

ORDINANCE NO. 2021-2233

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE BY ADDING SECTION 7.27.00 THERETO; PROVIDING FOR AMENDMENT OF SECTIONS 7.04.01, 7.05.01, 7.06.01, 7.09.02.2, AND 7.16.07 OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO MULTI-FAMILY DESIGN STANDARDS WITHIN VARIOUS ZONING DISTRICTS; PROVIDING FOR BUILDING AND SITE DESIGN STANDARDS FOR NEW MULTI-FAMILY PROJECTS WITH 10 DWELLING UNITS OR MORE, OR WHICH ARE LOCATED ON ONE ACRE OR GREATER PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 15, 2020, the New Port Richey City Council adopted Ordinance No. 2020-2215, which placed a 180-day moratorium on the issuance of building permits for multi-family residential building projects having more than four dwelling units within the city with the exception for developments in the city that have already been commenced and are being implemented in phases; and

WHEREAS, the purpose of the multi-family moratorium was to allow City staff to research and prepare design standards for multi-family developments for implementation through the City's Land Development Code; and

WHEREAS, City staff completed development of design standards for multi-family developments; and

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

WHEREAS, notice of this ordinance has been provided as required by applicable law; and

WHEREAS, the New Port Richey City Council finds and it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

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

SECTION 1. Section 7.27.00, of Chapter 7, of the New Port Richey Land Development Code, pertaining to multi-family design standards, is hereby created, as follows (strikeout text is deleted and underlined text is added):

7.27.00. – Multi-Family Design Standards

7.27.01 Purpose and intent.

It is the purpose and intent of this division to establish design standards for multi-family developments and projects that contain ten (10) dwelling units or more, or which are located on a property of one acre or more in size . Renovations or alterations to existing multi-family projects, which do not increase the number of dwelling units, or existing multi-family projects developing in phases as part of a previously approved building permit shall not be subject to these design standards. All other multi-family developments and projects meeting the foregoing thresholds shall be subject to these design standards.

7.27.02 Primary objectives of the multi-family design standards. These standards are intended to:

- a. Promote the livability and neighborhood compatibility of multi-family residential housing in the city;
- b. Establish a vision for the design of high-quality multi-family residential housing, while also allowing for creativity in terms of architectural style and details;
- c. Enhance the relationship between multi-family residential development and adjacent residential neighborhoods, business districts, community facilities, open spaces, and public streets;
- d. Encourage multi-family residential developments which are integrated with existing neighborhoods through automobile, transit, bicycle, and pedestrian connections;
- e. Maintain an appropriate scale and pattern of development that is compatible with existing neighborhoods and fosters social interaction;
- f. Encourage a variety of public and private open spaces in multi-family residential developments; and
- g. Create attractive, walkable streetscapes for the pedestrian.

7.27.03 Definitions. The terms used in this section shall have the meanings provided in this subsection.

- a. *Articulation* describes the degree or manner in which a building wall or roof line is made up of distinct parts or elements. A highly

articulated wall will appear to be composed of a number of different planes, usually made distinct by their change in direction (projections and recesses) and/or changes in materials, colors, or textures.

b. *Multi-Family Development Size* is defined as follows:

Small-size is 10 to 49 dwelling units;

Mid-size has between 50 and 100 dwelling units; and

Large-size has over 100 dwelling units.

c. *Façade* means the face or elevation of a building.

d. *Buffer* means a method or materials used to visually conceal one element of a development from other elements or from adjacent development.

e. *Mass* describes three dimensional forms, the simplest of which are cubes, boxes (or “rectangular solids”), cylinders, pyramids and cones. Buildings are rarely one of these simple forms, but generally are composites of varying types. This composition is generally described as the “massing” of forms in a building.

f. *Monolithic* means a single large flat surface (face or façade) without relief.

g. *Proportion* means the ratio of dimension between elements. Proportion can describe height to height ratios, width to width ratios, width to height ratios, as well as ratios of massing.

h. *Rhythm* (Horizontal, Vertical) means the regular or harmonious recurrence of lines, shapes, forms, elements, or colors, usually within a proportional system.

i. *Scale* (Human Scale) means the measurement of the relationship of one object to another object. The scale of a building can be described in terms of its relationship to a human being.

j. *Texture* refers to variations in the exterior façade and may be described in terms of roughness of the surface material, the patterns inherent in the material or the pattern in which the material is placed. Texture and lack of texture influence the mass, scale and rhythm of a building. Texture can add intimate scale to large buildings by the use of small detailed patterns.

7.27.04 Multi-Family site design standards.

a. Context and Compatibility.

- (i) Developments are encouraged to provide a range of housing types to promote a diverse community of housing types and opportunities.
- (ii) Complementary building arrangements, buffers, and avoidance of incompatible building scale shall be considered to ensure that new multi-family residential development is compatible with lower-density residential development and other uses in the immediate area. Adjacent to lower-density residential development, multi-family residential buildings shall be sited with either fewer units or structures with one-story end units. Accessory structures, including garages and recreational facilities, shall be set back and screened from lower-density residential development.
- (iii) If practical, streets shall be extended from neighboring developments into the development site.
- (iv) If practical, neighboring developments shall be connected through pedestrian and/or bicycle facilities, especially where street connections are infeasible due to site constraints.
- (v) Pedestrian and bicycle connections shall be provided to adjacent existing or planned open space areas and trails.
- (vi) Buildings shall be set back in a similar manner to the surrounding context.
- (vii) The privacy of neighboring structures shall be respected, with windows and upper floor balconies positioned so they minimize views into neighboring properties.

b. Building Placement and Orientation.

- (i) Buildings shall be oriented toward, and respond to, adjacent public streets, courtyards and other public spaces.
- (ii) Buildings shall be placed parallel to the street edges when possible, or perpendicular to the street if arranged around a courtyard or other open space.

- (iii) If buildings are substantially set back from the street, decorative fences, walls and/or landscape elements shall be used to reinforce the street edge, enhance the pedestrian experience and maintain the privacy of residential units.
- (iv) Spacing between buildings shall be provided in accordance with zoning district requirements; wider spacing shall generally be provided between taller buildings.
- (v) Primary building entries shall be clearly identifiable and visible from the street, with well-defined walkways from pedestrian routes.
- (vi) Street facing garage doors are discouraged; however, they may be used on a limited basis for access to under-building parking or where site conditions make access from the rear or side impractical. Street facing garage doors shall be placed behind the front building façade.

c. Vehicular and Pedestrian Circulation.

- (i) Residential and collector drives shall be designed to encourage building clusters that define identifiable neighborhoods within the development.
- (ii) Excessively straight and wide drives, which encourage high traffic speed and do not have a residential scale, are discouraged.
- (iii) Streets shall include sidewalks, pedestrian-scale lights, appropriate pedestrian amenities and a regular pattern of tightly-spaced street trees to help create a pedestrian-friendly environment.
- (iv) A system of pedestrian walkways shall link all site entrances, building entries, parking areas and common outdoor spaces with the public sidewalk.
- (v) Where the internal sidewalks abut a vehicular circulation area, the sidewalks shall be raised or separated from the vehicular circulation area by a raised curb, bollards, landscaping, or other physical barrier.
- vi Bicycle racks shall be provided for the parking of bicycles on site.

d. Common Open Spaces and Site Amenities.

- (i) For all multi-family projects, common open spaces shall be incorporated as amenities to the residents. Where feasible, common open spaces shall be connected to a broader network of open spaces serving the general public.
- (ii) Common open space areas shall be designed, landscaped, and furnished as a logical extension of the existing development pattern, and be designed to be compatible with the existing and planned character of the district in which they are located. Well defined edges shall be provided through the use of walkways, buildings, or landscaping.
- (iii) Multi-family projects with 50 or more dwelling units shall provide one central open space as a community focal point and gathering space, as well as other smaller diverse open spaces such as courtyards, squares, greens, or commons.
- (iv) Large-sized developments shall incorporate facilities which contribute to meeting the social, civic, or public safety needs of the residents and community.
- (v) Multi-family projects shall provide on-site amenities to accommodate the activity interests of all age groups expected to reside in the development. Both active (playgrounds, ball fields, swimming pool, athletic courts, etc.), and passive recreational amenities (kayak/canoe launch, arboretum, public art promenade, nature preserve, etc.) shall be considered.
- (vi) The minimum number of on-site amenities that are provided shall be determined as follows:
 - (1) Small-size developments 1 amenity
 - (2) Mid-size developments 2 amenities
 - (3) Large-size developments 3 amenities

e. Private Open Spaces.

- (i) Private open spaces (at least 80 square feet in area), such as a yard, patio or balcony, which can be entered from the inside of the dwelling unit shall be provided for at least 50 percent of the total dwelling units. Yards used as private open space shall feature both landscaped and hardscaped areas with defined edges.

f. Site Furnishings and Utilities.

- (i) Common open space areas shall include site furnishings such as gazebos, fountains, water features, public art, game tables, tables and chairs, benches, and bike racks to add uniqueness to the site and a sense of place and livability.
- (ii) Fencing and wall materials shall use similar or identical materials as used on buildings and shall use the same or complementary color palette.
- (iii) Retaining walls shall be a material compatible with the primary building materials.
- (iv) Service and utility areas are encouraged to be located inside the building or integrated into the architecture of the building. However, if service and utility areas are located externally to the building, they shall be enclosed or screened from the public view with fencing, walls, and/or landscaping.
- (v) Dumpsters shall be completely screened from view by fencing, walls, and/or landscaping, and otherwise meet any dumpster enclosure standards applicable thereto.
- (vi) Utilities shall be buried and located at the rear or side lot lines. Meters and transformers shall be placed at the side or rear of lots and screened from public view with fencing, walls, and/or landscaping.
- (vii) Roof mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. The screening shall be as high as the height of the equipment and shall be integrated with the exterior building design.

7.27.05 Multi-Family building design standards.

a. Context and Compatibility

- (i) Where a neighborhood has a recognizable architectural context, those building features shall be used as visual cues for incorporation into the development's design.
- (ii) An appropriate transition between the development and abutting sites is encouraged.

b. Mass and Scale

- (i) Building facades shall display rhythm through the recurrence of certain building elements to maintain a sense of consistency within the multi-family project.
- (ii) Buildings shall be comprised of a series of residential masses and forms to reflect the individual units and give the building scale and visual appeal. Wall plane projections, porches, balconies, bay windows, roof projections and extending roof eaves are techniques that can be used to achieve this effect.
- (iii) Building massing and components shall demonstrate proportional consistency (in height to width) to provide a balanced appearance.
- (iv) Building design shall incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. A second story, for example, shall not appear heavier or demonstrate greater mass than that portion of the building supporting it.

c. Building Materials and Architectural Details

- (i) Acceptable façade materials include stucco, lap siding, cement board siding, vinyl siding, wood siding, board and batten wood, native stone, and brick. Other façade materials that are not listed as acceptable require the approval of the Development Review Committee.
- (ii) Side and rear facades, which face the street or are visible to the public, shall be designed with similar design elements as the front façade.
- (iii) A unit's entry shall be enhanced through architectural elements such as porches, stoops, or roof canopies, or detailing such as paint color, trim, materials, or awnings.
- (iv) Acceptable roofing materials include wood shingles, clay or concrete tiles, slate, composition shingles, asphalt shingles, and metal tiles. Other roof materials that are not listed as acceptable require the approval of the Development Review Committee.
- (v) The monotonous appearance of a single color application on buildings or colors that are garish and conflict with the building's surroundings and community character shall be avoided.

- (vi) The design and construction of garages and carports shall be compatible with the structure design and materials of the principal buildings. The incorporation of the roof pitch and materials of principal buildings into garage or carport roofs is encouraged.

7.27.06 Multi-Family landscape, lighting, and stormwater design standards.

a. Natural Features

- (i) Where significant natural features or cultural resources exist on a property, an applicant shall give priority to their preservation through public open space dedication or as common open space. Priority shall be given to wetlands, floodplains, bodies of water, existing mature trees and vegetation, and historic, cultural, or archeological sites or areas recognized by the City as significant.

b. Land Disturbance

- (i) The use of extensive grading or unusual site improvements (e.g., large retaining walls) to force a preconceived design onto a particular piece of property is discouraged.
- (ii) The layout of the development shall follow and respect the natural topography of the site. Grading to create a large level lot or site is discouraged. Berms, channels, swales, and similar man-made changes to the landscape shall be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes of slope.

c. Landscaping Materials and Standards

- (i) Site landscaping shall be organized to accent architecture, enhance outdoor spaces and the street, buffer between uses and screen less desirable features such as utilities, parking areas, dumpsters, and loading areas.
- (ii) A wide range of plant materials, including perennials, flowering shrubs, native shrubs, and groundcovers shall be planted.
- (iii) Each landscaped area, including parking islands, shall be covered in live material. Live material includes trees, shrubs, ground cover, and sod. Woody mulch or other natural materials may cover areas not covered in live material.
- (iv) Appropriate irrigation shall be installed to assure the continuous health of plant materials.

(v) Landscape plantings shall be used to help define property lines and distinguish private space from public space through a change in plant material, form, or height.

d. Parking Lot Landscaping

(i) Landscape islands or areas shall separate detached garages or carport structures sited in a row (end-to-end).

(ii) Parking lots, parking structures, garages and carports shall be screened from adjacent streets, public spaces, and adjacent properties through strong edges of landscaping, fences and/or walls.

e. Lighting

(i) Pedestrian-level, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or landscape walls shall be used to light pedestrian walkways.

(ii) Light pole, building-mounted, or tree-mounted lighting structures shall generally be no more than twenty (20) feet high. Bollard-type lighting shall be no more than four (4) feet high.

(iii) Light fixtures shall use full cut-off lenses or hoods to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

(iv) Lighting fixtures shall be color-correct types such as halogen or metal halide to ensure true color at night and ensure visual comfort for pedestrians.

f. Storm Water Management

(i) The use of techniques and practices such as green roofs, permeable pavement, rain barrels, rain gardens and vegetated swales are encouraged.

(ii) Site drainage patterns shall be designed to prevent concentrated surface drainage from collecting on, and flowing across pedestrian paths, walks, and sidewalks.

g. Energy Efficiency, Water Conservation, and Resiliency

- (i) Development plans for multi-family projects shall demonstrate implementation of:
 - a. Energy efficient site and building designs;
 - b. Water conservation measures for site and building designs;
and
 - c. Resiliency measures to protect, mitigate, and recover from impacts of flooding and other natural disasters.

SECTION 2. Section 7.04.01, of Chapter 7, of the New Port Richey Land Development Code, pertaining to multi-family development in the MF-10 Low Medium Density Residential District, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

7.04.01 General description

The MF-10 multi-family low-medium density district is created to provide for residential development from single-family use to medium density apartments. The maximum density permitted in this district shall be ten (10) dwelling units per net acre. In addition, the multi-family design standards provided in Section 7.27.00 shall apply.

SECTION 3. Section 7.05.01, of Chapter 7, of the New Port Richey Land Development Code, pertaining to multi-family development in the MF-14 Medium Density Residential District, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

7.05.01 General description

The MF-14 multi-family medium density district is created to provide for residential development from single-family use to medium density apartments. The maximum density permitted in this district shall be fourteen (14) dwellings units per net acre. In addition, the multi-family design standards provided in Section 7.27.00 shall apply.

SECTION 4. Section 7.06.01, of Chapter 7, of the New Port Richey Land Development Code, pertaining to multi-family development in the MF-30 Medium Density Residential District, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

7.06.01 General description

The MF-30 multi-family high density district is created to provide for high density apartment development use. The maximum density permitted in this district is thirty (30) dwelling units per net acre. In the MF-30 district no premises or building shall be used or occupied and no building shall be erected or structurally altered unless otherwise provided in this division. In addition, the multi-family design standards provided in Section 7.27.00 shall apply.

SECTION 5. Section 7.09.02.2, of Chapter 7, of the New Port Richey Land Development Code, pertaining to multi-family development as a conditional use in the Highway Commercial Zoning District, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

2. Multi-Family Apartments, provided that:

- ~~a.~~ Residential units are part of a mixed-use development located at significant intersections or economic areas in furtherance of Comprehensive Plan goals and objectives; ~~and~~
- b. Residential units are not located on the ground floor-; and
- c. The multi-family design standards provided in Section 7.27.00 shall apply.

SECTION 6. Section 7.16.07, of Chapter 7, of the New Port Richey Land Development Code, pertaining to the design, bulk and location standards for multi-family development in the Planned Development District, is hereby amended, to add sub-section 11 thereto as follows (strikeout text is deleted and underlined text is added):

7.16.07 Design, bulk and location standards.

11. Multi-family.

- (a) The multi-family design standards provided in Section 7.27.00 shall apply.

SECTION 7. 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 8. Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9. 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 10. 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 1st day of June, 2021.

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 6th day of July, 2021.

ATTEST:

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By: _____
Timothy P. Driscoll, City Attorney
LDRB approved by CA 5-18-21