

ORDINANCE NO. 2020-2210

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SUBSECTION 7.03.02 OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO PERMITTED USES IN THE R-3 RESIDENTIAL ZONING DISTRICT; PROVIDING FOR THE ADDITION OF ATTACHED SINGLE FAMILY TOWNHOMES AS A SPECIAL EXCEPTION USE WITHIN THE R-3 RESIDENTIAL ZONING DISTRICT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of New Port Richey Land Development Code provides for the R-3 Residential Zoning District; and

WHEREAS, the R-3 Residential Zoning District allows as a permitted use detached single-family dwelling units, accessory buildings, urban agriculture; and

WHEREAS, the R-3 Residential Zoning District allows as a special exception use places of worship and bed and breakfast operations; and

WHEREAS, the City of New Port Richey Comprehensive Plan provides for the Downtown and Downtown Core future land use designations; and

WHEREAS, the Downtown and Downtown Core future land use designations allow as a permitted use residential development at a maximum density of 20 dwelling units/acre in the Downtown and 40 dwelling units per acre in the Downtown Core; and

WHEREAS, it is determined that there is a need to expand the type of residential uses to include attached single-family townhomes as a special exception within the R-3 Residential Zoning District that are also designated with a Downtown or Downtown Core future land use designation; and

WHEREAS, it is determined that to protect the health, safety, and welfare of the citizens of New Port Richey, specific development standards for the special exception for attached single-family townhomes within the R-3 Residential Zoning District within the Downtown or Downtown Core future land use are required; 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 COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA:

SECTION 1. Section 7.03.02, of Chapter 7, of the New Port Richey Land Development Code, pertaining to permitted uses in the R-3 residential zoning district, is hereby amended as follows (strikeout text is deleted and underlined text is added):

Section 7.03.02 Permitted land uses

Land uses permitted in the R-3, residential district shall be as follows:

1. A detached one-family dwelling of minimum area of nine hundred (900) square feet of living area exclusive of open porches, open breezeways or carports;
2. Detached buildings for accessory uses, including those auxiliary structures customarily incidental with private residences, such as a garage occupying a combined area not exceeding ten (10) percent of the lot area;
3. Urban agriculture (indoor crop production prohibited; on-site wholesale and retail sales prohibited except at garage sales as permitted elsewhere in the LDC and New Port Richey Code of Ordinances);
4. Special exceptions: The following uses may be allowed upon approval for a special exception by the city council in accordance with this code:
 - a. Churches, synagogues, temples or similar places of worship and their accessory uses.
 - b. Bed and breakfast operations as regulated under section 7.23.00 et seq. of this code.
 - c. Attached single-family townhomes with the following development standards:
 - i. For purposes of the special exception, an attached single-family townhome is defined as a group of two or more attached single-family dwelling units constructed with property lines separating each unit, where each unit extends from foundation to roof, with a yard or public way on at least two sides;
 - ii. The property shall be located in the Downtown or Downtown Core future land use classification on the City's adopted Comprehensive Plan future land use map;
 - iii. The residential density shall not exceed the maximum densities within the Downtown or Downtown Core future land use classification, as applicable;
 - iv. A minimum property size of at least 5,000 square feet shall be required for each project, and each individual single-family townhome shall be located on an area of at least 2,500 square feet;
 - v. The underlying parcel of each individual single-family townhome shall be consistent with the parcel of record as recorded in the public records of Pasco County, Florida; and

vi. Site development standards shall be established by the City Council through the special exception approval process.

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 4th day of November, 2020.

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 17th day of November, 2020.

ATTEST:

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM

By: _____
Timothy P. Driscoll, City Attorney