

ORDINANCE # 2015-2038

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, AMENDING SECTION 11.05.00 OF THE NEW PORT RICHEY LAND DEVELOPMENT CODE TO REGULATE PARKING OF VEHICLES IN THE FRONT OR SIDE YARD OF LOTS WITHIN RESIDENTIAL ZONING DISTRICTS OR SUCH PERMITTED RESIDENTIAL USES WITHIN OTHER ZONING DISTRICTS; AMENDING SECTION 2.01.00, DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the New Port Richey Code of Ordinances contains various restrictions on parking vehicles within certain areas or districts; and

WHEREAS, the City Council desires to amend such restrictions to regulate parking vehicles in the front or side yard of lots within the residential zoning districts.

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

SECTION I. That Section 11.05.00, Off-Street parking Spaces, of the New Port Richey Land Development Code is hereby amended to read as follows:

11.05.00. Off-street parking spaces

1. Location. All required off-street parking spaces shall be provided on the same parcel of land occupied by the use to which the spaces are adjacent to. In the case where there is not suitable spaces available, the owner/developer must apply for a parking variance as established in this code. If a variance cannot be obtained, the developer/owner may be allowed to fulfill the off-street parking requirements on any real property within a distance of two hundred (200) feet, provided the property is zoned for a commercial use, provided that such parking lot is owned by the same person who owns, uses, occupies or leases such building. This parking facility shall be for the customers, employees, patrons, patients, or clients who are transacting business or receiving services from such commercial building.
2. The owner of such real property which is devoted to off-street parking, as aforesaid, is authorized to construct a paved surface thereon in accordance with specifications as determined by the city engineer.
3. The authority which is established by this section shall not be deemed to authorize the establishment of an independent parking lot business on such real property, unless such a parking lot is located within any zoned area wherein a parking lot is permitted as an authorized land use within the zoning classification.
4. In order to construct any such parking lot, as contemplated in this section, the person who proposes to construct and/or use such parking lot shall file a written application with the city council for a permit to do so and upon receipt thereof, the city council may schedule a hearing to determine if such a permit shall be granted and public notice of the hearing shall be published in any newspaper of general circulation within the corporate limits of the city which shall provide at least fifteen (15) days' notice therein. In addition thereto, notice of the hearing shall also be provided by certified mail, return receipt requested, to all property owners whose property is located within two hundred (200) feet of the proposed parking lot.
5. Nothing herein shall be construed as allowing the parking or storage of any vehicle which is being repaired or serviced or any vehicle owned by the parking lot owner.
6. A building permit is required for a driveway or parking lot construction;
7. Parking of vehicles (excluding recreation vehicles, watercraft vehicles, and trailers) is prohibited in the front yard or side yard of a lot located in a single-family and duplex residential zoning district or such permitted residential use of a lot in any other zoning district, unless the following standards are met:

- a) Location. The vehicle may be parked on a primary driveway or on an accessory space, or spaces, as illustrated below in Figures A, B, C and D. An accessory parking space located in the front and/or side yard and shall be located parallel to the driveway.
- b) Surface Materials. The portion of the primary driveway located within the property boundaries shall be constructed of asphalt or concrete material, brick or decorative pavers, crushed stone, crushed rock, gravel, shell or other materials approved by the Development Department. All of these materials are considered impervious. The impervious surface ratio shall not exceed 60 percent. The portion of the driveway located within the right-of-way shall be constructed of asphalt or concrete material, brick or decorative pavers, as approved by the Public Works Department. Parking in the rear yard is not subject to these restrictions and may be located on grass.

For accessory parking spaces, organic mulch is also an approved surface material.

The use of crushed stone, crushed rock, gravel, shell or organic mulch is subject to the following minimum technical standards. The material shall be at least four inches deep and bordered with a solid border at least four inches below the surface and extending less than an inch above the surface of the material on all sides; all surfaces are to be placed on a compacted subgrade to provide a stabilized base (as shown in Figure E). The surface of the space must be maintained to meet technical requirements and shall not overflow into the right-of-way.

- c) Setback. Driveways and additional parking spaces shall maintain a minimum three-foot setback from the closest interior lot line.
- d) Dimensions. Parking spaces shall be located completely on private property to prevent vehicles from overhanging into and obstructing the public right-of-way.
1. Standard driveway. Driveways shall measure 10 feet to 20 feet in width, depending on garage opening width, by 19 feet in length. A three-foot by seven-foot triangular flare shall be provided in the right-of-way;
 2. Circular driveway. The circular portion of a driveway shall measure 10 feet to 14 feet in width, with a three-foot by seven-foot triangular flare;
 3. Ribbon driveway. Ribbon driveways are an acceptable alternative to standard driveways, reducing the overall impervious surface coverage. Ribbon driveways are subject to the same dimensions for standard driveways. Individual "ribbons" are only permitted within the property (not the right-of-way) and shall measure between 1½ and 2½ feet in width;
 4. Parking lots. For multi-family development, parking lots shall be designed similar to commercial establishments.
- e) Where unique conditions preclude strict compliance with these parking requirements, the Development Department may approve other parking configurations following a safety review.
- f) A temporary use permit may be obtained from the Department of Development for a two week period twice per calendar year, per residence, January through December. Temporary permits must be displayed on the property at a location to be determined by the Development Department.

Figure A: Front & Side Yard Parking

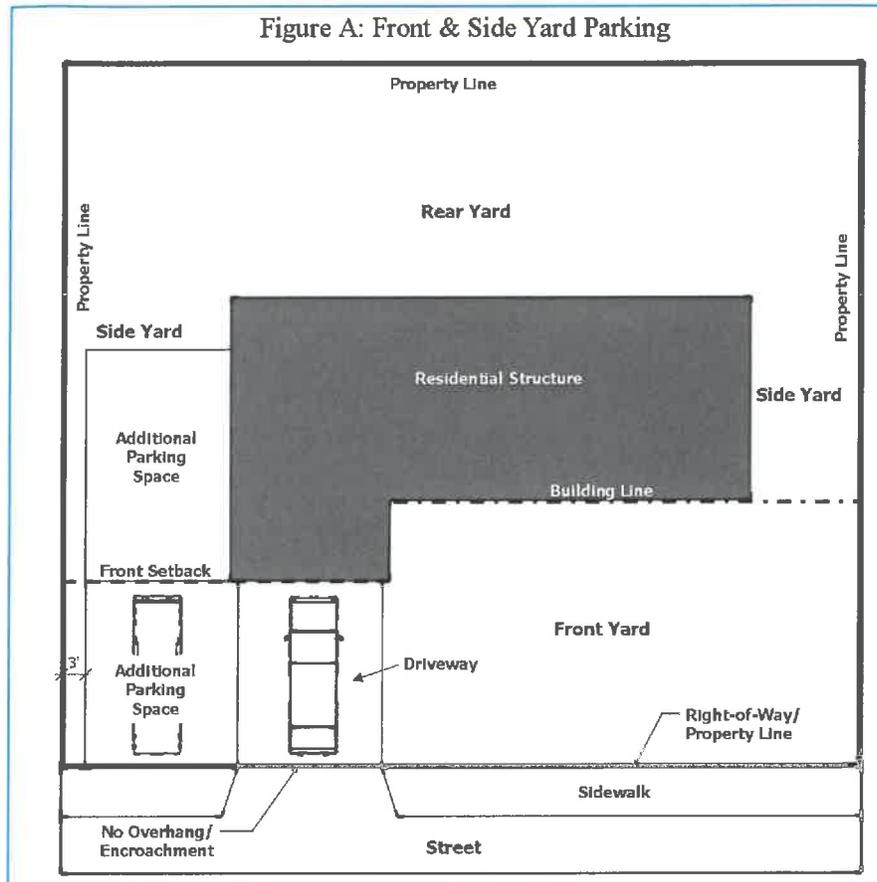


Figure B: Parking on a Corner Lot

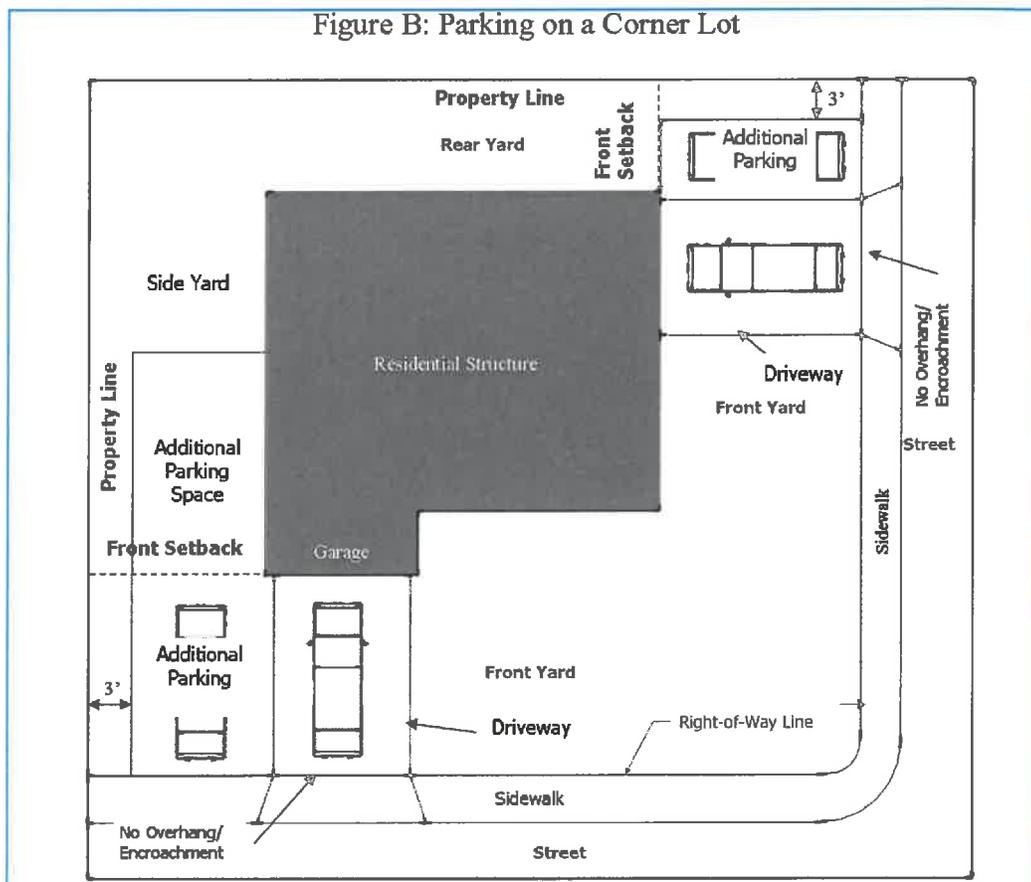


Figure C: Circular Drive/Side Load Garage Parking

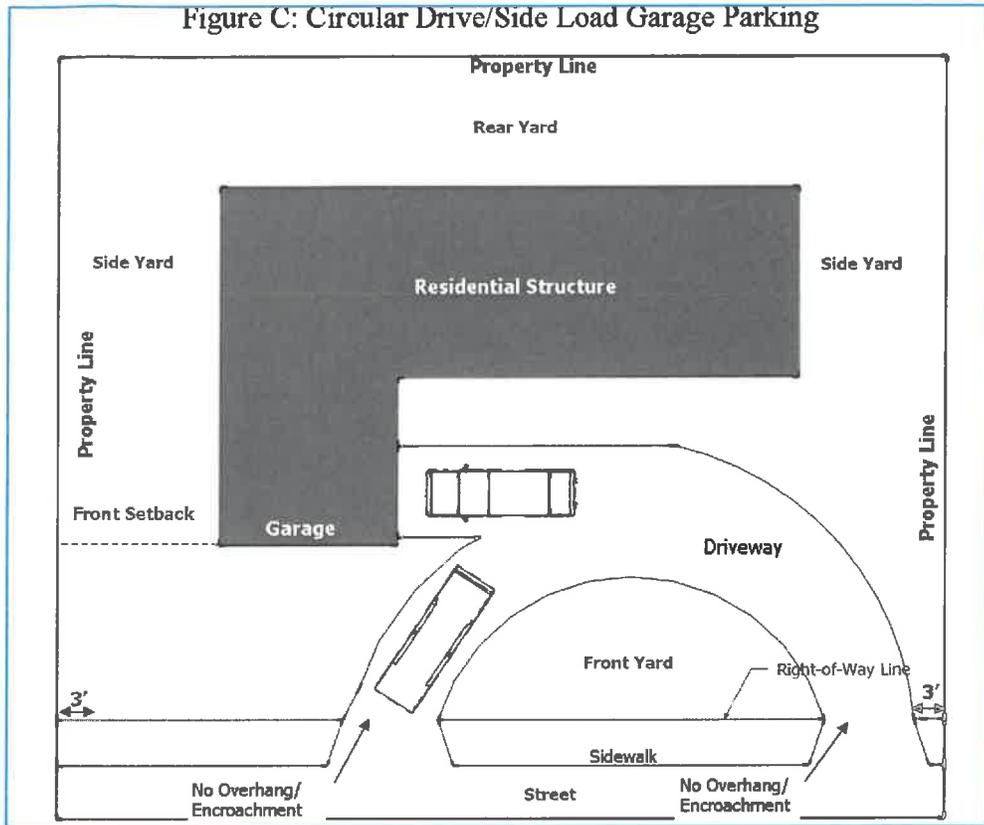


Figure D: Ribbon Driveway

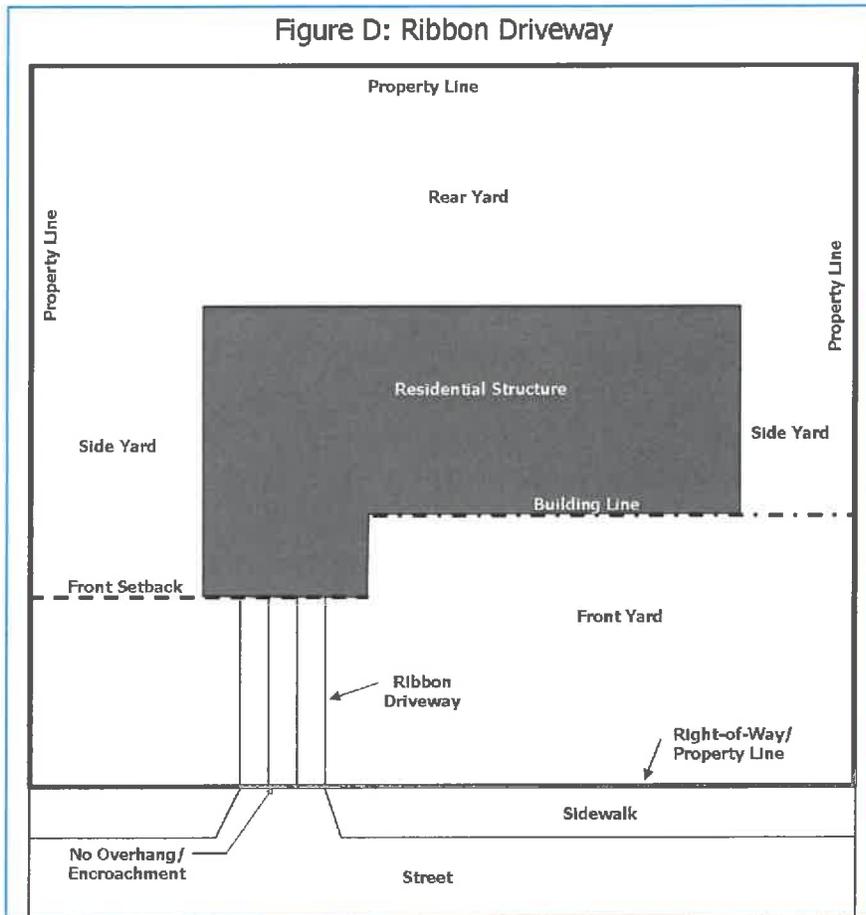
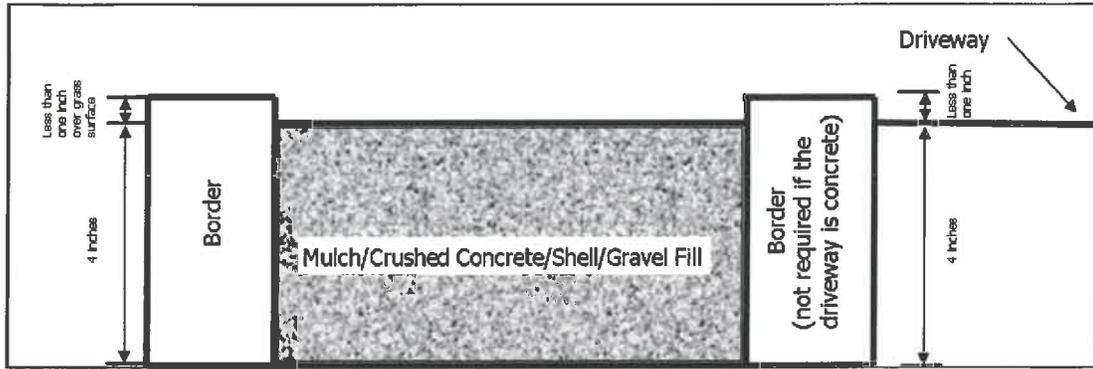


Figure E: Design Standard for Driveways and Accessory Parking Spaces with Mulch, Crushed Concrete, Shell or Gravel Fill



All surfaces are to be placed on a compacted subgrade to provide a stabilized base.

SECTION II. That Section 2.01.00, Definitions, of the New Port Richey Land Development Code is hereby amended to read as follows:

2.01.00 Definitions

Driveway: A private roadway providing access for vehicles to a parking space or parking lot, garage, dwelling, or other structure.

Trailer: Any wheeled cart, wagon or platform, designed to be towed behind a vehicle as defined herein, including those intended to be used for, but not limited to, boats, canoes, jet skis, golf carts, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles, mini-bikes and/or other utility-type vehicles.

Vehicle: Any self-propelled vehicle (excluding recreation vehicles, watercraft vehicles, and trailers) which is designed for use upon a public roadway or highway.

SECTION III. 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 IV. 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.

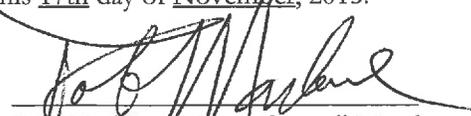
SECTION V. This Ordinance shall become effective within 180 days following adoption.

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 19th day of May, 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 17th day of November, 2015.

ATTEST:

 Doreen Summers, City Clerk


 Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM
 By: 
 Joseph A. Poblick, City Attorney