

**AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING A TEMPORARY MORATORIUM (180 DAYS) ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR CONDITIONAL USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS PROPOSING TO INCREASE MULTI-FAMILY ENTITLEMENTS WITHIN THE MORATORIUM AREA; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; DEFINITIONS, MORATORIUM AREA; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; AND SEVERABILITY.**

---

**WHEREAS**, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners is authorized to adopt ordinances necessary to exercise its powers; and

**WHEREAS**, due to the potential of over saturation of multi-family dwelling units within a certain area of Pasco County, as further described herein, the Pasco County Board of County Commissioners seeks to establish a temporary moratorium on the submission and acceptance of applications for conditional uses, rezonings, and comprehensive plan amendments proposing to increase multi-family entitlements within said “moratorium area” and to determine whether additional regulations are necessary; and

**WHEREAS**, during the time of the temporary moratorium, the current quantity of multi-family dwelling unit, as defined herein, entitlements within the moratorium area will be determined and presented to the Board for discussion and further direction; and

**WHEREAS**, during the time of the temporary moratorium, the current acreage of land zoned for multi-family dwelling unit uses, including that acreage having the potential for multi-family dwelling units upon approval of a conditional use, within the moratorium area will be determined and presented to the Board for discussion and further direction; and

**WHEREAS**, during the time of the temporary moratorium, the potential number of multi-family dwelling units available through existing land use equivalency matrices, as applicable within the moratorium area, will be determined and presented to the Board for discussion and further direction; and

**WHEREAS**, the Board of County Commissioners finds and declares a need to impose the temporary moratorium within the said area to provide the Planning and Development Department the ability to accurately calculate and determine the true potential for the over saturation of multi-family dwelling units within the moratorium area; and

**WHEREAS**, the Board of County Commissioners has conducted the duly noticed hybrid virtual public hearings as required by law, at which hearing all parties-in-interest and citizens were afforded notice and the opportunity to be heard; and

**WHEREAS**, the Board of County Commissioners hereby finds and declares that this

Ordinance is consistent with the 2025 Pasco County Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners hereby finds and declares that this Ordinance is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA AS FOLLOWS:**

**SECTION 1. AUTHORITY.**

This Ordinance is enacted pursuant to Chapter 125, Florida Statutes, (2020) and under the home rule powers of the County in the interest of the health, peace, safety and general welfare of the people of Pasco County.

**SECTION 2. LEGISLATIVE FINDINGS OF FACT.**

The foregoing Whereas clauses, incorporated herein, are true and correct. The Board further finds that in order for the Planning and Development Department to have the ability to accurately calculate and determine the true potential for the over saturation of multi-family dwelling units within the moratorium area, and present its findings to the Board, it is necessary to place a moratorium on the on the submission and acceptance of applications for conditional uses, rezonings, and comprehensive plan amendments proposing to increase multi-family entitlements within the moratorium area.

**SECTION 3. DEFINITIONS.**

For the purposes of this Ordinance and this temporary moratorium, “multi-family dwelling unit” and “multi-family dwelling units” shall mean those dwelling types containing dwelling units on multiple floors within one building, or a series of buildings. This definition shall not include duplexes, single family homes, townhouses and the like.

**SECTION 4. MORATORIUM AREA.**

This temporary moratorium is applicable to the geographic area as depicted in Exhibit A, attached hereto and incorporated herein.

**SECTION 5. TEMPORARY MORATORIUM IMPOSED.**

The County hereby imposes a temporary moratorium on the submission and acceptance of applications for conditional uses, rezonings, and comprehensive plan amendments proposing to increase multi-family entitlements within the moratorium area. The adoption of this Ordinance is undertaken by the County in good faith and is intended to further the goals of the Comprehensive Plan and Chapter 163, Florida Statutes, and is not intended to discriminate against those landowners which may be subject to this Ordinance.

**SECTION 6. DURATION OF TEMPORARY MORATORIUM.**

The duration of this temporary moratorium shall be one hundred eighty (180) days from April 1, 2021 or until such time as repealed by the County, whichever occurs first, and may be extended by resolution of the Board to the extent permitted by law. In addition, this temporary moratorium shall not exceed one hundred eighty (180) days unless approved by the Board of County Commissioners by a majority vote. The limited duration of this temporary moratorium has been established in order to accomplish appropriate planning for future development through the Land Development Code amendment process as described in Chapter 163, Part II, Florida Statutes and the Comprehensive Plan.

**SECTION 7. 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 contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

**SECTION 8. ORDINANCE EFFECTIVE DATE.**

This Ordinance shall be transmitted to the Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption of this Ordinance, and this Ordinance shall take effect upon confirmation by the Department of State of its receipt.

**ADOPTED** with a quorum present and voting this       <sup>th</sup> day of       , 2021.

BOARD OF COUNTY COMMISSIONERS  
OF PASCO COUNTY, FLORIDA

ATTEST:

BY: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

BY: \_\_\_\_\_

Ronald E. Oakley, Chairman

DRAFT