

ORDINANCE NO. 2024-2293

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO ZONING DISTRICT REGULATIONS; PROVIDING FOR A NEW SECTION 7.03.10 CREATING THE R-4 RESIDENTIAL COASTAL COTTAGE ZONING DISTRICT; PROVIDING FOR PERMITTED USES, PROHIBITED USES, AND DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are residential lots within the city that do not meet the minimum lot size necessary for constructing a typical single-family dwelling;

WHEREAS, the City's Comprehensive Plan Housing Policy HOU 1.1.2 provides that the City shall review ordinances, codes, regulations and the permitting process for the purpose of eliminating excessive requirements, and amend or establish other requirements in order to increase private sector participation in meeting the housing needs of the City while continuing to ensure the health, welfare and safety of residents;

WHEREAS, the City's Comprehensive Plan Housing Policy HOU 1.1.5 provides that the City shall continue to allow a variety of residential densities and housing types through the Future Land Use Map and the Land Development Code;

WHEREAS, the current Land Development Code does not provide a zoning district for undersized lots;

WHEREAS, the City Council wishes to create an R-4 residential coastal cottage zoning district to provide development standards and uses for areas of the city having undersized lots;

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

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. Chapter 7 of the New Port Richey Land Development Code, pertaining to zoning district regulations is hereby amended to create the R-4 Residential Coastal Cottage Zoning

District, designated as Section 7.03.10, as follows (strikeout text is deleted and underlined text is added):

7.03.10 - R-4 Residential Coastal Cottage District

7.03.10.01 Permitted land uses

Land uses permitted in the R-4 residential coastal cottage district shall be as follows:

1. A detached single-family house with a minimum area of nine hundred (900) square feet of living area exclusive of open porches, open breezeways or carports; and
2. Detached buildings for accessory uses, including those auxiliary structures customarily incidental to private residences.

7.03.10.02 Prohibited land uses

All land uses not specifically permitted in the R-4 residential coastal cottage district are prohibited.

7.03.10.03 Development standards

1. Minimum lot sizes

Minimum lot sizes shall be as follows:

- a. Minimum lot sizes shall not be less than two thousand eight hundred fifty (2,850) square feet; and
- b. Minimum lot width at the front building line shall not be less than thirty-eight (38) linear feet.

2. Minimum setback

Minimum setbacks of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

- a. Minimum setback of the front building line from main artery and/or thoroughfare right-of-way for the primary structure shall be eighteen (18) feet, measured to the nearest permanent part or projection of the dwelling;
- b. Minimum setback of the rear building line of primary structures from rear property line shall be ten (10) feet;
- c. Minimum setback of side building lines on all lots, shall be five (5) feet from the side boundary line thereof to the nearest permanent wall or corner of the dwelling erected

thereon; provided, however, that the roof of any permanent overhang shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts on a main or arterial street shall be seven (7) feet from the main or arterial right-of-way to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang shall not exceed eighteen (18) inches; and

- d. Minimum setback of building lines for detached accessory structures shall be five (5) feet, except where the rear or side of a building lot abuts an avenue or street in which case a detached accessory structure shall be no closer to the rear or side property line than seven (7) feet.

3. Maximum dwelling height

The maximum dwelling height shall be as follows:

- a. The maximum height for single family structures shall not exceed 25' or two (2) stories; and
- b. The maximum height of an accessory structure shall not exceed fifteen (15) feet.

4. Landscaping

All lots shall contain one tree and foundation plantings at the front of the primary structure at time of new construction.

5. Parking

All primary structures shall provide a minimum of one (1) parking space underneath the primary structure.

6. Architectural Elements

The following architectural elements shall be required:

- a. All primary structures and accessory structures shall be constructed in a manner reflecting a coastal cottage style of architecture; and
- b. All primary structures shall contain a front porch and may not be altered to form enclosed or air-conditioned living spaces.

7. Impervious Surface Ratio

No more than seventy (70) percent of the lot shall be covered with paving or other types of impervious surfaces, including structures.

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 ____ day of ____, 2024.

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 ____, 2024.

ATTEST:

Judy Meyers, CMC, City Clerk

Alfred C. Davis, Mayor-Council Member

APPROVED AS TO FORM

By: _____
Timothy P. Driscoll, City Attorney

CA Approved 3-6-24