

January 19, 2022

Mr. D. Ray Eubanks  
Plan Processing Administrator  
Florida Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street  
Caldwell Bldg., MSC 160  
Tallahassee, FL 32399-0800

**RE: Adoption Package - Pasco County Comprehensive Plan Amendment,  
CPA21(21) Aviation Text Amendment**

Dear Mr. Eubanks:

On January 11, 2022 the Pasco County Board of County Commissioners (BCC) adopted CPA21(21) Aviation Text Amendment, Providing for Text Amendments to Chapter 2, Future Land Use Element, and Chapter 7, Transportation Element, Relating to Airport Zoning and Land Use Compatibility. The enclosed adoption package includes the adopted ordinance, **Ord. No. 22-01**.

**AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN;  
PROVIDING FOR TEXT AMENDMENTS TO CHAPTER 2, FUTURE LAND USE ELEMENT,  
AND CHAPTER 7, TRANSPORTATION ELEMENT, RELATING TO AIRPORT ZONING AND  
LAND USE COMPATIBILITY; AND ADDITIONAL TEXT AMENDMENTS FOR  
CONSISTENCY; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

This review request and attachments are being uploaded into the Comprehensive Plan Processing Unit's online portal.

Copies of the proposed amendments have been forwarded directly to the Tampa Bay Regional Planning Council; Southwest Florida Water Management District; Florida Department of Transportation, District Seven; Florida Department of State; Florida Fish and Wildlife Conservation Commission; Florida Department of Agriculture and Consumer Services, Division of Forestry; and Florida Department of Environmental Protection.

Any Florida DEO comments and requests should be forwarded to:

Planning and Development Department  
West Pasco Government Center  
ATTN: Michael Whalen, Planner II  
8731 Citizens, Suite 360  
New Port Richey, FL 34654-5598

If there are any questions or comments, please contact me at [jjenkins@pascocountyfl.net](mailto:jjenkins@pascocountyfl.net) or call (727) 847-8140 ext. 7889.

Sincerely,

Jeffrey Jenkins, MPA, AICP  
Executive Planner

Enclosures

cc: **VIA – Email – Required**

Dan C. Santos, AICP, Growth Management Supervisor, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, Mail Station 7-500, Tampa, FL 33612-6456, email to: [Daniel.Santos@dot.state.fl.us](mailto:Daniel.Santos@dot.state.fl.us)

Ivana Kajtezovic, Planning Program Manager, Tampa Bay Water, 2575 Enterprise Road, Clearwater, FL 33763, email to: [ikajtezovic@tampabaywater.org](mailto:ikajtezovic@tampabaywater.org)

Robin Jackson, Historic Preservationist, Compliance and Review, Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State, 500 South Bronough Street, Tallahassee, Florida 32399, email to: [Robin.Jackson@DOS.MyFlorida.com](mailto:Robin.Jackson@DOS.MyFlorida.com)

Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, email to: [trisha.neasman@swfwmd.state.fl.us](mailto:trisha.neasman@swfwmd.state.fl.us)

Scott Sanders, Florida Fish and Wildlife Conservation Commission, Conservation Planning Services, 620 South Meridian Street, MB-585, Tallahassee, FL 32399-1600, email to: [FWCConservationPlanningServices@myfwc.com](mailto:FWCConservationPlanningServices@myfwc.com)

Suzanne E. Ray, Department of Environmental Protection, Office of Intergovernmental Programs, 3900 Commonwealth Boulevard, Mail Station 47, Tallahassee, FL 32399-3000, email to: [Plan.Review@dep.state.fl.us](mailto:Plan.Review@dep.state.fl.us)

Kylene Casey, Operations & Management Consultant II- Growth Management Liaison, Dept. of Education, Office of Educational Facilities, 325 West Gaines Street, Suite 1014, Tallahassee, FL 32399-0400, email to: [kylene.casey@fldoe.org](mailto:kylene.casey@fldoe.org)

John Meyer, Tampa Bay LEPC & DRI Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782, email to: [johnm@tbrpc.org](mailto:johnm@tbrpc.org)

Department of Agriculture & Consumer Services, Attn: Comprehensive Plan Review, Office of Policy and Budget, The Capitol, Plaza Level 8, Tallahassee, FL 32399-0800, email to: [compplans@freshfromflorida.com](mailto:compplans@freshfromflorida.com)

**VIA – Email**

Earl Hahn, Development Director, City of New Port Richey, 5919 Main St., New Port Richey, FL 34652, email to: [HahnE@cityofnewportrichey.org](mailto:HahnE@cityofnewportrichey.org)

Joe Moreda, Director, AICP, Planning and Zoning Services, Hillsborough County, 601 E. Kennedy Boulevard, 20<sup>th</sup> Floor, Tampa, FL 33602, email to: [moredaj@hillsboroughcounty.org](mailto:moredaj@hillsboroughcounty.org)

Chandra Frederick, AICP, Interim Director, Building Department, Polk County, P.O. Box 9005, Drawer GM02, Bartow, FL 33831-9005, email to: [chandrafrederick@polk-county.net](mailto:chandrafrederick@polk-county.net)

Annette Crews, Office Manager, Building Department, Polk County, P.O. Box 9005, Drawer GM01, Bartow, FL 33831-9005, email to: [Annettecrows@polk-county.net](mailto:Annettecrows@polk-county.net)

Ron Pianta, AICP, Director, Hernando County, Planning Department, 20 N. Main Street, Room 262, Brooksville, FL 34601, email to: [rpianta@hernandocounty.us](mailto:rpianta@hernandocounty.us)

Karl Holley, Director of Development Services, Sumter County Planning Department, 209 N. Florida Street, Room 301, Bushnell, FL 33513, email to: [karl.holley@sumtercountyfl.gov](mailto:karl.holley@sumtercountyfl.gov)

Jake Stowers, Executive Director, Pinellas County Planning Dept., 310 Court St, Clearwater, FL 33756, email to: [jstowers@pinellascounty.org](mailto:jstowers@pinellascounty.org) and,

Renea Vincent, Planning Director, Pinellas County Planning Dept., 310 Court St, Clearwater, FL 33756, email to: [rvincent@co.pinellas.fl.us](mailto:rvincent@co.pinellas.fl.us)

Cristian Arias, Senior Planner, City of New Port Richey, Development Services Department, 5919 Main St., New Port Richey, FL 34652, email to: [AriasC@cityofnewportrichey.org](mailto:AriasC@cityofnewportrichey.org)

Jocilyn Martinez, Assistant City Manager, City of Port Richey, 6333 Ridge Rd., Port Richey, FL 34668, e-mail to: [j.martinez@cityofportrichey.com](mailto:j.martinez@cityofportrichey.com)

Melanie Romagnoli, Senior Planner, City of Dade City, Community Development Department, P.O. Box 1355, 38020 Meridian Avenue, Dade City, FL 33526, email to: [mromagnoli@dadecityfl.com](mailto:mromagnoli@dadecityfl.com)

Rick Alley, City Clerk, City of San Antonio, 32819 Pennsylvania Avenue, P.O Box 75, San Antonio, FL 33576, email to: [cityclerk@sanantonioflorida.org](mailto:cityclerk@sanantonioflorida.org)

Andrea Calvert, CMC, Town Clerk, Town of St. Leo, P.O. Box 2479, St. Leo, FL 33574, email to: [townclerk@townofstleo.org](mailto:townclerk@townofstleo.org)

Todd Vande Berg, Director of Planning, City of Zephyrhills, 5335 - 8<sup>th</sup> Street, Zephyrhills, FL 33542, email to: [vandeberg@ci.zephyrhills.fl.us](mailto:vandeberg@ci.zephyrhills.fl.us)

Mark G. LeCouris, City Manager, City of Tarpon Springs, 324 E. Pine Street, Tarpon Springs, Florida 34689, email to: [thickey@ctsfl.us](mailto:thickey@ctsfl.us)

Melissa Zornitta, AICP, Executive Director, Hillsborough City-County Planning Commission, 601 E. Kennedy Boulevard, 18<sup>th</sup> Floor, Tampa, Florida 33602, email to: [zornittam@plancom.org](mailto:zornittam@plancom.org)

Tony Garcia, AICP, Division Director, Hillsborough City-County Planning Commission, 601 E. Kennedy Boulevard, 18<sup>th</sup> Floor, Tampa, Florida 33602, email to: [garciat@plancom.org](mailto:garciat@plancom.org)

Matt Lewis, Hillsborough County, Executive Planner, Development Services, 601 E. Kennedy Boulevard, Tampa, Florida 33602, email to: [LewisM@hillsboroughcounty.org](mailto:LewisM@hillsboroughcounty.org)

Richard M. Tonello, Supervisor of Planning, Pasco County Schools, Department of Planning, 11815 Tree Breeze Dr. New Port Richey, FL 34654. Email to: [rtonello@pasco.k12.fl.us](mailto:rtonello@pasco.k12.fl.us), Planning and Development Department, [pddstaff@pascocountyfl.net](mailto:pddstaff@pascocountyfl.net)

Central Permitting (Only to: Esther Oluyemi, Building Construction Services Director, [eoluyemi@pascocountyfl.net](mailto:eoluyemi@pascocountyfl.net), Ruth Ann Dattoli, Lead Development Review Technician, Current Planning, [rdattoli@pascocountyfl.net](mailto:rdattoli@pascocountyfl.net))

Mike J. Carballa, P.E., BCEE, Asst. County Administrator Public Infrastructure, [mcarballa@pascocountyfl.net](mailto:mcarballa@pascocountyfl.net)

Charles Cullen, Engineering Director, Utilities, [ccullen@pascocountyfl.net](mailto:ccullen@pascocountyfl.net)

Ray Cleaver, P.E. Engineer I, Utilities, [rcleaver@pascocountyfl.net](mailto:rcleaver@pascocountyfl.net)

Jessica Towner, Utility Permitting Specialist, Public Infrastructure Fiscal and Business Administration Department, [jtowner@pascocountyfl.net](mailto:jtowner@pascocountyfl.net)

Jeremy Edwards, Supervisor, GIS, [jedwards@pascocountyfl.net](mailto:jedwards@pascocountyfl.net)

Shirley Westfall, Executive Assistant, Development Services, [swestfall@pascocountyfl.net](mailto:swestfall@pascocountyfl.net)

Erica Jones, Administrative Secretary II, Development Services, [ejones@pascocountyfl.net](mailto:ejones@pascocountyfl.net)

**COMMISSION DISTRICT:** All

**FILE NO.:** PDD22-0116

**DATE:** 1/11/2022

**SUBJECT:** An Ordinance Amending the Pasco County Comprehensive Plan; providing for Text Amendments to Chapter 2, Future Land Use Element, and Chapter 7, Transportation Element, Relating to Airport Zoning and Land Use Compatibility; and Additional Text Amendments for Consistency; Providing for Repealer, Severability, and an Effective Date.

**REFERENCES:** All Planning Commission (PC)/Local Planning Agency (LPA) and BCC public hearings at 1:30 p.m. in New Port Richey (NPR) or Dade City (DC): LPA at NPR 8/26/21 – BCC at DC 9/15/21 (Continued) – BCC at NPR 9/28/21 (Continued) – BCC at NPR 10/26/21 (Transmittal) – BCC at NPR 11/7/21 (Continued) – BCC at NPR 12/7/21 (Continued) – BCC at DC 1/11/22.

**AGENDA SECTION:** Public Hearings

**THRU:** Sally Sherman, Assistant County Administrator

**FROM:** Nectarios Pittos, Planning and Development Director

**RECOMMENDED BOARD ACTION:**

Recommend that the Board of County Commissioners (BCC) adopt the proposed Comprehensive Plan Amendment, CPA21(21) Aviation Text Amendment by roll-call vote. Authorize the Chair to execute the original(s) of the ordinance provided and direct the Board Records Department to distribute as set forth under the Distribution section below.

**BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:**

**PROJECT OVERVIEW**

The County is initiating a Comprehensive Plan text amendment to amend current objectives and policies of the Future Land Use Element and the Transportation Element pertaining to airport protection zoning and airport land use compatibility. In 2016, Chapter 333, Florida Statutes, was significantly amended, necessitating the proposed amendments. Further, the County is required by Chapters 330 and 333 to adopt Land Development Code (LDC) provisions to implement airport protection zoning and airport land use compatibility regulations. Those LDC amendments will be brought to the LPA and BCC at a later date.

Attached hereto are the proposed text amendments to the Comprehensive Plan. By virtue of the forementioned amendments, additional text amendments shall be processed where necessary for internal consistency.

**COMPREHENSIVE PLAN CONSISTENCY ANALYSIS**

After reviewing the Future Land Use and the Transportation Elements of the County's Comprehensive Plan alongside Chapters 330 and 333, the County Attorney's Office identified that multiple text amendments were necessary to accomplish consistency within the current Comprehensive Plan and to comply with those Chapters. Obsolete language has been struck, citations and terminology updated, and requirements clarified.

The BCC authorized transmittal of the proposed amendment to the Department of Economic Opportunity on October 26, 2021. No comments were received. However, at the transmittal public

hearing on October 26, 2021, a representative of Pilot Country Airport spoke and expressed concerns with the proposed amendment. Subsequently, a meeting was held with several Pilot Country representatives which resulted in minor edits to the proposed amendment. Those edits are as follows:

The renaming of Policy FLU 1.11.1 to ENSURE AIRPORT PROTECTION

Retaining the name of Policy FLU 1.11.3 as NOISE-SENSITIVE USES

The removal of Policy FLU 1.11.8 ALTERNATIVE ENERGY USES as the purpose of the policy is unknown and research yield no explanation as to the intent of it in regard to airport zoning.

Retaining the name of Policy TRA 11.1.2 as REDUCE FUTURE NOISE AND VIBRATION IMPACTS

### **CASE HISTORY**

	<b>Date</b>	<b>Vote: Approve / Deny</b>
<i>Local Planning Agency (LPA)</i>	8/26/2021	Approved 6-0
<i>Board of County Commissioners – Transmittal</i>	9/15/2021	<i>Continued to 9/28</i>
<i>Board of County Commissioners – Transmittal</i>	9/28/2021	<i>Continued to 10/26</i>
<i>Board of County Commissioners – Transmittal</i>	10/26/2021	Approved 5-0
<i>Board of County Commissioners – Adoption</i>	12/7/2021	<i>Continued to 1/11/22</i>
<i>Board of County Commissioners – Adoption</i>	1/11/2022	<i>Pending</i>

### **FISCAL IMPACT/COST/REVENUE STATEMENT:**

Funding is not required for this action.

### **DISTRIBUTION:**

1. Retain One Original
2. Electronically to Michael Whalen - mwhalen@pascocountyfl.net

### **ATTACHMENT(S):**

1. PDD22-0116 Proposed Amendments
2. PDD22-0116 Ordinance with Exhibit A
3. PDD22-0116 Proof of Publication
4. PDD22-0116 PPT

SS/NP/mow/PDD22-0017 Aviation Text Amendment

**OBJECTIVE FLU 1.11: AIRPORT PROTECTION**

Ensure airport protection zoning and airport land use compatibility in a manner consistent with Chapters 330 and 333, F.S., by protecting the health, safety, and welfare of public on the ground and in the air by preventing the establishment of airport hazards, including incompatible land uses and/or activities.

**POLICY FLU 1.11.1: ENSURE AIRPORT ~~LAND USE COMPATABILITY~~ PROTECTION**

By ~~2022~~<sup>2016</sup>, Pasco County shall ~~amend the Land Development Code to~~ adopt and maintain airport protection ~~zoning regulations and~~ airport ~~land use compatibility~~ ~~development~~ zoning regulations to ensure the protection of airports (in accordance with ~~330.03(3)~~<sup>330.03(3)</sup>, F.S.) from the encroachment of incompatible land uses. ~~Incompatible land uses may include those uses with conflicting structure height, high-density development, noise-sensitive uses, and development that could potentially create interaction with wildlife (e.g. landfills),~~ consistent with Chapter 333, F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December ~~2020~~<sup>2012</sup> (as updated-).

**POLICY FLU 1.11.2: ~~HEIGHT LIMITS~~ CONSTRUCTION OR ALTERATION OF OBSTRUCTIONS**

Structures approximate to airports shall be ~~in compliance~~<sup>in compliance</sup> with FAA requirements and comply with Sections 333.025 and 333.03(1)(c), F.S.

**POLICY FLU 1.11.3: NOISE-SENSITIVE USES**

By 2022, Pasco County shall ~~ensure that~~ amend the Land Development Code to adopt regulations for new and expanded aviation facilities operate in a manner which does not result in above-average noise and vibration impacts for a facility of equivalent size, operational, and locational characteristics.

**POLICY FLU 1.11.4: PUBLIC-USE AIRPORTS**

By 2022, Pasco County shall amend the Land Development Code to require noise studies for public use airports to establish noise contours and address incompatible land uses as set forth in 14 C.F.R. part 150, Appendix A and as referenced in the FDOT 2020 Airport Airspace and Land Use Guidebook.

~~(1) Where an airport authority or other governing body operating a public use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as~~

~~established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study, in accordance with 333.03(2)(c), F.S.~~

~~(2) Where such noise study had not been conducted by a public-use airport, neither residential construction nor any educational facility, as defined in Section 333.01, F.S., shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side and at the end of each runway centerline, in accordance with Section 333.03(2)(d), F.S.~~

#### **POLICY FLU 1.11.5: WILDLIFE/SANITARY LANDFILLS**

~~By 2022, Pasco County shall amend the Land Development Code to discourage~~ uses that may encourage the interaction of wildlife and airport operations ~~shall be discouraged~~. New and existing sanitary landfills shall be restricted in accordance with Sections 333.03(2)(a) and (b), F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020~~12~~ (as updated.)

#### **POLICY FLU 1.11.6: OTHER ISSUES FOR CONSIDERATION**

When adopting the ~~land development and airport~~ zoning regulations for airport protection, the following factors shall also be considered: uses that create electrical interference with radio or navigational equipment; objects that generate lighting/glare; uses that would generate steam or smoke, and the other considerations addressed in Section 333.06(1).

#### **POLICY FLU 1.11.7: RUNWAY PROTECTION ZONES**

~~Incompatible Development shall be restricted~~By 2022, Pasco County shall amend the Land Development Code to adopt regulations that restrict new incompatible uses, activities or substantial modifications to existing incompatible uses within a runway protection zone [aka Runway Clear Zone, as defined in 14 C.F.R. part 151.9(b)], as determined by the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020 (as updated).

#### **~~POLICY FLU 1.11.8: ALTERNATIVE ENERGY USES~~**

~~Pasco County should work with airport property owners to explore the potential for on-site alternative energy uses (i.e., solar, wind, and bio-fuel). These uses may be deemed to be compatible uses off-site as well. Appropriate applications of these energy resources would need to comply with the other airport compatibility factors addressed in Policy FLUs 1.11.1 through 1.11.7. above.~~

**GOAL TRA 11: PROVIDE THE PUBLIC WITH SAFE, EFFICIENT AND ADEQUATE AVIATION FACILITIES THAT ARE COMPATIBLE WITH THE SURROUNDING LAND USES**

**OBJECTIVE TRA 11.1: PORTS, AVIATION, AND RELATED FACILITIES**

Provide ~~airport~~aviation facilities that are developed and expanded in a manner consistent with the stated Goals, Objectives, and Policies of the Comprehensive Plan, i.e., the Future Land Use, Coastal Management, Conservation, and Transportation Elements.

**POLICY TRA 11.1.1: REVIEW MASTER PLAN AND AIRPORT LAYOUT PLAN FOR CONSISTENCY**

~~By 2022,~~ Pasco County shall ~~amend the Land Development Code to adopt regulations that~~ require, before approval of any proposed ~~development~~new or ~~expansion for the operation of any airport~~expanded aviation facility, a review for consistency of the relevant sections of the Airport Master Plan and the applicable Airport Layout Plan.

**POLICY TRA 11.1.2: REDUCE FUTURE NOISE AND VIBRATION IMPACTS**

~~By 2022,~~ Pasco County shall ~~ensure that~~amend the Land Development Code to adopt regulations for new and expanded aviation facilities to require that such facilities operate in a manner which does not result in an above-average noise and vibration impacts for a facility of equivalent size, and operational and locational characteristics. Pasco County may require that a 14 C.F.R. part 150 Noise Study or Noise Exposure Map be provided for review prior to approval of new ~~development or expansion of an airport or expanded aviation facilities.~~

**POLICY TRA 11.1.3: ~~PROTECT AGAINST INCOMPATIBLE LAND USE ENCROACHMENT~~AIRPORT ZONING REGULATIONS**

~~By 2022,~~ Pasco County shall ~~amend the Land Development Code to adopt and maintain airport protection zoning regulations and airport land use compatibility regulations to ensure the protection of airports (in accordance with 330.03, F.S.) from airport hazards and the encroachment of incompatible land uses, consistent with Chapter 333, F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020 (as updated.)~~

~~By 2016,~~ Pasco County shall ~~adopt and maintain zoning and land development regulations to ensure the protection of airports (in accordance with 330.03(3) F.S.) from the encroachment of incompatible land uses. Incompatible land uses may include those uses with conflicting structure height, high-density development, noise-sensitive uses, and development that could potentially create interaction with wildlife (e.g. landfills), consistent with Chapter 333 F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2012 (as updated.)~~





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

January 13, 2022

Ms. Nikki Alvarez-Sowles, Esq.  
Pasco County Clerk and Comptroller  
The East Pasco Governmental Center  
14236 6<sup>th</sup> Street, Suite 201  
Dade City, Florida 33523

Attention: Allie Knupp

Dear Ms. Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 22-01, which was filed in this office on January 12, 2022.

Sincerely,

Anya Owens  
Program Administrator

AO/lb

# SENT TO STATE

THE BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO.

22-01

**AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS TO CHAPTER 2, FUTURE LAND USE ELEMENT, AND CHAPTER 7, TRANSPORTATION ELEMENT, RELATING TO AIRPORT ZONING AND LAND USE COMPATIBILITY; AND ADDITIONAL TEXT AMENDMENTS FOR CONSISTENCY; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

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**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 State Legislature amended Chapter 330, Regulation of Aircraft, Pilots, and Airports, and Chapter 333, Airport Zoning, necessitating amendments to the Comprehensive Plan to maintain consistency with Florida State Statute; and

**WHEREAS**, the Board of County Commissioners has determined that the proposed Amendment meets the criteria for a Comprehensive Plan Amendment pursuant to Section 163.3184, Florida Statutes; and

**WHEREAS**, the Board of County Commissioners has considered the staff report including data and analysis and has determined that the proposed Amendment is consistent with the Part II, Chapter 163, Florida Statutes, and the Pasco County Comprehensive Plan; and

**WHEREAS**, the Local Planning Agency, on August 26, 2021, held a public hearing, with a quorum attending and voting, on the proposed Amendment to the Comprehensive Plan with due public notice provided, pursuant to Section 125.66(2), Florida Statutes, and recommended approval to the Board of County Commissioners; and

**WHEREAS**, on September 15, 2021 the Board of County Commissioners continued the proposed Amendment to the Comprehensive Plan to the September 28, 2021 Board of County Commissioners public hearing.

**WHEREAS**, on September 28, 2021 the Board of County Commissioners continued the proposed Amendment to the Comprehensive plan to the October 26, 2021 Board of County Commissioners public hearing. This continuance was necessary to align with the adoption of the Property Rights Element.

**WHEREAS**, on October 26, 2021, the Board of County Commissioners held an initial public hearing, with a quorum attending and voting, 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 (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; and

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

**WHEREAS**, the Board of County Commissioners has considered all comments received; and

**WHEREAS**, the proposed Amendment is consistent with Chapter 163, Florida Statutes, and the Pasco County Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners, on January 11, 2022, held an adoption public hearing, with a quorum attending and voting, 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. FUTURE LAND USE AND TRANSPORTATION ELEMENTS TEXT AMENDMENTS.**

The Official 2025 Pasco County Comprehensive Plan, Future Land Use Element, Chapter 2, and Transportation Element, Chapter 7 are hereby amended, attached hereto as Exhibit A, and made a part hereof.

**SECTION 2. 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 3. SEVERABILITY.**

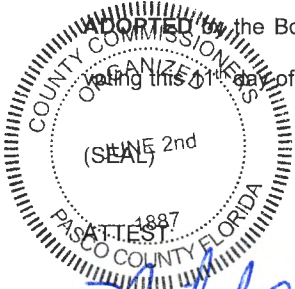
It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection,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

**SECTION 4. 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 of the adoption of this Ordinance, and this Ordinance shall take effect upon confirmation by the Department of State of its receipt. The effective date of this Plan Amendment, if the Amendment is not timely challenged, shall be (thirty-one) 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.

**SECTION 5. LEGISLATIVE FINDINGS OF FACT.**

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



ADOPTED by the Board of County Commissioners of Pasco County, Florida, in with a quorum present and voting this 11th day of January, 2022.

JAN 11 2nd

Nikki Alvarez-Sowles, Esq.  
Pasco County Clerk & Comptroller

BOARD OF COUNTY COMMISSIONERS  
OF PASCO COUNTY, FLORIDA

Kathryn Starkey, CHAIRMAN

APPROVED  
IN SESSION

JAN 11 2022

PASCO COUNTY  
BCC

## Exhibit A

**OBJECTIVE FLU 1.11: AIRPORT PROTECTION**

Ensure airport protection zoning and airport land use compatibility in a manner consistent with Chapters 330 and 333, F.S., by protecting the health, safety, and welfare of public on the ground and in the air by preventing the establishment of airport hazards, including incompatible land uses and/or activities.

**POLICY FLU 1.11.1: ENSURE AIRPORT ~~LAND USE COMPATABILITY~~ PROTECTION**

By ~~2022~~<sup>2016</sup>, Pasco County shall ~~amend the Land Development Code to~~ adopt and maintain airport protection ~~zoning regulations and~~ airport ~~land use compatibility~~ ~~development~~ zoning regulations to ensure the protection of airports (in accordance with ~~330.03(3)~~<sup>330.03(3)</sup>, F.S.) from the encroachment of incompatible land uses. ~~Incompatible land uses may include those uses with conflicting structure height, high-density development, noise-sensitive uses, and development that could potentially create interaction with wildlife (e.g. landfills),~~ consistent with Chapter 333, F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December ~~2020~~<sup>2012</sup> (as updated-).

**POLICY FLU 1.11.2: ~~HEIGHT LIMITS~~ CONSTRUCTION OR ALTERATION OF OBSTRUCTIONS**

Structures approximate to airports shall be ~~in compliance~~<sup>in compliance</sup> with FAA requirements and comply with Sections 333.025 and 333.03(1)(c), F.S.

**POLICY FLU 1.11.3: NOISE-SENSITIVE USES**

By 2022, Pasco County shall ~~ensure that~~ amend the Land Development Code to adopt regulations for new and expanded aviation facilities operate in a manner which does not result in above-average noise and vibration impacts for a facility of equivalent size, operational, and locational characteristics.

**POLICY FLU 1.11.4: PUBLIC-USE AIRPORTS**

By 2022, Pasco County shall amend the Land Development Code to require noise studies for public use airports to establish noise contours and address incompatible land uses as set forth in 14 C.F.R. part 150, Appendix A and as referenced in the FDOT 2020 Airport Airspace and Land Use Guidebook.

~~(1) Where an airport authority or other governing body operating a public use airport has conducted a noise study in accordance with the provisions of 14 C.F.R. part 150, or where a public-use airport owner has established noise contours pursuant to another public study approved by the Federal Aviation Administration, the prohibition of incompatible uses, as~~

~~established in the noise study in 14 C.F.R. part 150, Appendix A or as a part of an alternative Federal Aviation Administration-approved public study, within the noise contours established by any of these studies, except if such uses are specifically contemplated by such study with appropriate mitigation or similar techniques described in the study, in accordance with 333.03(2)(c), F.S.~~

~~(2) Where such noise study had not been conducted by a public-use airport, neither residential construction nor any educational facility, as defined in Section 333.01, F.S., shall be permitted within an area contiguous to the airport measuring one-half the length of the longest runway on either side and at the end of each runway centerline, in accordance with Section 333.03(2)(d), F.S.~~

#### **POLICY FLU 1.11.5: WILDLIFE/SANITARY LANDFILLS**

~~By 2022, Pasco County shall amend the Land Development Code to discourage~~ uses that may encourage the interaction of wildlife and airport operations ~~shall be discouraged~~. New and existing sanitary landfills shall be restricted in accordance with Sections 333.03(2)(a) and (b), F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020~~12~~ (as updated.)

#### **POLICY FLU 1.11.6: OTHER ISSUES FOR CONSIDERATION**

When adopting the ~~land development and airport~~ zoning regulations for airport protection, the following factors shall also be considered: uses that create electrical interference with radio or navigational equipment; objects that generate lighting/glare; uses that would generate steam or smoke, and the other considerations addressed in Section 333.06(1).

#### **POLICY FLU 1.11.7: RUNWAY PROTECTION ZONES**

~~Incompatible Development shall be restricted~~By 2022, Pasco County shall amend the Land Development Code to adopt regulations that restrict new incompatible uses, activities or substantial modifications to existing incompatible uses within a runway protection zone [aka Runway Clear Zone, as defined in 14 C.F.R. part 151.9(b)], as determined by the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020 (as updated).

#### **~~POLICY FLU 1.11.8: ALTERNATIVE ENERGY USES~~**

~~Pasco County should work with airport property owners to explore the potential for on-site alternative energy uses (i.e., solar, wind, and bio-fuel). These uses may be deemed to be compatible uses off-site as well. Appropriate applications of these energy resources would need to comply with the other airport compatibility factors addressed in Policy FLUs 1.11.1 through 1.11.7. above.~~

**GOAL TRA 11: PROVIDE THE PUBLIC WITH SAFE, EFFICIENT AND ADEQUATE AVIATION FACILITIES THAT ARE COMPATIBLE WITH THE SURROUNDING LAND USES**

**OBJECTIVE TRA 11.1: PORTS, AVIATION, AND RELATED FACILITIES**

Provide ~~airport~~aviation facilities that are developed and expanded in a manner consistent with the stated Goals, Objectives, and Policies of the Comprehensive Plan, i.e., the Future Land Use, Coastal Management, Conservation, and Transportation Elements.

**POLICY TRA 11.1.1: REVIEW MASTER PLAN AND AIRPORT LAYOUT PLAN FOR CONSISTENCY**

By 2022, Pasco County shall ~~amend the Land Development Code to adopt regulations that~~ require, before approval of any proposed ~~development~~new or ~~expansion for the operation of any airport~~expanded aviation facility, a review for consistency of the relevant sections of the Airport Master Plan and the applicable Airport Layout Plan.

**POLICY TRA 11.1.2: REDUCE FUTURE NOISE AND VIBRATION IMPACTS**

By 2022, Pasco County shall ~~ensure that~~amend the Land Development Code to adopt regulations for new and expanded aviation facilities to require that such facilities operate in a manner which does not result in an above-average noise and vibration impacts for a facility of equivalent size, and operational and locational characteristics. Pasco County may require that a 14 C.F.R. part 150 Noise Study or Noise Exposure Map be provided for review prior to approval of new ~~development or expansion of an airport or expanded aviation facilities.~~

**POLICY TRA 11.1.3: ~~PROTECT AGAINST INCOMPATIBLE LAND USE ENCROACHMENT~~AIRPORT ZONING REGULATIONS**

By 2022, Pasco County shall ~~amend the Land Development Code to adopt and maintain airport protection zoning regulations and airport land use compatibility regulations to ensure the protection of airports (in accordance with 330.03, F.S.) from airport hazards and the encroachment of incompatible land uses, consistent with Chapter 333, F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2020 (as updated.)~~

~~By 2016~~, Pasco County shall ~~adopt and maintain zoning and land development regulations to ensure the protection of airports (in accordance with 330.03(3) F.S.) from the encroachment of incompatible land uses. Incompatible land uses may include those uses with conflicting structure height, high-density development, noise-sensitive uses, and development that could potentially create interaction with wildlife (e.g. landfills), consistent with Chapter 333 F.S. and the Florida Department of Transportation Airport Compatible Land Use Guidebook, December 2012 (as updated.)~~



**Tampa Bay Times**  
**Published Daily**

STATE OF FLORIDA  
COUNTY OF Pinellas, Hillsborough, Pasco,  
Hernando Citrus

} ss

Before the undersigned authority personally appeared **Deirdre Almeida** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: PDD22-002** was published in **Tampa Bay Times: 10/20/21** in said newspaper in the issues of **Tampa Bay Times\Local B\Full Run**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

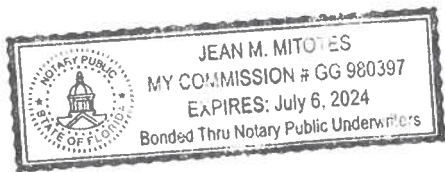
\_\_\_\_\_  
Signature Affiant

Sworn to and subscribed before me this **.10/20/2021**

\_\_\_\_\_  
Signature of Notary Public

Personally known \_\_\_\_\_ X \_\_\_\_\_ or produced identification

Type of identification produced \_\_\_\_\_



# NOTICE OF AMENDMENT TO COMPREHENSIVE PLAN FOR PASCO COUNTY

On Thursday, November 4th, 2021, at 1:30 pm, the Pasco County Planning Commission, convened as the Local Planning Agency will hold public hearings at the Historic Pasco County Courthouse, Board Room, 2nd Floor, 37918 Meridian Avenue, Dade City, Florida to consider the consistency of the proposed amendments with the adopted Comprehensive Plan.

On Tuesday, December 7th, 2021, at 1:30 pm, the Pasco County Board of County Commissioners will hold an adoption public hearing at the West Pasco Government Center, Board Room, 8731 Citizens Drive, New Port Richey, Florida, on the following application:

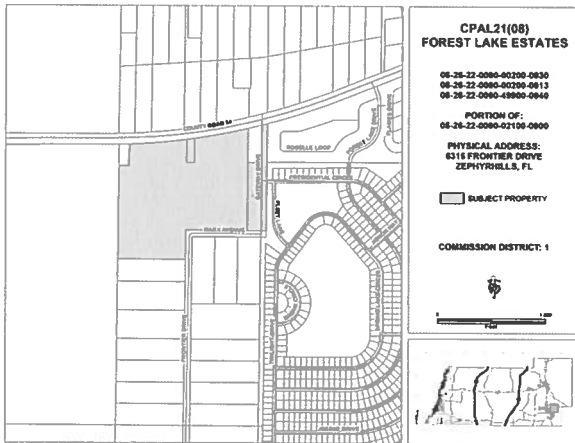
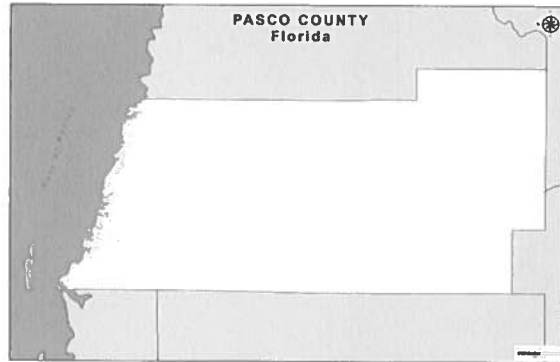
On Tuesday, December 7th, 2021, at 1:30 pm, the Pasco County Board of County Commissioners will hold adoption public hearings at West Pasco Government Center, Board Room, 8731 Citizens Drive, New Port Richey, Florida. All hearings will be conducted at the stated time, or as soon thereafter as is practical, on the following applications:

**AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS TO CHAPTER 2, FUTURE LAND USE ELEMENT, AND CHAPTER 7, TRANSPORTATION ELEMENT, RELATING TO AIRPORT ZONING AND LAND USE COMPATIBILITY; AND ADDITIONAL TEXT AMENDMENTS FOR CONSISTENCY; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

[CPAL21(21) Aviation Text Amendment]

**1. AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP (MAP 2-15 AND SHEET 24) CHANGING FROM RES-3 (RESIDENTIAL-3 DU/GA) TO RES-6 (RESIDENTIAL-6 DU/GA) ON APPROXIMATELY 29.88 ACRES OF REAL PROPERTY LOCATED SOUTH OF COUNTY ROAD 54 AND WEST OF GATEWAY DRIVE; PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

[CPAS 21(08) Forest Lake Estates]

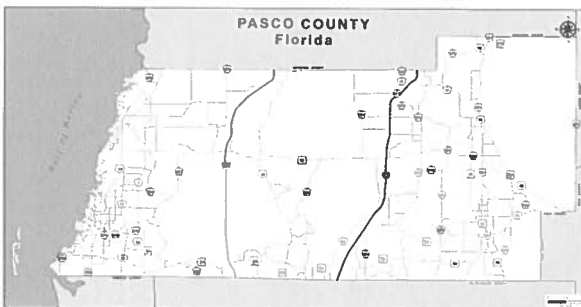


Information concerning these matters will be on file and available for examination by appointment only in the office of the Pasco County Planning and Development Department, West Pasco Government Center, 8731 Citizens Drive, Suite 360, New Port Richey, Florida 34654, or anytime on our website: [www.pascocountyfl.net](http://www.pascocountyfl.net). To make an appointment or for further information, you may call 727-847-8140. All interested parties may participate in the public hearing and be heard. To learn how to participate in this hearing virtually, which requires advance registration, please visit <https://www.pascocountyfl.net/4179/Public-Comment-Options>

**2. AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS TO CHAPTER 7, TRANSPORTATION ELEMENT, TABLE 7-2A, CORRIDOR PRESERVATION AND REPEALING TABLE 7-2B; PROVIDING FOR MAP AMENDMENTS TO THE HIGHWAY VISION PLAN AND FUNCTIONAL CLASS (MAP 7-36) AND THE TRANSPORTATION CORRIDOR PRESERVATION MAP (MAP 7-35); AND PROVIDING FOR ADDITIONAL TEXT AMENDMENTS AS NECESSARY FOR INTERNAL CONSISTENCY**

[CPA 21(04) Transportation Element Update]

Any person desiring to appeal any decision made by the Planning Commission or the Pasco County Board of County Commissioners with respect to any matter considered at any hearing will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based. For meetings, persons may obtain a verbatim record of the proceeding by contacting the Clerk and Comptroller's Office, East Pasco Government Center, 14326 6th Street, Suite 201, Dade City, Florida 33523-3414; or at (352) 521-4345.



For questions or inquiries about this meeting, members of the public can reach out to the County's Customer Service Center (727) 847-2411 or County Administration (727) 847-8115 or visit [www.mypasco.net](http://www.mypasco.net). To view the Board of County Commissioners Agenda, please visit <https://www.pascocountyfl.net/6/Pasco-Agendas-and-Minutes>.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the County's Human Resources Department, Internal Services Building, 7536 State Street, New Port Richey, Florida 34654, (727) 847-8030 (V) at least 7 days before the public hearing, or immediately upon receiving this notification if the time before the public hearing is less than 7 days; if you are hearing or voice impaired, call 711.

PASCO COUNTY LOCAL PLANNING AGENCY  
PASCO COUNTY BOARD OF COUNTY COMMISSIONERS

