

ORDINANCE # 2015-2054

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE; AMENDING SECTION 7.11.01, PERMITTED USES IN THE DOWNTOWN ZONING CATEGORY, TO ALLOW RESIDENTIAL USES ON THE GROUND FLOOR AND TO SPECIFY THAT MAXIMUM RESIDENTIAL DENSITY SHALL BE CONSISTENT WITH THE APPLICABLE FUTURE LAND USE CATEGORY; AMENDING SECTION 7.11.05, DOWNTOWN ZONING DISTRICT HEIGHT REGULATIONS; AMENDING SECTION 7.21.00, LAND USE AND ZONING CONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the New Port Richey Code of Ordinances limits residential uses to the second floor and above in conjunction with a ground floor commercial use in the Downtown zoning district; and

WHEREAS, the New Port Richey Code of Ordinances requires residential uses to follow the requirements of the MF-14 zoning district; and

WHEREAS, the City Council desires to establish a Downtown Core future land use map category with a maximum residential density standard of 30 dwelling units per acre; and

WHEREAS, the City Council anticipates utilizing the Downtown zoning district in conjunction with the proposed Downtown Core future land use map category.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA:

SECTION I. That Section 7.11.01, Downtown Zoning District, Permitted Uses, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.11.01. Permitted uses

- (48) Residential uses ~~(second floor and above) in conjunction with a ground floor commercial use.~~ Such residential use must follow the requirements of the MF-14 zoning district. The maximum residential density permitted in this district shall be consistent with the applicable future land use category;

SECTION II. That Section 7.11.05, Downtown Zoning District, Height Regulations, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.11.05. Height regulations

The maximum height shall be no greater than thirty-five (35) feet. The maximum building height shall be fifty (50) feet in cases where the property is designated with the Downtown Core (DC) future land use category on the Future Land Use Map and is allowed a maximum density of over fifteen units per acre either by right or per the City's approval of Coastal Transfer of Development Rights.

SECTION III. That Section 7.21.00, Land Use and Zoning Consistency, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.21.00. Land Use and Zoning Consistency

Land Use Categories	R-1	R-2	R-3	MF-10	MF-14	MF-30	G*	C-1	C-2	Office	Hwy Comm.	Down-Town	Indust.	Rec/Open Space	Conservation	P/SP
Low-Medium Density Residential (0—5 units/acre)	X	X	X				X									
Low-Medium Density Residential (0—10 units/acre)	X	X	X	X			X									
Medium Density Residential (0—14 units/acre)	X	X	X	X	X		X			X						
High Density Residential (0—30 units/acre)	X	X	X	X	X	X	X			X						
General Commercial							X	X	X	X					2	
Highway Commercial							X	X	X	X	X					
Office							X			X						
Downtown	X	X	X	X	X		X			X		X				
<u>Downtown Core</u>												X				
Industrial							X	X	X	X			X			
Recreation/Open Space							X							X	X	
Public/Semi-Public							X			X						X

SECTION IV. 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 V. 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 VI. This Ordinance shall become effective immediately upon its adoption.

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 _____, 2015.

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 _____, 2016.

ATTEST:

Doreen Summers, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By: _____
Joseph A. Poblick, City Attorney