

ORDINANCE NUMBER 2023-2269

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SECTION 12.03.00 OF CHAPTER 12 OF THE LAND DEVELOPMENT CODE, PERTAINING TO DETACHED GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, garages are a permitted use in residential zoned districts; and

WHEREAS, detached garages are limited to the rear and side yards; and

WHEREAS, prohibiting detached garages in the front yard limits some property owners from having a garage; and

WHEREAS, allowing detached garages to be built in the front yard within the required setback with design standards will enhance the quality of life for residents; and

WHEREAS, the City wishes to authorize detached garages in the front yard of properties located in residential zoned districts with design standards; and

WHEREAS, this ordinance has been reviewed by the Land Development Review Board as required by law; and

WHEREAS, notice of this ordinance has been provided as required by applicable law; and

WHEREAS, the New Port Richey City Council finds it necessary to implement these regulations to promote the health, safety, and welfare of the citizens of New Port Richey.

NOW, THEREFORE, be it ordained by the City of New Port Richey, Florida:

SECTION I.

Section 12.03.00, of Chapter 12, of the New Port Richey Land Development Code, pertaining to detached garages and storage buildings and greenhouses, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

12.03.00 - Detached garages, storage buildings and greenhouses

1. *Purpose*: This section sets forth those standards necessary to regulate the following particular accessory uses.

2. Detached Garages

a. Detached garage buildings shall be permitted in all residential zoning districts, provided all standards and provisions are followed.

b. Detached garages shall be permitted in the side and rear yards and shall not encroach into any required building setback from an abutting road or property line.

c. Detached garages shall be permitted in the front yard and shall not encroach into any required building setback from an abutting road or property line and shall meet the following standards:

1. The front entrance to the primary structure shall not be obstructed from the street view.

2. The architectural style of the detached garage shall be compatible with the primary structure including façade material, roof material and roof pitch.

3. All sides of the detached garage shall contain architectural features similar to the primary structure such as windows.

4. All detached garages shall have doors for vehicle openings.

5. The free vision zone shall not be obstructed.

6. Shipping containers are prohibited.

d. The height of the detached garage shall not exceed fifteen (15) feet.

e. Variances shall not be granted for a detached garage in the front yard setback.

2. ~~Standards~~: 3. Detached storage buildings and greenhouses

a. Detached storage buildings and greenhouses may be permitted in all land use categories, provided all standards and provisions are followed.

b. Detached storage buildings and greenhouses shall be permitted only in the side and rear yards and shall not encroach into any required building setback from an abutting road or property line.

c. Detached storage buildings and greenhouses may be permitted in compliance with the standards for minimum distance between buildings.

d. These structures shall not exceed fifteen (15) feet in height.

e. Shipping containers are prohibited.

SECTION II.

If any phrase or portion of this ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

SECTION III.

Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV.

It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall be codified and made a part of the New Port Richey City Code, and that the sections of this ordinance may be renumbered to accomplish such codification, and that the word ordinance may be changed to "section" to accomplish such codification.

SECTION V.

This ordinance shall become effective immediately upon its adoption as provided by law.

The above and foregoing ordinance was read and approved on first reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this _____ day of _____, 2023.

The above and foregoing ordinance was read and approved on second reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this _____ day of _____, 2023.

CITY OF NEW PORT RICHEY, FLORIDA

(SEAL)

By: _____
Name: Rob Marlowe
Title: Mayor

ATTEST:

By: _____
Name: Judy Meyers, CMC
Title: City Clerk

APPROVED AS TO LEGAL FORM AND CONTENT:

By: _____
Name: Timothy P. Driscoll
Title: City Attorney