

ORDINANCE NO. 2021-2232

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA PROVIDING FOR APPROVAL OF A SPECIAL EXCEPTION FOR A CHURCH TO BE ALLOWED WITHIN THE R-3 ZONING DISTRICT AND LOW MEDIUM DENSITY FUTURE LAND USE CLASSIFICATION FOR A PROPERTY LOCATED AT 6016 DELAWARE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 7.03.02 (4a) of the Land Development Code allows churches, synagogues, temples or similar places of worship and their accessory uses within the R-3 residential district as a special exception approved by the City Council;

WHEREAS, 6016 Delaware Avenue Trust, owner of property located at 6016 Delaware Avenue, New Port Richey, Florida, as more particularly described herein, (Subject Property) submitted an application to the City for consideration of approval of a church to be allowed as a permitted use in R-3 residential district;

WHEREAS, the Subject Property is located within the R-3 zoning district and Low Medium Density future land use classification, which is consistent with the requirements of Section 7.03.02 (4a) of the Land Development Code;

WHEREAS, the special use application for 6016 Delaware Avenue was publicly noticed as required by Section 5.02.03 and 5.02.04 of the Land Development Code;

WHEREAS, On May 6, 2021 the City's Development Review Committee reviewed the special exception and recommended approval of the special exception with conditions to the City Council;

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION 1. The property which is the subject of this ordinance is located at 6016 Delaware Avenue, New Port Richey, Florida, and is legally described as follows (hereinafter "Property"):

Lots 4-8, inclusive, Block 135, NEW PORT RICHEY, according to the plat thereof recorded in Plat Book 4, Page 49, of the Public Records of Pasco County, Florida.

Parcel ID No. 04-26-16-0030-13500-0040

SECTION 2. Based on the City staff report presented and testimony provided by the Applicant and public at the public hearings, the City Council finds that the application with the recommended conditions are compliant with the requirements of Section 7.03.02 (4a) of the Land Development Code for the approval of a special exception for a church to be located within the R-3 zoning district and Low Medium Density future land use classification. In addition, the City Council finds that the approval of the special exception is consistent with the seven (7) required findings provided in Section 5.02.10 of the Land Development Code.

SECTION 3. Approval of the special exception is subject to the following conditions:

1. All parking areas shall be improved to meet the parking standards for such use as set forth in the current City Code; and
2. Landscaping shall be added to meet the landscape standards for such use as set forth in the current City Code.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of the Ordinance is for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, then such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall take effect upon its passage and adoption.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this ____ day of _____, 2021.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this ____ day of _____, 2021.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor – Councilmember

Approved as to legal form and content

Timothy P. Driscoll, City Attorney

CA Approved 5-20-21