

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE; AMENDING SECTION 7.17.02, DEFINITIONS, TO AMEND THE DEFINITION OF “MOBILE HOME” AND TO ADD DEFINITIONS FOR “PERMANENT LEGAL RESIDENCE” AND “RECREATIONAL VEHICLE”; AMENDING SECTION 7.17.05, MOBILE HOME PARK PLAN, TO PROHIBIT RECREATIONAL VEHICLES AS PERMANENT LEGAL RESIDENCES IN MOBILE HOME PARKS AND PROVIDE ADDITIONAL MOBILE HOME STANDARDS; AMENDING SECTION 7.17.09, OTHER USES, TO PROHIBIT RECREATIONAL VEHICLES AS PERMANENT LEGAL RESIDENCES IN MOBILE HOME PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3161, et seq., Florida Statutes, requires local governments to adopt Land Development Regulations to implement their adopted Comprehensive Plan, and which contain all land development regulations for the City; and

WHEREAS, the City Council adopted Ordinance #1221 on April 17, 1990, establishing Land Development Regulations in the City and several amendments thereto; and

WHEREAS, the City Council adopted Ordinance #1311 on April 6, 1993, amending the Mobile Home Park District to allow single-family dwelling units; and

WHEREAS, the City Council adopted Ordinance #1514 on January 4, 2000, amending the Mobile Home Park District to address mobile home separation distances; and

WHEREAS, the City Council has found and determined that these regulations should be further amended to regulate uses and development within mobile home parks.

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

SECTION I. That Section 7.17.02, Definitions, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.17.02 Definitions. Definitions as used in this section are as follows:

Mobile home means any vehicle or similar portable structure having been constructed with wheels (whether or not such wheels have been removed) and having no foundation other than wheels, jacks or skirtings, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. These do not include recreational vehicles as defined herein. Mobile homes are considered a single dwelling unit for the purposes of calculating density.

Permanent legal residence means the one permanent home where the resident exercises his or her political rights and is liable to taxation and to where, whenever the resident is absent, he or she intends to return.

Recreational vehicle means a vehicle, including a park trailer, which is: [See F.S. § 320.01.]

(1) Built on a single chassis;

(2) Four hundred (400) square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or permanently towable by a light-duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel or seasonal use.

SECTION II. That Section 7.17.05, Mobile Home Park Plan, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.17.05 Mobile home park plan.

Each mobile home park within an MHP district classification shall conform to the following requirements:

1. Minimum site area of ten (10) acres.
2. Minimum lot area of four thousand (4,000) square feet with 40-foot lot width.
3. Maximum possible gross density 8.8 dwelling units per acre.
4. Mobile homes located in mobile home parks developed prior to ~~the enactment date of this ordinance 2000~~ shall be separated from each other and other structures by at least ten (10) feet. Mobile homes located in mobile home parks developed after ~~the enactment date of this ordinance 2000~~ shall be separated from each other and other structures by at least fifteen (15) feet.
5. (a) A setback of fifteen (15) feet in width from all property lines of parcels of different use except for public streets shall be provided and maintained in each mobile home park. Such setback shall not be considered to be part of an abutting mobile home space; nor shall said setback be used as part of the recreation area.
(b) Front setbacks from existing or planned center lines of rights-of-way or public thoroughfares shall be required if the setbacks in subsection 5(a) above are less than the following:
 1. Local streets: Twenty-five (25) feet from property line.
 2. Collector streets and all others: Thirty-five (35) feet from property line.
6. No more than sixty-five (65) percent of the land area of each mobile home lot shall be devoted to the mobile home coach, carport, cabana, or other similar improvements.
7. Permissible uses shall not be construed to include display or sale of mobile homes or motor vehicles or storage of unoccupied mobile homes except such mobile homes that may be vacant when the same are set up and erected on a regular site. Recreational vehicles may not be used for permanent legal residence within mobile home parks.
8. The maximum height of a structure shall not exceed 25 feet.
9. The maximum number of mobile homes permitted on each lot is one.

SECTION III. That Section 7.17.09, Other Uses, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.17.09 Other uses.

Single- or one-family dwelling units, other than mobile homes, shall be permitted provided that they meet the requirements set forth for this use in the R-3 Residential District, and further provided the lot or lots to be developed for such use are not part of a recorded mobile home subdivision or park.

Recreational vehicles may not be used for permanent legal residence within mobile home parks.

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 _____, 2016.

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