

**ORDINANCE NO. 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 STORAGE BUILDINGS AND GREENHOUSES; PROVIDING FOR DETACHED GARAGES; PROVIDING LOCATION AND DESIGN STANDARDS FOR DETACHED GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Land Development Code provides standards for storage buildings as an accessory use;

WHEREAS, detached garages provide additional function not always applicable to storage buildings;

WHEREAS, as storage buildings, detached garages are prohibited in residential front yards;

WHEREAS, allowing detached garages in the front yards of residential properties will enhance the quality of life for residents;

WHEREAS, the use of shipping containers as storage buildings in the City is not compatible with the surrounding uses of property;

WHEREAS, the City Council wishes to authorize detached garages in residential front yards and prohibit shipping containers in all zoning districts;

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

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 COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA:

**SECTION 1.** Section 12.03.00, of Chapter 12, of the New Port Richey Land Development Code, pertaining to detached 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, in accordance with the following standards:

(1) The front entrance to the primary structure, or a stairway, porch, landing or similar architectural feature entryway thereto, shall not be obstructed from the street view by the garage;

(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, including windows;

(4) All detached garages shall have at least one working door of no less than seven (7) feet by seven (7) feet, for vehicle access from a driveway connected to the nearest right-of-way;

(5) The free vision zone shall not be obstructed; and

(6) Setback variances shall not be permitted.

d. No detached garage shall exceed fifteen (15) feet in height.

### ~~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 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. Detached storage buildings and greenhouses ~~These structures~~ shall not exceed fifteen (15) feet in height.

**SECTION 2.** 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 3.** Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.** 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 5.** 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.

ATTEST:

\_\_\_\_\_  
Judy Meyers, City Clerk

\_\_\_\_\_  
Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By: \_\_\_\_\_  
Timothy P. Driscoll, City Attorney

CA Approved 1-11-23