 54 Subarea may not be reduced, exchanged, utilized, or traded off for retail or residential entitlements, except that multiple-family residential uses vertically integrated with office uses and accessory retail located within office buildings may be located in the office land area.~~

~~The fifty-five (55) acres of land necessary to construct the multiple-family residential entitlements may not be reduced, exchanged, utilized, or traded off for retail entitlements.~~

~~Retail entitlements within the Curley Road/S.R. 54 Subarea may be reduced, exchanged, utilized, and traded off for office and multiple-family entitlements pursuant to an adopted Land Use Trade-Off Equivalency Matrix.~~

~~Multiple-family residential entitlements within the Curley Road/S.R. 54 Subarea may be reduced, exchanged, utilized, and traded off for office land uses pursuant to an adopted Land Use Trade-Off Equivalency Matrix.~~

~~In order to ensure consistency with the Economic Element of the Comprehensive Plan, the County may, upon approval of the Board of County Commissioners, waive or delay any subarea policy or Development of Regional Impact, MPUD Master Planned Unit Development, or Preliminary Development Agreement condition for a primary target industry.~~

~~If any MPUD Master Planned Unit Development zoning master plan prepared in accordance with the subarea policies exceeds applicable Development of Regional Impact thresholds, then the MPUD Master Planned Unit Development must obtain Board of County Commissioners and Florida Department of Community Affairs approval of the MPUD Master Planned Unit Development as a Development of Regional Impact in accordance with Section 380.06, Florida Statutes, and Rule 9J-2, Florida Administrative Code. Such approval may require additional amendment(s) of the Comprehensive Plan. However, any MPUD Master Planned Unit Development master plan may include entitlements that are below the Development of Regional Impact threshold. Notwithstanding the foregoing, the County and/or Florida Department of Community Affairs are under no obligation to approve the subarea or any MPUD Master Planned Unit~~

~~Construction of the entitlements identified above shall be contingent upon the developer's submittal and County's approval of the required Traffic Impact Study prior to rezoning approval and mitigation of transportation impacts as provided in the MPUD Master Planned Unit Development conditions of approval.~~

~~In the event the landowner(s) or developer(s) seek, pursuant to Section 319.9 of the Right-of-Way Preservation Ordinance, a waiver from, or compensation for, the required right-of-way dedications for the Zephyrhills Bypass, the Curley Road Extension, S.R. 54, or any other right-of-way or land areas required to be dedicated by Pasco County for roads, or in the event the landowner(s) or developers seek Transportation Impact Fee credits for such right-of-way or land, the value of such right-of-way or land shall be determined based on the land use classification and land values existing prior to the adoption of this subarea and the ROR (Retail/Office/Residential) Land Use Classification.~~

SECTION 3. REPEALER.

All provisions of the Pasco County Comprehensive Plan adopted pursuant to Ordinance No. 89-13, as subsequently amended, in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY.

Each provision of this Ordinance and all Exhibits hereto is material to the Board of County Commissioners' adoption of this Ordinance. Accordingly, these provisions are not severable. In the event any section, subsection, sentence, clause, or provision of this Ordinance and/or any Exhibits hereto is declared illegal or invalid by a body with jurisdiction to make such determination, the remainder of this Ordinance and all Exhibits hereto shall be suspended until such time that the Board of County Commissioners modifies this Ordinance and/or Exhibits hereto to address the illegal or invalid provision

SECTION 5. EFFECTIVE DATE.

A certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the Clerk to the Board within ten (10) days after adoption of this Ordinance. The effective date of this Plan Amendment, if the Amendment is not timely challenged, shall be 31 days after the state land planning agency notifies Pasco County that the Plan Amendment package is complete. If timely challenged, this Amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the Amendment to be in compliance. No development orders, development permits, or land uses dependent on this Amendment may be effective or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ADOPTED this 5th day of May, 2015.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

Paula S. O'Neil, Ph.D., Pasco County Clerk and Comptroller

Theodore J. Schrader ,Chairman

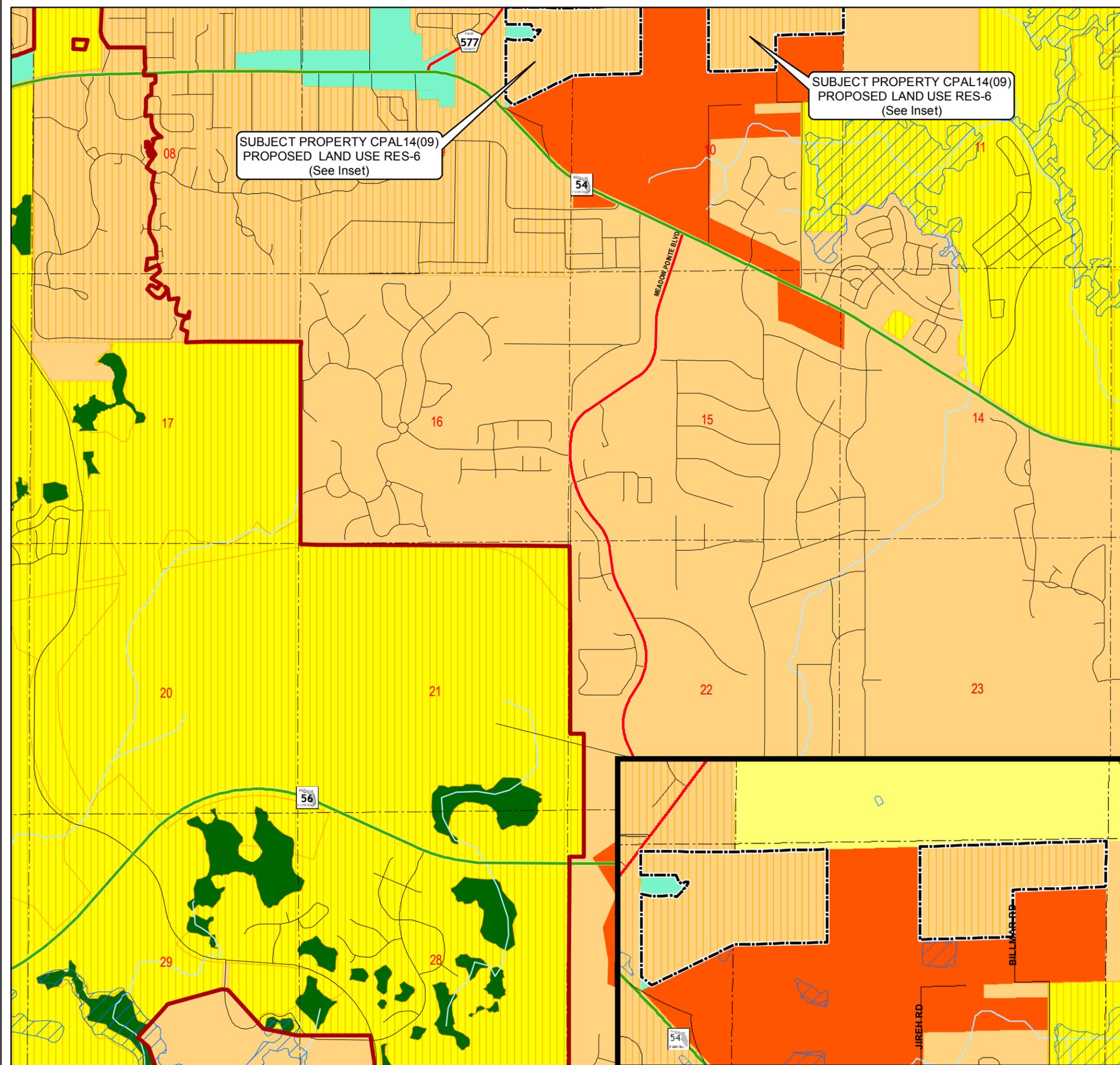
Exhibit A

THE COMPREHENSIVE PLAN OF UNINCORPORATED PASCO COUNTY FUTURE LAND USE 2025

**T 2 6 S - R 2 0 E
SHEET 22**

DATE ADOPTED: 06/15/89

ORDINANCE #: 89-13

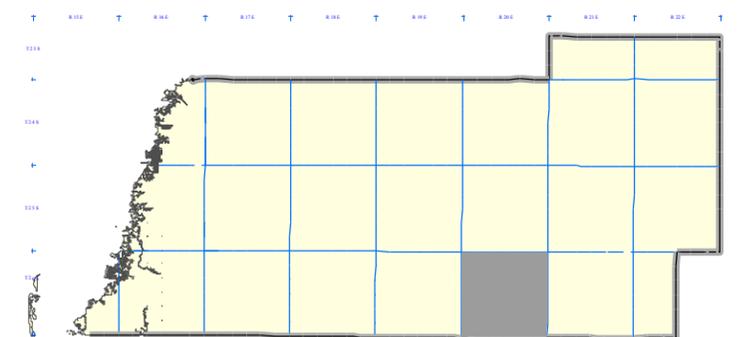


FUTURE LAND USE 2025 CLASSIFICATIONS

- | | | |
|---------------------------------------|--------------------------------------|--------------------------------------|
| AG
Agricultural | RES - 1
Residential | GH
Gateway Hub |
| AG/R
Agricultural / Rural. | RES - 3
Residential | NPC
New Port Corners |
| C/L
Coastal Land | RES - 6
Residential | TC
Town Center |
| CON
Conservation Land | RES - 9
Residential | OFF
Office |
| AT
Major Attractors | RES - 12
Residential | EC
Employment Center |
| R/OS
Major Recreation / Open Space | RES - 24
Residential | ROR
Retail / Office / Residential |
| P/S P
Major Public / Semi - Public | VMU1
Village Mixed Use - Type 1 | COM
Commercial |
| NT
New Town | VMU2A
Village Mixed Use - Type 2A | IL
Industrial - Light |
| PD
Planned Development | VMU2B
Village Mixed Use - Type 2B | IH
Industrial - Heavy |
| MU
Mixed Uses | VMU3
Village Mixed Use - Type 3 | |

OVERLAYS

- | | | |
|--------------------------|------------------------|------------------------|
| CLASS I WETLANDS / LAKES | FLEXIBLE PLAN BOUNDARY | PASADENA HILLS OVERLAY |
| CITY LIMITS | ROR OVERLAY | TRANSIT CENTER OVERLAY |



ADOPTION DATE	EFFECTIVE DATE	ORDINANCE
6/27/2006	1/26/2007	06-18
11/20/2007	2/21/2008	07-38
11/20/2007	4/10/2008	07-34
10/20/2009	11/22/2009	09-17
12/15/2009	1/15/2010	09-36
8/10/2010	8/31/2010	10-32
8/10/2010	8/31/2010	10-33
1/11/2011	2/11/2011	11-01



Pasco County, Florida
Geographic Information Systems
(G.I.S.)
Engineering Services
Survey Department

Created By: _____ Date Created: _____
Checked By: _____ Date Printed: _____