

**ORDINANCE NO. 1486-24**

**AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA PROPOSING AN AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENTS TO THE FUTURE LAND USE MAP CHANGING FROM R-1 MH (PASCO COUNTY) TO RS (RESIDENTIAL SUBURBAN) AND THE ZONING DESIGNATION FROM PASCO COUNTY RMH TO CITY R-3 (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 4.155 ACRES OF REAL PROPERTY HAVING PARCEL NUMBER 03-26-21-0010-11700-0020, PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has been given authority by the State of Florida pursuant to Chapter 163 and 166, Florida Statutes, to rezone property within the City Limits upon receipt of written consent of the landowner, together with the approval of the City Council of said rezoning duly expressed by Ordinance; and

**WHEREAS**, due public notice of hearing on the proposed rezoning was given by the City Council, as required by the Zephyrhills Land Development Code, as amended, and Chapters 163 and 166, Florida Statutes; and

**WHEREAS**, the City Council has determined that the proposed amendment meets the criteria for a Small-Scale Comprehensive Plan Amendment pursuant to Section 163.3184, Florida Statutes, and the Zephyrhills Comprehensive Plan; and

**WHEREAS**, the City Council has been given authority by the State of Florida pursuant to Chapter 163, Florida Statutes, to amend the Future Land Use Map of the City's territorial boundaries upon receipt of written consent of the landowners, together with the approval of the City Council of said Future Land Use Map amendment duly expressed by Ordinance; and

**WHEREAS**, the City has complied with all requirements and procedures of Florida law in processing this amendment to the City of Zephyrhills Comprehensive Plan including, but not limited to, §163.3184, Florida Statutes; and

**WHEREAS**, the Zephyrhills Planning Commission, on June 18, 2024, held a public meeting on the proposed amendment to the Comprehensive Plan with due public notice, pursuant to §163.3174, Florida Statutes, and recommended approval to the City Council; and

**WHEREAS**, the proposed Future Land Use Map amendment meets the criteria of a small-scale Future Land Use Map amendment and is consistent with the goals, objectives and policies of the Comprehensive Plan; and

**WHEREAS**, the City Council has determined that R-3 (Medium Density Residential) zoning designation classification would be appropriate, would promote the general welfare, and would encourage proper development within the City; and

**WHEREAS**, the City Council has determined that the RS (Residential Suburban) future land use map classification would be appropriate, would promote the general welfare of the City, and would encourage proper development within the City; and

**WHEREAS**, the City Council desires to hereby formally adopt the Amendment to the City's Comprehensive Plan changing the zoning designation classification and the Future Land Use Map amendment for the subject property.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Zephyrhills, Florida, as follows:

**Section 1. Recitals.**

The Whereas Clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

**Section 2. Authority.**

This Ordinance is enacted pursuant to Chapter 163 and 166, Florida Statutes, and under the home rule powers of the City.

**Section 3. Rezoning and Future Land Use Map Amendment.**

The following described lands, lying and being situated in Pasco County and being annex into the boundaries of the City of Zephyrhills, Florida by Ordinance No.: 1485-, to wit:

**Parcel/Tax I.D. Number:** 03-26-21-0010-11700-0020

**Physical Address:** N/A

**Legal Description:** A portion of the West 1/2 of Tracts 117 and 124 of Zephyrhills Colony Company Lands as recorded in Plat Book 2, Page 1, Public Records of Pasco County Florida, lying within the Southwest 1/4 of Section 03, Township 26 South, Range 21 East, Pasco County Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of Section 03, Township 26 South, Range 21 East, Pasco County, Florida; thence North 89°35'57" West 671.79 feet along the South line of said Southwest 1/4 to the prolongation of the West line said Tract 124; thence North 00°47'56" East 40.00 feet along said West line to the North right of way of Geiger Road to the POINT OF BEGINNING; thence continue North 00°47'56" East 620.02 feet to the Northwest corner of said Tract 117; thence South 89°38'19" East 326.21 feet to the Northeast corner of the West 1/2 of said Tract 117; thence South 00°36'48" West 420.23 feet along the East line of the West 1/2 of said Tracts 117 and 124; thence North 89°35'57" West 110.00 feet; thence South 00°36'48" West 200.00 feet to the North right of way line of Geiger Road; thence North 89°35'58" West 218.26 feet to the POINT OF BEGINNING.

**Acreage:** 4.155 Acres, MORE OR LESS.

shall now have a zoning designation of R-3 (Medium Density Residential) and the future land use map classification is hereby amended to RS (Residential Suburban).

**Section 4. Repealer.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


**Section 5. Conflict Severability.**

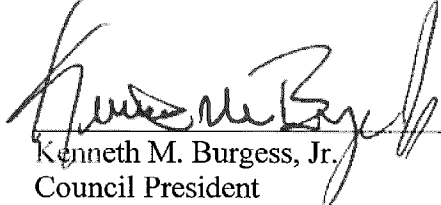
That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 6. Effective Date.**


This Ordinance shall become effective upon passage on the second reading and signing by the Mayor.

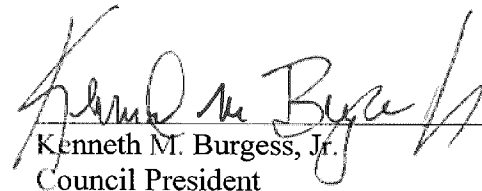
The foregoing Ordinance No. 1486-24 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 22<sup>nd</sup> day of July 2024.

Attest:   
Bori L. Hillman, City Clerk, MMC

  
Kenneth M. Burgess, Jr.  
Council President

The foregoing Ordinance No. 1486-24 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 12<sup>th</sup> day of August 2024.


Attest:   
Ricardo Quinones, City Clerk  
Deputy City Clerk

  
Kenneth M. Burgess, Jr.  
Council President

The foregoing Ordinance No: 1486-24 was approved by me on this 12th day of August 2024.

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Melonie Bahr Monson, Mayor

Approved as to legal form and content  
for the reliance of the City of Zephyrhills only:

  
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Matthew E. Maggard, Esq.  
City Attorney