

THE BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 21-01

AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT CHAPTER 2 GOAL FLU 6: INCLUDING TEXT AND FIGURE REVISIONS TO THE CORE RESERVE, VILLAGE SEPARATOR PROVISIONS, EXISTING DEVELOPMENT APPROVALS, AND FIGURES PH-5, PH-6, PH-7 AND PH-8 REVISIONS TO VILLAGE I BORDERS; AS NECESSARY, FOR INTERNAL CONSISTENCY, 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 on January 8, 2008 to include the adoption of the Villages of Pasadena Hills (VOPH) Area Plan as part of the Comprehensive Plan (Ordinance No.08-09); and

WHEREAS, the VOPH Property Owners Group (POG) hired Heidt Design as consultant to revise 1) the VOPH Area Plan Goals, Objectives, and Policies in the Chapter 2 of the Comprehensive Plan, 2) VOPH Financial Plan, and 3) Stewardship Ordinance, and prepare the 2020 VOPH Update Study to reflect all the material changes and enhance the marketability in order to create a more competitive environment to develop VOPH; and

WHEREAS, the Board of County Commissioners, on May 5, 2020, held an adoption public hearing of the Phase 1 revisions in the proposed Amendment to the Comprehensive Plan, and with due public notice provided, pursuant to Section 163.3184, Florida Statutes, considered all oral and written comments, including staff reports and information received during said public hearings, and found the Phase 1 revisions in the proposed Comprehensive Plan amendment consistent with the Pasco County Comprehensive Plan, and approved the revisions and amended the Official 2025 Comprehensive Plan accordingly, and

WHEREAS, following the approval of Phase 1 VOPH Update Study, Heidt Design as POG consultants, prepared Phase 2 of the 2020 VOPH Study and proposed text and map revisions to the Comprehensive Plan in order to 1) resolve issues related to the definition of the Core Reserve, Village Separator and clarify requirements for pre-approved MUPD projects in the VOPH Comprehensive Plan, and 2) add map revisions to Figures PH-5, PH-6, PH-7, and PH-8 to extend the area of Village I towards Ft King Highway; and

WHEREAS, On September 23, 2020, the Pasadena Hills Planning and Policy Committee in a virtual hybrid public hearing reviewed the Phase 2 text revisions proposed for the Core Reserve and Village Separators for the Comprehensive Plan Chapter 2, FL 6, the VOPH Financial Plan, and Land Development Code Stewardship Ordinance Section 602, and recommended approval to the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, On November 18, 2020, the Pasadena Hills Planning and Policy Committee in a virtual hybrid public hearing reviewed an additional proposal and the impacts of extending the eastern border of Village I to Ft King Road, in a proposed map amendment to the Comprehensive Plan, and recommended approval to the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, On November 19, 2020, the Local Planning Agency held a virtual hybrid public hearing on the proposed amendments to the Comprehensive Plan Chapter 2, FL 6 VOPH Goals, Policies and Objectives, and Land Development Code VOPH Stewardship Ordinance Section 602 and with due public notice provided, pursuant to Section 125.66(2), Florida Statutes, found the proposed amendments consistent with the Pasco County Comprehensive Plan and recommended approval to the Board of County Commissioners; and

WHEREAS, on December 8, 2020, the Board of County Commissioners held an initial virtual hybrid public hearing on the proposed text and map 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 (DEO) and other agencies to obtain review and comment on the said Amendment; and

WHEREAS, the Board of County Commissioners received a letter of no comment from the DEO on January 13, 2021; and

WHEREAS, no objections have been received from any reviewing agency; and

WHEREAS, the Board of County Commissioners, on January 26, 2021, held an adoption virtual hybrid 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 oral and written comments, including staff reports and information received during said public hearings and found the proposed Comprehensive Plan amendment consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through virtual hybrid public hearings; and

WHEREAS, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the Comprehensive Plan with the proposed Phase 2 revisions, to implement policy direction and to correct internal inconsistencies.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, with a quorum present and voting, as follows:

SECTION 1. COMPREHENSIVE PLAN AMENDMENT.

The Official 2025 Comprehensive Plan text and figures are hereby amended to implement Phase 2 of VOPH 2020 Update revisions affecting approximately 22,000 acres of real property, identified as all parcels within the J "BEN" HARRILL VILLAGES OF PASADENA HILLS. All text and Figures Ph-5, PH-6, PH-7 and PH-8 of the 2025 Comprehensive Plan Chapter 2 FLU 6 of the Future Land Use Element is hereby replaced and amended as shown and described in Exhibit A, attached hereto and made part hereof.

SECTION 1. Authority

This Ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes (2019) and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect on Existing Development Approvals

The VOPH Comprehensive Plan Amendments to Chapter 2 shall apply both prospectively and retroactively to the existing MPUDs already approved in VOPH (except for Excluded Projects). On May 5, 2020, the Board of County Commissioners delegated authority to the County Administrator or his designee, to administratively amend any and all existing VOPH MPUDs in order to conform to these amendments, without the necessity of an MPUD amendment application or application fee, after notice to the effected VOPH MPUD owner, and to adjacent property owners. Such administrative amendments may occur at the time of the first preliminary site plan/ preliminary plan approval for the applicable VOPH MPUD under review.

SECTION 4. Repealer.

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

SECTION 5. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 6. Effective Date.


A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 26th day of January 2021.



BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA


Nikki Alvarez-Sowles,
Clerk & Comptroller


Ronald E. Oakley
Chairman

APPROVED
IN SESSION
JAN 26 2021
PASCO COUNTY
BCC