

NEW PORT R*CHEY

5919 MAIN STREET . NEW PORT RICHEY, FL 34652 . 727.853.1016

TO:	City of New Port Richey City Council
FROM:	Dale Hall, AICP, Community & Development Director
DATE:	5/6/2025
RE:	First Reading, Ordinance No. 2025-2319: Setbacks and Porch Ordinance

REQUEST:

The request is to amend the Land Development Code Section 2.01.00, pertaining to definitions; Sections 7.01.03, 7.02.05, 7.02.11, and 7.03.03, pertaining to minimum setbacks; and adds Section 7.22.02, pertaining to porches.

DISCUSSION:

In March 2024, the LDRB approved an ordinance to provide for a reduction in the side yard setback (where abutting a right-of-way) from 25 feet to 10 feet, except where garages front onto a right-of-way, then an 18-foot setback would be required.

At a City Council meeting in August of that same year, there was informal discussion in favor of amending the LDC to allow for front porches to be screened.

In December 2024, discussion regarding screened front porches was formally placed on the City Council agenda as a Business Item with several Councilmembers indicating their interest in allowing for porches to be screened.

Staff determined that adjusting setbacks and the screening of porches were closely related and substantial revisions to the original Side Setback Ordinance presented to the LDRB was needed to comprehensively address the requested change from City Council.

Staff drafted a new Setbacks and Porch Ordinance that incorporates the items requested by both the LDRB and the Council.

This draft was presented to the LDRB in April 2025. After careful consideration and deliberation, the LDRB recommended revisions to this draft disallowing screening of porches that encroach in the front setback.

RECOMMENDATION:

There are two separate versions of the Setbacks and Porch Ordinance included with this report for consideration by the City Council.

The first draft is as presented by Staff to the LDRB, and the second draft incorporates the changes recommended by the LDRB.

BUDGET/FISCAL IMPACT:

There is no fiscal impact to the City.

ATTACHMENTS:

Description

Ord 2025-2319 DRAFT Setback and Porch Ordinance	Ordinance
Ord 2025-2319 DRAFT Setback and Porch Ordinance - LDRB Version	Ordinance
Staff Report to City Council	Backup Material
Original DRAFT Side Setback Ordinance as presented to LDRB - March 21, 2024	Backup Material
LDRB Minutes - March 21, 2024	Backup Material
CC Minutes Excerpt; August 6, 2024 - Communication Item	Backup Material
CC Agenda Item; December 17, 2024 - Front Porch Discussion	Backup Material
CC Minutes Excerpt; December 17, 2024 - Business Item	Backup Material
LDRB DRAFT Minutes - April 17, 2025	Backup Material
	Ord 2025-2319 DRAFT Setback and Porch Ordinance - LDRB Version Staff Report to City Council Original DRAFT Side Setback Ordinance as presented to LDRB - March 21, 2024 LDRB Minutes - March 21, 2024 CC Minutes Excerpt; August 6, 2024 - Communication Item CC Agenda Item; December 17, 2024 - Front Porch Discussion CC Minutes Excerpt; December 17, 2024 - Business Item

ORDINANCE NO. 2025-2319

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AN AMENDMENT OF SECTION 2.01.00 OF CHAPTER 2 PERTAINING TO DEFINITIONS, SECTIONS 7.01.03, 7.02.05, 7.02.11, AND 7.03.03 PERTAINING TO MINIMUM SETBACKS; AND SECTION 7.22.02 PERTAINING TO PORCHES OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, AND THE PROVISION OF STANDARDS FOR SUCH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes § 163.3202(1) requires each county and each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan;

WHEREAS, on June 29th, 1989, the City Council adopted Ordinance Number 1203, which Ordinance approved the City's Comprehensive Plan;

WHEREAS, on November 19th, 1991, the City Council adopted Ordinance Number 1268, which ordinance enacted the City's Land Development Code;

WHEREAS, on December 17, 2024, the City Council provided direction to staff to prepare an ordinance amending the Land Development Code to allow for front porches to be screened provided they are not used for storage purposes;

WHEREAS, the Development Department has prepared a staff report in accord with Land Development Code Section 5.04.02 to support adoption of the ordinance and concludes the ordinance is consistent with the requirements of that section, which staff report is incorporated herein by reference;

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:

<u>SECTION 1.</u> Section 2.01.00, of Chapter 7, of the New Port Richey Land Development Code, pertaining to Definitions, is hereby amended as follows (strikeout text is deleted and underlined text is added):

Alley: A narrow street, passageway or service way providing a secondary means of public access to abutting property and not intended for general traffic circulation. For the purpose of determining required setbacks, an alley shall not be considered a front lot line, but shall be either a side or rear lot line based upon the orientation of the individual lot.

Lot line: The legal boundary line of a lot. Also referred to as a property line.

Lot line, front: The lot line that abuts a public or private street. If a lot abuts on two or more streets, the front lot line shall be that property line abutting a street by which the property is addressed.

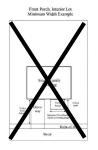
Lot line, rear: The lot line that is most distant from and is, or is most nearly, parallel to the front lot line.

Lot line, river: Any lot line that abuts the Pithlachascotee River.

Lot line, side: Any lot line that is not a front lot line or a rear lot line.

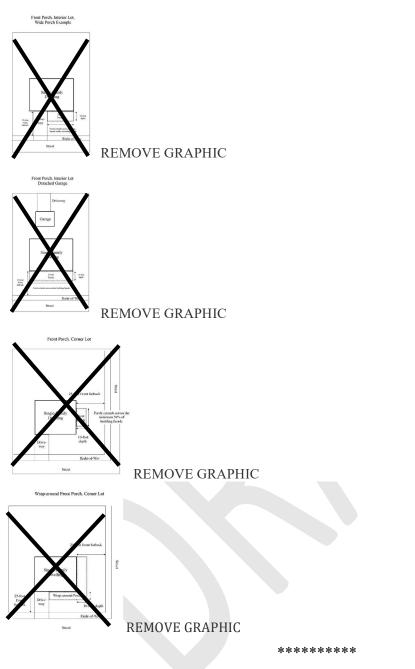
Lot line, waterfront: Any lot line that abuts any canal, lake, reservoir, stream, or similar body of water, except for the Pithlachascotee River.

Front porch: A covered structure attached to the front of a dwelling unit (or the side facing a main artery or thoroughfare) and providing the following elements: primary access into the dwelling unit; a separate roof; unenclosed except for a roof, balustrade, and flooring; extending a minimum of 50 percent of the building façade width (excluding the portion containing garage bays, if applicable); a minimum 10-foot depth and a maximum depth no greater than 50% of the building depth of the dwelling; and a floor that is typically raised above the finished horizontal elevation of the lot. The design of the porch is consistent with the dwelling in terms of finish materials and colors of any exterior surface, stem wall materials and/or foundation skirting. The design shall be consistent with the following illustrations:



REMOVE GRAPHIC

Ord No 2025-2319_Setback and Porch_DAH_04.08.25.docx



Porch: A roofed, open area, attached to or part of a building and with direct access to or from it. The design, color and placement of a porch shall be architecturally-integrated with the architecture, façade and design of the existing building, subject to design review and approval by the development department. The outside edge of a porch furthest from the building wall shall be considered a building wall for the purposes of setbacks.

Right-of-way: Land acquired and owned by a governmental agency or public utility and reserved for public use which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for transportation or utility use. A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a public or private road, street or alley for the right of one to pass over the property of another.

Right-of-way lines: The lines that form the boundaries of a right-of-way.

Setback: The required yard (see definition for yard), or the <u>horizontal</u> distance between the lot line and the line of a building structure and a property line where no building, structure, or portion thereof shall be allowed, or any projection thereof, excluding uncovered steps, mechanical units, and architectural features such as bay windows, columns, trellises, and similar structures which create a theme or design highlighting the principle structure, provided none of the aforementioned excluded items shall encroach into the front or rear yard setback more than five (5) feet or into the side yard setback more than three (3) feet. Setbacks shall be measured from the right-of-way line.

Structure: A combination of materials to form a construction for use, installed on, above or below the surface of land or water. For purposes of this code, unless otherwise defined, a structure is any material as defined herein which exceeds a height of twelve (12) inches above grade level Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground excluding mail boxes, decorative statues, fountains, flag poles, lampposts, and landscaping structures such as trellises and planters.

Yard: An open area between building(s), structure(s), or use(s) and the adjoining lot line <u>that is</u> unoccupied and unobstructed <u>from the ground up</u> by any building, structure, or use from the ground up except as otherwise provided in this code.

Yard, front: The area between the front lot line and the minimum required front yard setback. A yard across the full width of the lot, extending from the front line of the building to the street line of the lot. For the purposes of this ordinance, the front yard of waterfront lots is yard that abuts the public street regardless of the orientation and design of the structure.

Yard, rear: The area between the rear lot line and the minimum required rear yard setback. A yard extending across the full width of the lot and measured between the rear line to the lot and the rear line of the main building, and is opposite from the front yard as defined above.

Yard, side: The area between the side lot line and the minimum required side yard setback, not including any part of the front or rear yard. An open, unoccupied space on the same lot with the main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Yard, waterfront: The area between the waterfront lot line and the required waterfront yard setback. A yard required on waterfront property with a depth measured perpendicular to the centerline of the seawall or waterside lot line for non-seawalled lots.

<u>SECTION 2.</u> Section 7.01.03, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in the R-1 Residential District, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.01.03 – Minimum setback

The minimum setback of detached dwellings and accessory structures in the R-1 Residential District, from lot boundaries, shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right-ofway shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Set back or rear building line of a dwelling from the rear property line shall be twenty-five (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank.
- 2. Rear setback.
 - a. The minimum rear setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Detached accessory structures may encroach into the rear yard setback, but not closer than five (5) feet to the property line.
- 3. The setback of the side building line of a dwelling from the side property line shall be ten (10) feet. The setback requirement in the case of a lot which has a side boundary line that abuts on a main artery or thoroughfare shall be twenty-five (25) feet from the main or arterial street right of way, on both sides, measured from the nearest building wall; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be ten (10) feet, measured to the nearest building

wall.

- b. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

<u>SECTION 3</u>. Section 7.02.05, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in R-2 Residential District for lots which were platted after May 19, 1981, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.02.05 Minimum setback

The minimum setbacks under this subdivision of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right ofway shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Set back or rear building line of a dwelling from the rear property line shall be twentyfive (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank.
- 2. Rear setback.

- a. The minimum rear setback shall be twenty-five (25) feet, measured to the nearest building wall.
- b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots shall be seven and onehalf (71/2) feet from the side boundary line thereof, on both sides measured from the nearest building wall or corner, provided, however, that the roof of any permanent overhang of such building 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 twentyfive (25) feet from the property line to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be seven and one-half (7½) feet, measured to the nearest building wall.
 - b. Side setbacks that abut a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.
 - c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap-around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

<u>SECTION 4.</u> Section 7.02.11, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in R-2 Residential District for lots which were platted and/or annexed on or before May 19, 1981, is hereby amended as follows (strikeout text is deleted and

underlined text is added):

7.02.11 Minimum setback

Minimum setbacks under this subdivision shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right-ofway shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Setbacks of rear building line from rear property line is ten (10) feet. In the cases of lots bordering on the river, forty (40) feet from the river bank.
- 2. Rear Setback.
 - a. The minimum rear setback shall be ten (10) feet, measured to the nearest building wall.
 - b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots shall be five (5) feet from the side boundary line thereof on both sides measured from the nearest building wall or corner; provided, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts a main or arterial street shall be twenty-five (25) feet from the property line to the nearest permanent overhang of such building shall not exceed eighteen (18) inches. Front wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be five (5) feet, measured to the nearest building wall.
 - b. A side setback that abuts a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.

- c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear of the property lines than five (5) feet except where the rear of the building lot abuts an avenue or street in which case the detached garage or structure can be no closer than twenty-five (25) feet from the property line. In the case of the river lots, no closer than forty (40) feet.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap-around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

SECTION 5. Section 7.03.03, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in the R-3 Residential Zoning District, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.03.03 Minimum setback

Minimum setbacks of detached dwellings and accessory structures in the R-3 Residential District from avenues or streets and from all other lot boundaries shall be as follows:

- 1. Minimum setback of front building line from main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. In case of lots bordering on river, forty (40) feet from river bank. Front porches may extend ten (10) feet into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum setback of the front building line from a right-of-way shall be twenty-five (25) feet, measured to the nearest building wall
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Minimum setback of rear building line of dwellings from rear property line ten (10) feet. In case of lots bordering on river, forty (40) feet from river bank.
- 2. Rear Setback.
 - a. The minimum rear setback shall be ten (10) feet, measured to the nearest building wall.

- b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots, within an R-3 zoning classification, 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 twenty five (25) 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. Front porches may extend ten (10) feet into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be five (5) feet, measured to the nearest building wall.
 - b. A side setback that abuts a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.
 - c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory use structure can be no closer to the rear property line than twenty five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap-around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

SECTION 6. Section 7.22.00, of Chapter 7, of the New Port Richey Land Development Code, pertaining to General District Standards, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.22.07. Porches

- <u>A.</u> <u>Porches may not be altered to form enclosed or air-conditioned living spaces, or be used for storage purposes.</u>
- B. Any porch that encroaches into a required setback that abuts a right-of-way may be screened-in so long as the screen material allows for the structure beyond the screen to remain visible from adjacent rights-of-way. In no instance shall laminate privacy screens, woven solar screen fabric, or similarly opaque screen material be used to screen-in a porch within the setback.
- <u>C.</u> <u>Any porch located outside of a required setback may be screened-in regardless of visibility</u> <u>from adjacent rights-of-way.</u>

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.

<u>SECTION 10.</u> 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 _____, 2025.

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 _____, 2025.

ATTEST:

Judy Meyers, City Clerk

Alfred C. Davis, Mayor-Council Member

APPROVED AS TO FORM

ORDINANCE NO. 2025-2319

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AN AMENDMENT OF SECTION 2.01.00 OF CHAPTER 2 PERTAINING TO DEFINITIONS, SECTIONS 7.01.03, 7.02.05, 7.02.11, AND 7.03.03 PERTAINING TO MINIMUM SETBACKS; AND SECTION 7.22.02 PERTAINING TO PORCHES OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, AND THE PROVISION OF STANDARDS FOR SUCH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes § 163.3202(1) requires each county and each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan;

WHEREAS, on June 29th, 1989, the City Council adopted Ordinance Number 1203, which Ordinance approved the City's Comprehensive Plan;

WHEREAS, on November 19th, 1991, the City Council adopted Ordinance Number 1268, which ordinance enacted the City's Land Development Code;

WHEREAS, on December 17, 2024, the City Council provided direction to staff to prepare an ordinance amending the Land Development Code to allow for front porches to be screened provided they are not used for storage purposes;

WHEREAS, the Development Department has prepared a staff report in accord with Land Development Code Section 5.04.02 to support adoption of the ordinance and concludes the ordinance is consistent with the requirements of that section, which staff report is incorporated herein by reference;

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:

<u>SECTION 1.</u> Section 2.01.00, of Chapter 7, of the New Port Richey Land Development Code, pertaining to Definitions, is hereby amended as follows (strikeout text is deleted and underlined text is added):

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Lot line, front: The lot line that abuts a public or private street. If a lot abuts on two or more streets, the front lot line shall be that property line abutting a street by which the property is addressed.

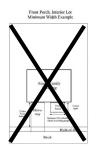
Lot line, rear: The lot line that is most distant from and is, or is most nearly, parallel to the front lot line.

Lot line, river: Any lot line that abuts the Pithlachascotee River.

Lot line, side: Any lot line that is not a front lot line or a rear lot line.

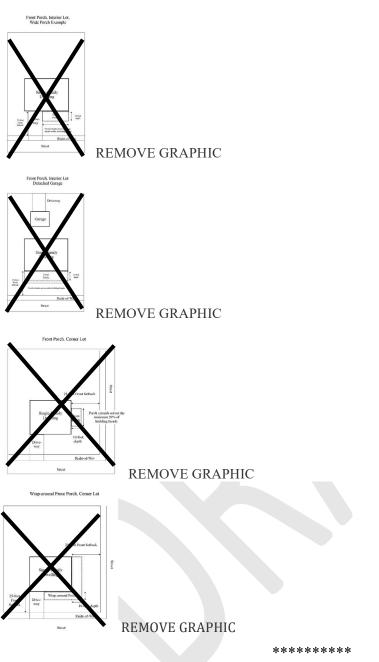
Lot line, waterfront: Any lot line that abuts any canal, lake, reservoir, stream, or similar body of water, except for the Pithlachascotee River.

Front porch: A covered structure attached to the front of a dwelling unit (or the side facing a main artery or thoroughfare) and providing the following elements: primary access into the dwelling unit; a separate roof; unenclosed except for a roof, balustrade, and flooring; extending a minimum of 50 percent of the building façade width (excluding the portion containing garage bays, if applicable); a minimum 10-foot depth and a maximum depth no greater than 50% of the building depth of the dwelling; and a floor that is typically raised above the finished horizontal elevation of the lot. The design of the porch is consistent with the dwelling in terms of finish materials and colors of any exterior surface, stem wall materials and/or foundation skirting. The design shall be consistent with the following illustrations:



REMOVE GRAPHIC

Ord No 2025-2319_Setback and Porch_LDRB_04.17.25.docx



Porch: A roofed, open area, attached to or part of a building and with direct access to or from it. The design, color and placement of a porch shall be architecturally-integrated with the architecture, façade and design of the existing building, subject to design review and approval by the development department. The outside edge of a porch furthest from the building wall shall be considered a building wall for the purposes of setbacks.

Right-of-way: Land acquired and owned by a governmental agency or public utility and reserved

for public use which the state, a county, or a municipality owns the fee simple title or has an easement dedicated or required for transportation or utility use. A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a public or private road, street or alley for the right of one to pass over the property of another.

Right-of-way lines: The lines that form the boundaries of a right-of-way.

Setback: The required yard (see definition for yard), or the horizontal distance between the lot line and the line of a building structure and a property line where no building, structure, or portion thereof shall be allowed, or any projection thereof, excluding uncovered steps, mechanical units, and architectural features such as bay windows, columns, trellises, and similar structures which create a theme or design highlighting the principle structure, provided none of the aforementioned excluded items shall encroach into the front or rear yard setback more than five (5) feet or into the side yard setback more than three (3) feet. Setbacks shall be measured from the right-of-way line.

Structure: A combination of materials to form a construction for use, installed on, above or below the surface of land or water. For purposes of this code, unless otherwise defined, a structure is any material as defined herein which exceeds a height of twelve (12) inches above grade level Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground excluding mail boxes, decorative statues, fountains, flag poles, lampposts, and landscaping structures such as trellises and planters.

Yard: An open area between building(s), structure(s), or use(s) and the adjoining lot line <u>that is</u> unoccupied and unobstructed <u>from the ground up</u> by any building, structure, or use from the ground up except as otherwise provided in this code.

Yard, front: The area between the front lot line and the minimum required front yard setback. A yard across the full width of the lot, extending from the front line of the building to the street line of the lot. For the purposes of this ordinance, the front yard of waterfront lots is yard that abuts the public street regardless of the orientation and design of the structure.

Yard, rear: <u>The area between the rear lot line and the minimum required rear yard setback.</u> A yard extending across the full width of the lot and measured between the rear line to the lot and the rear line of the main building, and is opposite from the front yard as defined above.

Yard, side: The area between the side lot line and the minimum required side yard setback, not including any part of the front or rear yard. An open, unoccupied space on the same lot with the main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Yard, waterfront: The area between the waterfront lot line and the required waterfront yard setback. A yard required on waterfront property with a depth measured perpendicular to the centerline of the seawall or waterside lot line for non-seawalled lots.

<u>SECTION 2.</u> Section 7.01.03, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in the R-1 Residential District, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.01.03 – Minimum setback

The minimum setback of detached dwellings and accessory structures in the R-1 Residential District, from lot boundaries, shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right-ofway shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Set back or rear building line of a dwelling from the rear property line shall be twenty-five (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank.
- 2. Rear setback.
 - a. The minimum rear setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Detached accessory structures may encroach into the rear yard setback, but not closer than five (5) feet to the property line.
- 3. The setback of the side building line of a dwelling from the side property line shall be ten (10) feet. The setback requirement in the case of a lot which has a side boundary line that abuts on a main artery or thoroughfare shall be twenty-five (25) feet from the main or arterial street right of way, on both sides, measured from the nearest building wall; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be ten (10) feet, measured to the nearest building wall.
 - b. The minimum setback for a building with a garage door facing a right-of-way shall

be eighteen (18) feet.

- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

<u>SECTION 3</u>. Section 7.02.05, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in R-2 Residential District for lots which were platted after May 19, 1981, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.02.05 Minimum setback

The minimum setbacks under this subdivision of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right-ofway shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Set back or rear building line of a dwelling from the rear property line shall be twentyfive (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank.
- 2. Rear setback.
 - a. The minimum rear setback shall be twenty-five (25) feet, measured to the nearest building wall.

- b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots shall be seven and onehalf (71/2) feet from the side boundary line thereof, on both sides measured from the nearest building wall or corner, provided, however, that the roof of any permanent overhang of such building 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 twentyfive (25) feet from the property line to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be seven and one-half (7½) feet, measured to the nearest building wall.
 - b. Side setbacks that abut a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.
 - c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

<u>SECTION 4.</u> Section 7.02.11, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in R-2 Residential District for lots which were platted and/or annexed on or before May 19, 1981, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.02.11 Minimum setback

Minimum setbacks under this subdivision shall be as follows:

- 1. Minimum setback of front building line from a main artery and/or thoroughfare right-ofway shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum front setback shall be twenty-five (25) feet, measured to the nearest building wall.
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Setbacks of rear building line from rear property line is ten (10) feet. In the cases of lots bordering on the river, forty (40) feet from the river bank.
- 2. Rear Setback.
 - a. The minimum rear setback shall be ten (10) feet, measured to the nearest building wall.
 - b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots shall be five (5) feet from the side boundary line thereof on both sides measured from the nearest building wall or corner; provided, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts a main or arterial street shall be twenty-five (25) feet from the property line to the nearest permanent overhang of such building shall not exceed eighteen (18) inches. Front permanent overhang of such building shall not exceed eighteen (18) inches. Front permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 3. Side setback.
 - a. The minimum side setback shall be five (5) feet, measured to the nearest building wall.
 - b. A side setback that abuts a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.
 - c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.

- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear of the property lines than five (5) feet except where the rear of the building lot abuts an avenue or street in which case the detached garage or structure can be no closer than twenty-five (25) feet from the property line. In the case of the river lots, no closer than forty (40) feet.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

<u>SECTION 5.</u> Section 7.03.03, of Chapter 7, of the New Port Richey Land Development Code, pertaining to minimum setbacks in the R-3 Residential Zoning District, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.03.03 Minimum setback

Minimum setbacks of detached dwellings and accessory structures in the R-3 Residential District from avenues or streets and from all other lot boundaries shall be as follows:

- 1. Minimum setback of front building line from main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. In case of lots bordering on river, forty (40) feet from river bank. Front porches may extend ten (10) feet into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.
- 1. Front setback.
 - a. The minimum setback of the front building line from a right-of-way shall be twenty-five (25) feet, measured to the nearest building wall
 - b. Porches may encroach into the required front yard setback, but not closer than ten (10) feet to the property line.
- 2. Minimum setback of rear building line of dwellings from rear property line ten (10) feet. In case of lots bordering on river, forty (40) feet from river bank.
- 2. Rear Setback.
 - a. The minimum rear setback shall be ten (10) feet, measured to the nearest building wall.
 - b. Detached accessory structures may encroach into the required rear yard setback, but not closer than five (5) feet to the property line.
- 3. The minimum setback of side building lines on all real estate lots, within an R-3 zoning

elassification, 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 twenty-five (25) 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. Front porches may extend ten (10) feet into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.

- 3. Side setback.
 - a. The minimum side setback shall be five (5) feet, measured to the nearest building wall.
 - b. A side setback that abuts a right-of-way shall be a minimum of the ten (10) feet, measured to the nearest building wall.
 - c. The minimum setback for a building with a garage door facing a right-of-way shall be eighteen (18) feet.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap-around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.
- 4. All setbacks along the river shall be forty (40) feet.

SECTION 6. Section 7.22.00, of Chapter 7, of the New Port Richey Land Development Code, pertaining to General District Standards, is hereby amended as follows (strikeout text is deleted and underlined text is added):

7.22.07. Porches

<u>A.</u> <u>Porches may not be altered to form enclosed or air-conditioned living spaces, or be used for storage purposes.</u>

- B. Any porch that encroaches into a required setback that abuts a right-of-way shall not be screened-in.
- <u>C.</u> <u>Any porch located outside of a required setback may be screened-in regardless of visibility</u> from adjacent rights-of-way.

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.

<u>SECTION 10.</u> 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 _____, 2025.

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 _____, 2025.

ATTEST:

Judy Meyers, City Clerk

Alfred C. Davis, Mayor-Council Member

APPROVED AS TO FORM

By:

Timothy P. Driscoll, City Attorney



STAFF REPORT City of New Port Richey, FL City Council May 6, 2025

GENERAL INFORMATION

Case: Ordinance No. 2025-2319

Applicant: City of New Port Richey

Request: Amend Land Development Code Section 2.01.00, pertaining to definitions; Sections 7.01.03, 7.02.05, 7.02.11, and 7.03.03, pertaining to minimum setbacks; and add Section 7.22.02, pertaining to porches.

BACKGROUND

At its meeting of March 21, 2024, the Land Development Review Board (LDRB) voted to recommend approval of an ordinance (4-0) to provide for a reduced side yard setback (where abutting a right-of-way) from 25 feet to 10 feet except where garages face said right-of-way, then an 18-foot setback would be required.

At the City Council meeting of August 6, 2024, there was a discussion in favor of amending the Land Development Code (LDC) to allow for front porches to be screened. Subsequently, on December 17, 2024, this item was formally placed on the City Council agenda for further discussion with several councilmembers indicating their interest in allowing porches to be screened.

Staff determined that substantial revisions to the original Draft Ordinance presented to the LDRB were needed to comprehensively address the requested change from City Council.

The current version of the amendment is outlined in greater detail below.

PROPOSAL

The proposed amendment includes revisions to the R-1, R-2, and R-3 Zoning Districts whereby the existing minimum setback requirements shall be simplified and clarified, while providing for reductions in the minimum side yard setback abutting a right-of-way, as detailed below.

	SIDE YARD SETBACK ABUTTING A RIGHT-OF-WAY			
	Existing	Proposed	Proposed (Garage Door Facing R-O-W)	
R-1	25'	10'	18'	
R-2 <i>(after 5/19/81)</i>	25'	10'	18'	
R-2 (on or before 5/19/81)	25'	10'	18'	
R-3	25'	10'	18'	

All other setbacks were to remain unchanged.

Additionally, the proposed amendment includes the provision of additional language to Section 7.22.00, General District Standards, that is specific to porches. This new language establishes that porches may not be enclosed, air-conditioned, or used for storage; allows for porches located within setback areas to be screened-in so long as the screen material allows for the structure to be visible from adjacent rights-of-way, and that certain opaque materials not be used.

Finally, the proposal involves various changes to LDC Section 2.01.00, Definitions, and specifically the amendment revises the existing definition for "front porch" and removes its associated graphics to eliminate regulatory provisions from the definitions section and ensure that conflicts do not result from these amendments. This same Section is also amended to revised or add the following terms:

Right-of-way

- Alley
- Lot line
- Lot line, front
- Lot line, rear
- Lot line, river
- Lot line, side

Right-of-way linesSetback

Porch

Structure

These definitions are being added or revised so as to eliminate conflicts, or to provide for more simplified and clear language with regard to their intended function.

Guidelines for Granting a Land Development Code Amendment:

Pursuant to LDC Section 5.04.03, the Land Development Review Board (LDRB) and City Council shall consider the following guidelines when making a recommendation on an LDC amendment:

- A. The need and justification for the change; and
- B. Whether the proposed amendment implements or is consistent with the Comprehensive Plan, whether it is consistent with or implements other federal and state laws, and whether the proposed change is internally consistent with and furthers the purposes of the LDC.

The proposed amendment will not implement any specific Goal, Objective, or Policy of the adopted Comprehensive Plan; however, the amendment is also not inconsistent with any provision of the Comprehensive Plan either.

SUMMARY AND RECOMMENDATION

Development Review Committee:

At its meeting of February 13, 2025, the Development Review Committee (DRC) reviewed the subject request and found that the proposed amendment to the LDC was not in conflict with those guidelines for granting an amendment as per Section 5.04.03, and recommended approval of the amendment.

- Lot line, waterfront
 - YardYard, front
 - Yard, rear
 - Yard, side
 - Yard, waterfront

Ordinance No. 2025-2319 May 6, 2025 Page 3

Land Development Review Board:

Pursuant to LDC Section 5.04.02.C., the LDRB conducted a public hearing in April 2025 on the amendment.

After careful consideration and deliberation, the LDRB recommended revisions to the draft as presented disallowing screening porches that encroach in the front setback.

City Council:

Upon receipt of the Staff Report and LDRB recommendations, the City Council shall review associated documentation and take action on this proposed amendment.

ATTACHMENTS

- 1. DRAFT Ordinance No. 2025-2319 as presented to the LDRB
- 2. DRAFT Ordinance No. 2025-2319 incorporating revisions as requested by the LDRB
- 3. Original DRAFT Side Setback Ordinance as presented to LDRB on March 21, 2024
- 4. March 21, 2024 LDRB Minutes
- 5. August 6, 2024 City Council Minutes Communications Item Excerpt
- 6. December 17, 2024 City Council Agenda Item Front Porch Discussion Item
- 7. December 17, 2024 City Council Minutes Business Item Excerpt
- 8. April 17, 2024 LDRB Minutes

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SECTIONS 7.01.00, 7.02.00 AND 7.03.00 OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO SIDE YARD SETBACKS; PROVIDING FOR ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the side yard setback for single family zoning districts is twenty-five (25') feet when the side yard is abutting a street;

WHEREAS, most corner lots in a single family residential zoning district are fifty (50') feet in width;

WHEREAS, homes built on these lots would be very narrow if built to the required setback;

WHEREAS, there has been numerous variances granted for a reduction in side yard setbacks abutting a street;

WHEREAS, an excessive amount of variances is an indication that the code does not meet the standards for the community;

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. Section, of Chapter , of the New Port Richey Land Development Code, pertaining to, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

7.01.00 - R-1 Residential District.

7.01.01 Minimum lot sizes

Minimum lot sizes in the R-1 residential district shall be as follows:

1. Lot area not less than seven thousand five hundred (7,500) square feet;

2. Minimum lot width at front building line sixty (60) lineal feet.

7.01.02 Permitted land uses

Land uses permitted in the R-1, residential district shall be as follows:

1. A detached one-family dwelling of minimum area of one thousand five hundred (1,500) 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<u>section 7.23.00</u> et seq. of this code.

7.01.03 Minimum setback

The minimum setback of detached dwellings and accessory structures in the R-1 Residential District, from avenues or streets and from all other lot boundaries, shall be as follows:

1. Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.

2. Set back or rear building line of a dwelling from the rear property line shall be twenty-five (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank.

3. The setback of the side building line of a dwelling from the side property line shall be ten (10) feet. The setback requirement in the case of a lot which has a side boundary line that abuts on a main artery or thoroughfare shall be twenty-five (25) feet from the main or arterial street right-of-way, on both sides, measured from the nearest building wall; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.

5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.

7.01.04 Maximum dwelling height

The maximum height of dwellings in the R-1 residential district shall be thirty-five (35) feet or two and one-half (2½) stories. All structures that are constructed within the floodplain will be allowed to be constructed at higher elevations. These elevations will be determined by the number of feet a structure must be elevated to meet the requirements of the city's flood insurance ordinance.

7.01.05 Prohibited land uses

All land uses not specifically permitted in the R-1 residential district are prohibited.

7.02.00 - R-2 Residential District

Subdivision 1: Lots Platted and Property Annexed After May 19, 1981

7.02.01 Generally

The provisions in this subdivision shall apply to lots in R-2 residential district which were platted after May 19, 1981.

7.02.03 Minimum lot sizes

Minimum lot sizes under this subdivision shall be as follows:

1. Lot area not less than six thousand (6,000) square feet;

2. Minimum lot width at front of building line sixty (60) lineal feet.

7.02.04 Permitted land uses

Land uses permitted under this subdivision of the R-2 Land Use District shall be as follows:

1. A detached one-family dwelling of minimum area of one thousand two hundred (1,200) 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 <u>section 7.23.00</u> et seq. of this code.

7.02.05 Minimum setback

The minimum setbacks under this subdivision of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

1. Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be

altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

2. Setback of rear building line of dwellings from the rear property line shall be twenty (20) feet. In the case of lots bordering on river, forty (40) feet from river bank.

3. The minimum setback of side building lines on all real estate lots shall be seven and one-half (7½) feet from the side boundary line thereof, on both sides measured from the nearest building wall or corner, provided, however, that the roof of any permanent overhang of such building 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 twenty-five (25) ten (10 feet from the property line to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or airconditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

4. Detached structures for accessory uses such as private garages may be located no closer to the rear or side property lines than five (5) feet except where the rear of a building lot abuts an avenue or street in which case a detached garage or similar accessory use structure can be no closer to the rear property line than twenty-five (25) feet and, in case of the river lots, not closer to the river than forty (40) feet.

5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.

7.02.06 Maximum dwelling height

The maximum height of dwellings under this subdivision thirty-five (35) feet or two and one-half (2½) stories. All structures that are constructed within the floodplain will be allowed to be constructed at higher elevations. These elevations will be determined by the number of feet a structure must be elevated to meet the requirements of the city's flood insurance ordinance.

7.02.07 Prohibited land uses

All land uses not specifically permitted in this subdivision are prohibited.

Subdivision 2: Lots Platted and Property Annexed on or Before May 19, 1981

7.02.08 Generally

The following provisions in this subdivision shall apply to lots in the R-2 residential district which were platted on or before May 19, 1981.

7.02.09 Minimum lot sizes

Minimum lot sizes under this subdivision shall be as follows:

1. Lot area not less than five thousand (5,000) square feet;

2. The minimum lot width at front building line fifty (50) lineal feet.

7.02.10 Permitted land uses

Land uses permitted under this subdivision of the R-2 Land Use District are as follows:

1. A detached one-family dwelling with a minimum of one thousand (1,000) square feet of living area exclusive of open porches, 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. 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<u>section 7.23.00</u> et seq. of this code.

7.02.11 Minimum setback

Minimum setbacks under this subdivision shall be as follows:

1. Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

2. Setbacks of rear building line from rear property line is ten (10) feet. In the cases of lots bordering on the river, forty (40) feet from the river bank.

3. The minimum setback of side building lines on all real estate lots shall be five (5) feet from the side boundary line thereof on both sides measured from the nearest building wall or corner; provided, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts a main or arterial street shall be twenty-five (25) ten (10) feet from the property line to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

4. Detached structures for accessory uses such as private garages may be located no closer to the rear of the property lines than five (5) feet except where the rear of the building lot abuts an avenue or street in which case the detached garage or structure can be no closer than twenty-five (25) feet from the property line. In the case of the river lots, no closer than forty (40) feet.

5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.

7.02.12 Maximum building height

The maximum height of dwellings under this subdivision shall be thirty-five (35) feet or two and one-half (2½) stories. All structures that are constructed within the floodplain will be allowed to be constructed to a higher elevation. The elevation will be determined by the number of feet the structure must be elevated to meet the requirements of the city's flood insurance ordinance.

7.02.13 Prohibited land uses

All land uses not specifically permitted in this subdivision are prohibited.

7.03.00 - R-3 Residential District

7.03.01 Minimum lot sizes

Minimum lot sizes in the R-3 residential district shall be as follows:

1. Lot area not less than five thousand (5,000) feet;

2. Minimum lot width at front building line fifty (50) lineal feet.

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<u>section 7.23.00</u> 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 (2) 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 (2) 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 five thousand (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 two thousand five hundred (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.

7.03.03 Minimum setback

Minimum setbacks of detached dwellings and accessory structures in the R-3 Residential District from avenues or streets and from all other lot boundaries shall be as follows:

1. Minimum setback of front building line from main artery and/or thoroughfare rightof-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. In case of lots bordering on river, forty (40) feet from river bank. Front porches may extend ten (10) feet into the required front yard setback, but not closer than ten (10) feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least eighty (80) percent openness and may not be screened.

2. Minimum setback of rear building line of dwellings from rear property line ten (10) feet. In case of lots bordering on river, forty (40) feet from river bank.

3. The minimum setback of side building lines on all real estate lots, within an R-3 zoning classification, 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 twenty-five (25) ten (10) 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. Front porches may extend ten (10) feet into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than ten (10) feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.

4. Detached structures for accessory uses such as private garages may be located no closer to rear or side property lines than five (5) feet except where the rear or side of a building lot abuts an avenue or street in which case a detached garage or similar

structure can be no closer to the rear or side property line than twenty-five (25) feet and, in the case of river lots, no closer to the river bank than forty (40) feet.

5. One (1) front porch setback encroachment per lot is permitted, unless the design lends itself to a wrap- around porch, as determined by the development department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the development department.

7.03.04 Maximum dwelling height

Maximum height of dwelling in the R-3 residential district shall be thirty-five (35) feet or two and one-half (2½) stories. All structures that are constructed within the floodplain will be allowed to be constructed at higher elevations. These elevations will be determined by the number of feet a structure must be elevated to meet the requirements of the city's flood insurance ordinance.

7.03.05 Prohibited land uses

All land uses not specifically permitted in the R-3 residential district are prohibited.

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.

<u>SECTION 3.</u> 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 _____, 202.

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 _____, 202.

ATTEST:

Judy Meyers, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By:

Timothy P. Driscoll, City Attorney CA Approved 202



LAND DEVELOPMENT REVIEW BOARD - MINUTES CITY OF NEW PORT RICHEY NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA March 21, 2024 2:00 PM

Chairman John Grey called the March 21, 2024 Land Development Review Board (LDRB) public meeting and hearing to order at 2:22 pm.

Mr. Grey led the pledge of allegiance.

Mr. Grey requested a roll call of members present be conducted and Lisa Algiere stated the following persons were in attendance constituting a quorum.

<u>Members in Attendance</u> John Grey Dr. Donald Cadle Robert Smallwood Marilyn deChant <u>Staff in Attendance</u> Lisa Algiere, Senior Planner Gina Drake, Development Tech

Dr. Cadle made a motion to approve the minutes as presented. Mr. Smallwood seconded the motion. The motion was approved unanimously.

Case: Ordinance – Indoor Storage as a Conditional Use in the C-2 District

Lisa Algiere presented the staff report. She informed the board that there is a request to allow an indoor storage facility in the C-2 zoning district. Currently, storage facilities are not a permitted use in the C-2 district. An indoor storage facility could be an asset to a neighborhood if the development standards ensure a quality, aesthetically pleasing development. Ms. Algiere presented the proposed ordinance that would allow indoor storage in the C-2 district as a conditional use with development standards.

The board members discussed the development standards and the amount of outdoor storage that would be allowed.

Dr. Cadle made a motion to recommend approval of the ordinance as presented with the additional requirement that the outdoor storage is limited to 25% of the property. Mr. Smallwood seconded the motion. The motion was approved unanimously 4-0.

Case: Ordinance – Reduce Side Yard Setback for Corner Residential Lots

Lisa Algiere presented the staff report. She informed the board that there are numerous variance requests to reduce the side yard setback on corner lots. The current setback for a side yard abutting a street is 25 feet. Most lots are 50 foot in width which limits the size of house to be built. The proposed ordinance would require a 10' side yard setback for abutting streets. Additionally, a garage facing a side abutting street with a driveway would require an 18 foot setback to accommodate space for parking.

Dr. Cadle made a motion to recommend approval of the ordinance. Mr. Smallwood seconded the motion. The motion was approved unanimously 4-0.

Meeting adjourned at 2:42 pm



MINUTES OF THE CITY COUNCIL REGULAR MEETING

CITY OF NEW PORT RICHEY

NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

August 6, 2024 6:00 PM

Please note the meeting times for regular city council meetings has been changed to 6:00 p.m. effective for all meetings after April 1, 2024.

EXCERPT

9 Communications

Councilman Murphy stated he has an MPO Board meeting on Thursday and will report back next meeting. He stated we were well prepared for the tropical storm. He asked if there were any reports of residential flooding and City Manager Manns stated no reports. Deputy Mayor Mothershead stated she has seen neighbors helping other neighbors cleaning up from the storm. Councilman Butler stated that he saw some people picking up parking passes and also went by the EOC. He then proceeded to introduce a motion regarding screened porches (see attached.) Councilman Altman stated a motion is not needed to place something on the agenda. He stated he agrees with it and would like to see if on the agenda. City Attorney Driscoll stated that if there is a consensus it can be directed to be placed on the agenda but it would have to go to LDRB for review first. Councilman Altman stated that people would use the porch more if it was screened. He stated there have been items asked to be placed on agendas that did not happen. He spoke about the Schwettman property and the removal of residential. He stated he is all for a cultural center to be there which would be operated by the City. Mayor Davis spoke about the fire inspection letter and he stated this is another tax on our businesses. He would like to discuss this at the first meeting in September. City Manager Manns stated this was part of the fee schedule that was adopted by Council with their full knowledge. She stated there has been no pushback from businesses that she is aware of. City Manager Manns thanked Fire Chief Chris Fitch, Police Chief Robert Kochen, Public Works Director Robert Rivera, Parks & Recreation Director Andre Julien, City Clerk Judy Meyers, Asst. Fire Chief Adam Darling, Asst. Public Works Director Colin Eichenmuller, Code Enforcement Supervisor Erik Jay, Technology Solutions Manager Mike Miller and GIS Technician Chris Bowman for their hard work during the recent storm event. Public Works Director provided an overview of staff's activities which included sandbags, pumping down Orange Lake, removing debris from catch basins, pumped down reclaimed tanks, lift station inspections, secured city facilities and parks. He stated 57 residents were served at the sandbag location. He stated four intersections were closed due to flooding. Debris cleaning took place on Monday. Mr. Rivera stated the major debris removal will begin tomorrow. Yard debris pickup will be extended to ten hours a day for six days. He spoke about the water & sewer division's efforts. He also spoke about operations at the WTP and the WWTP. He stated they reached a flow of 17 million at the peak whereas on a normal day it is typically 5 million.



MOTION:

Councilman Butler moves to direct the City Manager and City Attorney to prepare an agenda item, with an attached memorandum and necessary legal instruments, by the end of September for council to consider revising the Code to allow for screened porches.

ADDITIONAL READING:

Relevant instances in code:

- 7.01.00 R-1 Residential District.
- 7.02.00 R-2 Residential District
- 7.03.00 R-3 Residential District

Example language strike:

"Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches-must maintain at least 80 percent openness and may not be sereened." (7.03.00 - R-3 Residential District)

END OF EXCERPT



CITY COUNCIL REGULAR MEETING CITY OF NEW PORT RICHEY NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA December 17, 2024 6:00 PM

Please note the meeting times for regular city council meetings has been changed to 6:00 p.m. effective for all meetings after April 1, 2024.

AGENDA

ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE LAW DOES NOT REQUIRE THE CITY CLERK TO TRANSCRIBE VERBATIM MINUTES; THEREFORE, THE APPLICANT MUST MAKE THE NECESSARY ARRANGEMENTS WITH A PRIVATE REPORTER (OR PRIVATE REPORTING FIRM) AND BEAR THE RESULTING EXPENSE. (F.S.286.0105)

ORDER OF BUSINESS

- 1. Call to Order Roll Call
- 2. Pledge of Allegiance
- 3. Moment of Silence
- 4. Approval of December 3, 2024 Regular Meeting Minutes

Page 3

- 5. Special Recognition of Library Reading Challenge Winners
- 6. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
 - a. Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
- 7. Consent Agenda

Page 9

- a. Purchases/Payments for City Council Approval
- 8. Public Reading of Ordinances

	a.	First Reading, Ordinance No. 2024-2314: Amendments to Floodplain Ordinance	Page 11			
	b.	Second Reading, Ordinance No. 2024-2310: Small Scale Amendment of the Future Land Use Map of the City's Comprehensive Plan (23.69 Acres)	Page 16			
	c.	Second Reading, Ordinance No. 2024-2311: Rezoning of 23.69 Acres of Property from CR-3, Office (O), and Government (GOVT) to Planned Development District (PDD)	Page 26			
	d.	First Reading, Ordinance No. 2024-2313: Vacation of Right-of-Way for High Street	Page 94			
9. Business Items						
	a.	Recommendation for In-Kind support for Special Events	Page 155			
	b.	2025 Waste Hauler Special Permit Applications	Page 220			
	c.	Approval of the 2025-2029 Combined Law Enforcement Mutual Aid Agreement w/City of Tarpon Springs.	Page 234			
	d.	Acceptance of the City of New Port Richey Red-Light Camera Traffic Safety Program Annual Report	Page 246			
	e.	ITB24-008 RAC Locker and Restroom Improvements Project Close Out	Page 255			
	f.	Discussion Regarding Screened Front Porches	Page 265			

- 10. Communications
- 11. Adjournment

Agendas may be viewed on the City's website: www.citynpr.org. This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, all persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk, 727-853-1021, not later than four days prior to said proceeding



NEW PORT R*CIEY

5919 MAIN STREET . NEW PORT RICHEY, FL 34652 . 727.853.1016

TO:	City of New Port Richey City Council
FROM:	Debbie L. Manns, ICMA-CM, City Manager
DATE:	12/17/2024
RE:	Discussion Regarding Screened Front Porches

REQUEST:

The request is for City Council to conduct a discussion regarding screened front porches and to provide staff direction on a proper course of action. This agenda item is being advanced to you at the request of Councilman Butler.

DISCUSSION:

As Council will recall, Councilman Butler introduced a motion, a copy of which is attached for reference, to amend the City's Land Development Code to allow for front porches to be screened in at your regular meeting on August 6, 2024. At that time, Councilman Altman stated a motion was not needed to place something on the agenda and that he agreed with Councilman Butler and would like to see the item placed on a future meeting agenda. City Attorney Driscoll replied that if there was a consensus it can be directed to be placed on the agenda but it would have to go to the Land Development Review Board for them to review the matter first.

To assist Council with this discussion, I wanted to provide you a brief history of some of the information regarding this matter. Back in April of 2016, City Council approved an ordinance which amended our Land Development Code to allow for front porches. The agenda item brought forth by then-Development Director, Lisa Fierce, stated that the purpose of the agenda item was to encourage residents to add front porches to their homes, in order to improve the appearance of residential neighborhoods, encourage social interaction among neighbors, create a safer environment and improve property values. The proposed ordinance provided a definition of "front porch" that identified the required minimum elements of a front porch, as follows: "(a) covered structure attached to the front of a dwelling unit and providing the following elements: providing primary access into the dwelling unit; typically having a separate roof; unenclosed except for a roof, balustrade, and flooring; extending a minimum of 50 percent of the building façade; having a minimum 10-foot depth; and having a floor that is typically raised above the finished horizontal elevation of the lot. The design elements of the porch are typically consistent with those of the building and include the finish materials of any exterior surface, stem wall materials and/or foundation skirting."

The agenda item also specifically stated that "Alteration of the porches to form enclosed or air-conditioned living spaces is *prohibited* and the porches are required to maintain at least 80 percent openness and may not be screened. This will further the goal of encouraging interaction amongst neighbors."

The City Council at that time agreed with Ms. Fierce's recommendations regarding maintaining the openness of the porches and passed the ordinance with a 5-0 vote on April 19, 2016.

RECOMMENDATION:

Staff recommends that City Council conduct the discussion regarding screened front porches as requested and to provide staff direction on a proper course of action if it is the consensus of Council to move forward with amending the City's

BUDGET/FISCAL IMPACT:

ATTACHMENTS:

	Description	Туре
D	Councilman Butler's Motion presented on August 6, 2024	Backup Material
۵	First Reading, Ordinance #2016-2077: Code Amendment - Front Porches presented on April 5, 2016	Backup Material
D	City Council Regular Meeting Minutes - April 5, 2016	Backup Material
۵	City Council Regular Meeting Minutes - April 19, 2016	Backup Material



MOTION:

Councilman Butler moves to direct the City Manager and City Attorney to prepare an agenda item, with an attached memorandum and necessary legal instruments, by the end of September for council to consider revising the Code to allow for screened porches.

ADDITIONAL READING:

Relevant instances in code:

- 7.01.00 R-1 Residential District.
- 7.02.00 R-2 Residential District
- 7.03.00 R-3 Residential District

Example language strike:

"Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Perches-must maintain at least 90 percent openness and may not be screened." (7.03.00 - R-3 Residential District)



NEW PORT R*CIEY

5919 MAIN STREET . NEW PORT RICHEY, FL 34652 . 727.853.1016

TO:	City of New Port Richey City Council
FROM:	Lisa L. Fierce, Development Director
DATE:	4/5/2016
RE:	First Reading, Ordinance #2016-2077: Code Amendment - Front Porches

REQUEST:

Council is to conduct a first public hearing of the ordinance.

DISCUSSION:

The Development Department would like to encourage residents to add front porches to their homes, in order to improve the appearance of residential neighborhoods, encourage social interaction among neighbors, create a safer environment and improve property values. The existing single-family residential zoning district setback standards may prohibit the construction of front porch additions to many existing single-family homes without a variance approval. Therefore, the Staff proposes amending the setback standards to encourage and accommodate the provision of front porches on single-family homes in the City's residential neighborhoods.

The proposed ordinance provides a definition of "front porch" that identifies the required minimum elements of a front porch, as follows: "(a) covered structure attached to the front of a dwelling unit and providing the following elements: providing primary access into the dwelling unit; typically having a separate roof; unenclosed except for a roof, balustrade, and flooring; extending a minimum of 50 percent of the building façade; having a minimum 10-foot depth; and having a floor that is typically raised above the finished horizontal elevation of the lot. The design elements of the porch are typically consistent with those of the building and include the finish materials of any exterior surface, stem wall materials and/or foundation skirting."

The ordinance amends the setback regulations in the R-1, R-2 and R-3 single–family residential zoning districts to accommodate front porches in front yards and secondary front yards (side yards facing a public roadway). The amendments allow covered porches to extend into the required front yard setback, but not closer than 10 feet to the front property line. The setbacks would then be reduced from 25 feet to 10 feet. Alteration of the porches to form enclosed or air-conditioned living spaces is prohibited and the porches are required to maintain at least 80 percent openness and may not be screened. This will further the goal of encouraging interaction amongst neighbors.

The City's Home Improvement Reimbursement Grant (HIRG) program promotes "street friendly" housing by encouraging homeowners to include porches, windows and doors oriented to the street and parking to the side or rear of the home. The program promotes a sense of community by encouraging residents to spend time in their yard and on their front porch. The front porch provision is an eligible improvement under the HIRG program.

The proposed new language is shown with <u>underlining</u> and deleted language is shown with strikethrough.

Compatibility with Comprehensive Plan:

The proposal is consistent with the following Comprehensive Plan objectives and policies:

- FLU Objective 1.2 Maintain the integrity and quality of life, in existing residential areas through decision making that promotes traditional neighborhood development, family-orientation and "small town" character.
- FLU Policy 1.2.5 The conservation, maintenance and rehabilitation of existing residential areas shall be encouraged.

• LIV Policy 1.1.1 - Encourage new development and redevelopment to utilize traditional neighborhood development (TND) principles which address the following features:

i. Street-friendly housing: Housing close to and facing the street with active areas such as porches, windows and doorways oriented to the street; garages located to the side or rear, or set back deeper than the main part of the house.

- LIV Objective 1.3 Safer, more livable communities that foster interaction between people and discourage criminal activities through effective use and property design of the physical environment.
- LIV Policy 1.3.2 Natural surveillance techniques should be considered in the location of physical features, mix of activities and uses, people and lighting in such a way as to maximize visibility.
- LIV Objective 4.2 Promote the use of setbacks that allow buildings to frame the street to create conditions that are favorable to pedestrian use and comfort.
- LIV Policy 4.2.5 By 2009, the City shall revise setback requirements to allow porch easements in subdivision design and to require living areas of the structure to be closer to the street than garage areas.
- LIV Objective 4.5 Promote high quality architectural standards that support the City's image and contribute to its identity and unique sense of place.
- LIV Policy 4.5.1 Encourage building design to provide an ordered variety of entries, porches, windows, bays and balconies along public ways where it is consistent with neighborhood character; avoid blank or solid walls at street level; and include human-scale details and massing.

RECOMMENDATION:

Staff recommends approval of the ordinance. The Land Development Review Board recommended approval at its March 17, 2016 meeting.

BUDGET/FISCAL IMPACT:

None.

ATTACHMENTS:

Description

- **D** Ordinance #2016-2077
- LDRB Minutes March 17, 2016

Type Ordinance Backup Material

ORDINANCE # <u>2016-2077</u>

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE SECTION 2.01.00, DEFINITIONS, TO PROVIDE A DEFINITION OF "FRONT PORCH"; AMENDING SECTION 7.01.03, R-1 ZONING DISTRICT SETBACKS; AMENDING SECTION 7.02.05, R-2 ZONING DISTRICT SETBACKS ON LOTS PLATTED OR PROPERTY ANNEXED AFTER MAY 19, 1981; AMENDING SECTION 7.02.11, R-2 ZONING DISTRICT SETBACKS ON LOTS PLATTED OR PROPERTY ANNEXED ON OR BEFORE MAY 19, 1981; AMENDING SECTION 7.03.03, R-3 ZONING DISTRICT SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has found that front porches on single-family homes can improve the appearance of residential neighborhoods, encourage social interaction among neighbors and improve property values; and

WHEREAS, the City Council has encouraged the Development Department to distribute home improvement grant funds for multiple home improvement projects, including construction of front porches; and

WHEREAS, the City Council has found that the existing front setbacks in the residential zoning districts prohibit the construction of front porches on many existing single-family homes without a variance approval; and

WHEREAS, the amended setback standards provided here are necessary to encourage and accommodate the provision of front porches on single-family homes in the City's residential neighborhoods.

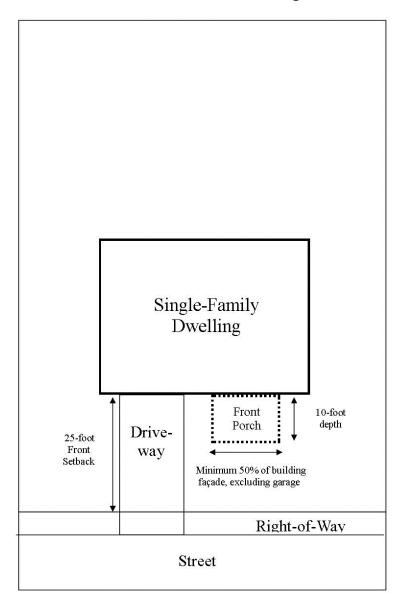
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA:

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

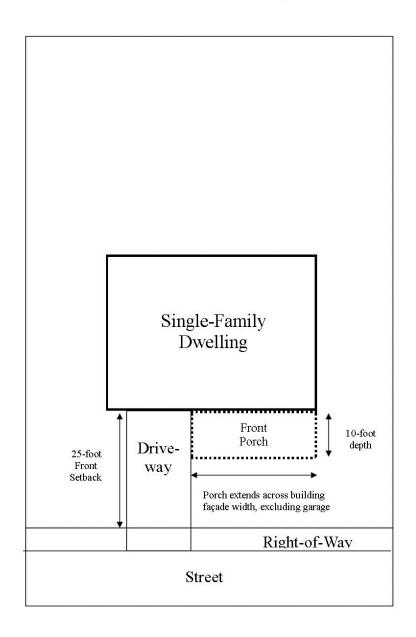
2.01.00 Definitions

Front porch: A covered structure attached to the front of a dwelling unit (or the side facing a main artery or thoroughfare) and providing the following elements: primary access into the dwelling unit; a separate roof; unenclosed except for a roof, balustrade, and flooring; extending a minimum of 50 percent of the building façade width (excluding the portion containing garage bays, if applicable); a minimum 10-foot depth and a maximum depth no greater than 50% of the building depth of the dwelling; and a floor that is typically raised above the finished horizontal elevation of the lot. The design of the porch is consistent with the dwelling in terms of finish materials and colors of any exterior surface, stem wall materials and/or foundation skirting. The design shall be consistent with the following illustrations:

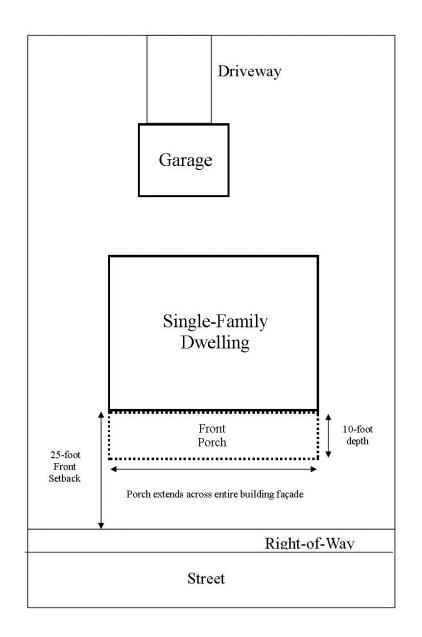
Front Porch, Interior Lot Minimum Width Example

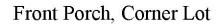


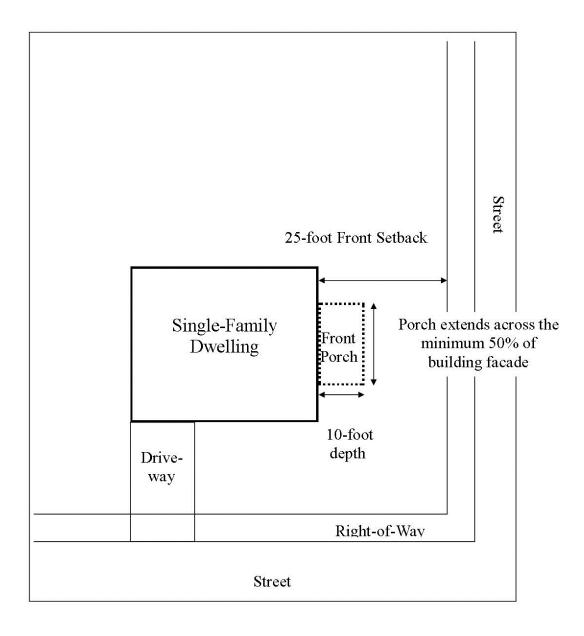
Front Porch, Interior Lot, Wide Porch Example



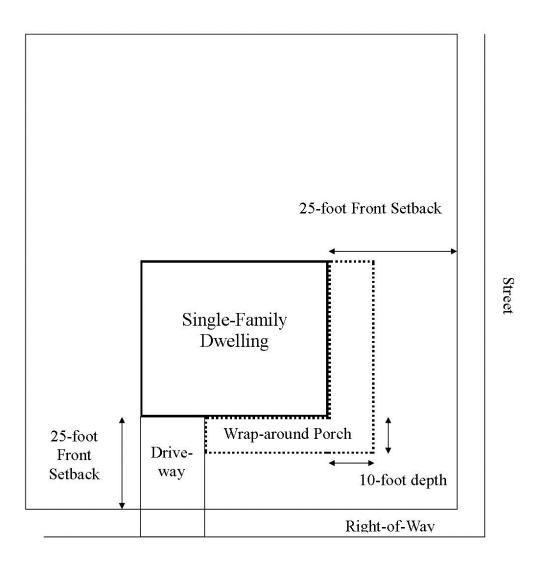
Front Porch, Interior Lot Detached Garage







Wrap-around Front Porch, Corner Lot



Street

<u>SECTION II</u>. That Section 7.01.03, R-1 Minimum setback, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.01.03 Minimum setback

The minimum setback of detached dwellings and accessory structures in the R-1 <u>R</u>residential <u>D</u>district, from avenues or streets and from all other lot boundaries, shall be as follows:

- Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the permanent part of projection of the dwelling. <u>Front porches may</u> <u>extend into the required front yard setback, but not closer than 10 feet to the front property line and may</u> <u>not be altered to form enclosed or air-conditioned living spaces</u>. Porches must maintain at least 80 <u>percent openness and may not be screened</u>. For any deviation from this provision see section 5.03.00.
- 2. Set back or rear building line of a dwelling from the rear property line shall be twenty-five (25) feet. In the case of lots bordering on a river the setback or rear building line shall be forty (40) feet from the river bank. See section 5.03.00.
- 3. The setback of the side building line of a dwelling from the side property line shall be ten (10) feet. The setback requirement in the case of a lot which has a side boundary line that abuts on a main artery or thoroughfare shall be twenty-five (25) feet from the main or arterial street right-of-way, on both sides, measured from the nearest building wall; provided, however, that the roof of any permanent overhandg of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than 10 feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear property lines than five (5) feet or no closer to the side property lines than ten (10) feet except where the rear of a building lot abuts an avenue or street, in which case a detached garage or similar accessory-use structure can be no closer to the rear property line than twenty-five (25) feet and, in the case of river lots, no closer than forty (40) feet to the river except where two (2) or more structures have been built in the same block and have established a closer line.
- 5. One front porch setback encroachment per lot is permitted, unless the design lends itself to a wraparound porch, as determined by the Development Department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the Development Department.

<u>SECTION III</u>. That Section 7.02.05, R-2 Minimum setback, of the New Port Richey Land Development Code (applying to lots platted or property annexed after May 19, 1981) is hereby established to read as follows:

7.02.05 Minimum setback

The minimum setbacks under this subdivision of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

1. Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front

porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened. For any deviation from this regulation, see section 5.03.00.

- 2. Setback of rear building line of dwellings from the rear property line shall be twenty (20) feet. In the case of lots bordering on river, forty (40) feet from river bank. See section 5.03.00.
- 3. The minimum setback of side building lines on all real estate lots shall be seven and one-half (7½) feet from the side boundary line thereof, on both sides measured from the nearest building wall or corner, provided, however, that the roof of any permanent overhang of such building 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 twenty-five (25) feet from the property line to the nearest permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than 10 feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear or side property lines than five (5) feet except where the rear of a building lot abuts an avenue or street in which case a detached garage or similar accessory use structure can be no closer to the rear property line than twenty-five (25) feet and, in case of the river lots, not closer to the river than forty (40) feet.
- 5. One front porch setback encroachment per lot is permitted, unless the design lends itself to a wraparound porch, as determined by the Development Department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the Development Department.

<u>SECTION IV</u>. That Section 7.02.11, R-2 Minimum setback, of the New Port Richey Land Development Code (applying to lots platted and property annexed on or before May 19, 1981) is hereby established to read as follows:

7.02.11 Minimum setback

Minimum setbacks under this subdivision shall be as follows:

- Minimum setback of front building line from a main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. Front porches may extend into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened. For any deviation from this regulation see section 5.03.00.
- 2. Setbacks of rear building line from rear property line is ten (10) feet. In the cases of lots bordering on the river, forty (40) feet from the river bank. See section 5.03.00.
- 3. The minimum setback of side building lines on all real estate lots shall be five (5) feet from the side boundary line thereof on both sides measured from the nearest building wall or corner; provided, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts a main or arterial street shall be twenty-five (25) feet from the property line to the nearest permanent wall or corner of the dwelling

erected thereon; provided, however, that the roof of any permanent overhang of such building shall not exceed eighteen (18) inches. Front porches may extend into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than 10 feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.

- 4. Detached structures for accessory uses such as private garages may be located no closer to the rear of the property lines than five (5) feet except where the rear of the building lot abuts an avenue or street in which case the detached garage or structure can be no closer than twenty-five (25) feet from the property line. In the case of the river lots, no closer than forty (40) feet.
- 5. One front porch setback encroachment per lot is permitted, unless the design lends itself to a wraparound porch, as determined by the Development Department. The design, color and placement of the porch shall be architecturally-integrated with the architecture, façade and design of the existing dwelling, subject to design review and approval by the Development Department.

<u>SECTION V.</u> That Section 7.03.03, R-3 Minimum setback, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.03.03 Minimum setback

Minimum setbacks of detached dwellings and accessory structures in the R-3 <u>R</u>residential <u>D</u>district from avenues or streets and from all other lot boundaries shall be as follows:

- Minimum setback of front building line from main artery and/or thoroughfare right-of-way shall be twenty-five (25) feet, measured to the nearest permanent part or projection of the dwelling. In case of lots bordering on river, forty (40) feet from river bank. Front porches may extend 10 feet into the required front yard setback, but not closer than 10 feet to the front property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened. For any deviation from this regulation see section 5.03.00.
- 2. Minimum setback of rear building line of dwellings from rear property line ten (10) feet. In case of lots bordering on river, forty (40) feet from river bank.
- 3. The minimum setback of side building lines on all real estate lots, within an R-3 zoning classification, 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 twenty-five (25) 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. Front porches may extend 10 feet into the required side yard setback from a boundary line that abuts on a main artery or thoroughfare, but not closer than 10 feet to the property line and may not be altered to form enclosed or air-conditioned living spaces. Porches must maintain at least 80 percent openness and may not be screened.
- 4. Detached structures for accessory uses such as private garages may be located no closer to rear or side property lines than five (5) feet except where the rear or side of a building lot abuts an avenue or street in which case a detached garage or similar structure can be no closer to the rear or side property line than twenty-five (25) feet and, in the case of river lots, no closer to the river bank than forty (40) feet.
- 5. One front porch setback encroachment per lot is permitted, unless the design lends itself to a wraparound porch, as determined by the Development Department. The design, color and placement of the

porch shall be architecturally-integrated with the architecture, facade and design of the existing dwelling, subject to design review and approval by the Development Department.

SECTION VI. 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 VII. 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 VIII. This Ordinance shall become effective immediately upon its 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 _____ day of _____, 2016.

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 _____, 2016.

ATTEST:

Doreen Summers, City Clerk

Rob Marlowe, Mayor-Council Member

APPROVED AS TO FORM

By: ______ Joseph A. Poblick, City Attorney

that all agriculture uses need to register with the Environmental Committee who will administer the program. All properties will need to register on an annual basis. Compliance will be monitored by Environmental Committee.

Dell DeChant, Environmental Committee Chairperson, believes urban agriculture improves the look of a community and the proposed ordinance will create a permitted use where one currently does not exist. It would allow residents to grow food on the property. He said permits are designed for one year and if there is a problem with a property, the permit will not be renewed the following year. He believes the Environmental Committee can police the ordinance requirements. Mr. DeChant feels the ordinance is the most user-friendly ordinance pertaining to urban agriculture he has seen and that this would be a model ordinance. He said the Environmental Committee supports the ordinance. He thanked the Development Department for its assistance in preparing both ordinances.

Mr. Maysilles recommended that if the ordinance is approved, the use should not be allowed in front yards since they could become overgrown and unsightly. Dr. Cadle disagreed, noting people who would take the time to install these types of gardens are going to take the time to maintain them.

Mr. Maysilles made the motion to amend the language of Ordinance #2016-2074 to prohibit urban agricultural uses in front yards which was seconded by Ms. Moran. Roll call vote: Ms. Moran, yes; Mr. Maysilles, yes; Ms. Mighel, yes; Dr. Cadle, no; Mr. Parillo, no; Mr. Grey, yes. The motion carried (4-2).

Mr. Maysilles made the motion to recommend approval of Ordinance #2016-2074 as amended, which was seconded by XIs. Moran. Roll call vote: Mr. Maysilles, yes; Dr. Cadle, yes; Mr. Grey, no; Ms. Moran, no; Ms. Michel, no; Mr. Parrillo, yes. The motion failed (3-3).

Mr. Maysilles made the motion to amend the language of Ordinance #2016-2073 to prohibit urban agricultural uses in front yards which was seconded by Ms. Moran. Roll call vote: Ms. Moran, yes; Mr. Maysilles, yes; Ms. Michel, yes; Dr. Cadle, no; Mr. Parrillo, yes; Mr. Grey, yes. The motion carried (5-1).

Mr. Maysilles made the motion to recommend approval of Ordinance #2016-2073 as amended, which was seconded by Ms. Moran. Roll call vote: Mr. Maysilles, yes; Dr. Cadle, yes; Mr. Grey, no; Ms. Moran, no; Ms. Michel, no; Mr. Parrillo, no. The motion failed (4-2).

(Mr. Maysilles excused himself at 2:45 p.m.)

XV

Code Amendment COD2016-04:

Case:Code Amendment COD2016-04 – Front PorchesApplicant:City of New Port Richey, Debbie L. Manns City Manager, 5919 Main Street, New
Port Richey, FL 34652.Request:Review and recommendation on an amendment to the Land Development Code
addressing front porches (Ordinance #2016-2077).

Chris Mettler presented a Power Point presentation for the proposed ordinance. He stated that the proposed ordinance is intended to encourage homeowners to add front porches to their homes by allowing a setback encroachment without a variance, if specific design criteria are met. He reviewed the components of a front porch meeting the criteria, which include: a covered structure, attached to the front of the dwelling (or the side facing a street), providing primary access into the dwelling, having a separate roof, unenclosed except for roof, balustrade & flooring, extending a minimum of 50 percent of the building façade width (excluding garage bays, if applicable), having a minimum 10-foot depth, having a maximum depth no greater than 50 percent of the dwelling's, the floor to be located above the finished horizontal lot elevation, having a design consistent with that of the dwelling's, minimum setback of 10 feet from the property line, not to be enclosed, maintaining a minimum 80 percent openness, not to be screened, one front porch setback encroachment per lot (unless a wraparound porch is proposed) and to be architecturally-integrated with the dwelling. He noted

that the City is currently offering home improvement grants and homeowners may be eligible for grants defraying the cost of a front porch addition meeting the design criteria. Lastly, he reviewed diagrams of front porch layouts meeting the design criteria.

Mr. Grey asked if any consideration has been given in the proposed ordinance to allow for higher fences to be attached to the porches in the front yard. Mr. Mettler said not at this time. Mr. Parrillo clarified the porches must remain open. Mr. Mettler concurred.

Dr. Cadle made the motion to recommend approval of Ordinance #2016-2077 which was seconded by Mr. Parrillo. Roll call vote: Mr. Parrillo, yes; Ms. Michel, yes; Mr. Grey, yes; Dr. Cadle, yes; Ms. Moran, yes. The motion carried (5-0).

VI. Adjourn:

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Ms. Fierce thanked the Board Members for attending the meeting. The next meeting is April 21, 2016. The meeting adjourned at 2:50 p.m.

Respectfully submitted,

Mitel

Chris Mettler, Senior Planner



MINUTES OF THE CITY COUNCIL REGULAR MEETING CITY OF NEW PORT RICHEY NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS

5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

April 5, 2016 7:00 PM

ORDER OF BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 7:00 pm. Those in attendance were Deputy Mayor Bill Phillips, Councilman Chopper Davis, Councilman Jeff Starkey, and Councilwoman Judy DeBella Thomas.

Also in attendance were City Manager Debbie Manns, City Attorney Joseph Poblick, City Clerk Doreen Summers, Library Director Susan Dillinger, Finance Director Crystal Feast, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Senior Planner Chris Mettler, Public Works Director Robert Rivera, Parks and Recreation Director Elaine Smith, and Technology Solutions Director Bryan Weed.

2 Pledge of Allegiance

The Pledge of Allegiance to the Flag was led by Boy Scout Troop 177 of the Gills YMCA, who are working toward their Citizenship badge.

3 Moment of Silence

A moment of silence was held to honor American servicemen and -women serving at home and abroad.

4 Approval of the March 8 Regular, March 10 Work Session, and March 22 Special Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- 5 Swearing-In: Firefighters Robert LaChance and Wayne Lawson
- 6 Proclamation: Donate Life Month
- 7 Proclamation: National Library Week

- 8 Proclamation: National Volunteer Week and CARES Volunteer Recognition
- 9 Proclamation: State Initiative for Health and Wellness
- 10 Proclamation: Volunteer Recognition Day
- 11 Proclamation: Water Conservation Month
- 12 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Upon opening the floor to Vox Pop, The West Pasco Historical Society representative Dan Callahan came forward to express his appreciation for the Veteran's Walk at Orange Lake. The Historical Society has compiled a list of all the named bricks, a copy of which he presented to each member of the Council.

City resident Andrew Bocchetti voiced several concerns. He expressed surprise at receiving a 1099 form for water and learning that although he never received one before, they should always have been issued. He suggested that the funds be moved to a non-interest bearing account to avoid future 1099s. He reiterated his previous reportage of open, frequent drug trafficking on Euclid Avenue, and commented regarding lack of assistance from City police. City Manager Manns stated she would advise Council when a meeting would be scheduled between Mr. Bocchetti and Chief Bogart.

None else coming forward for Vox Pop, Mayor Marlowe returned the floor to Council.

13 Consent Agenda

A motion was made by Deputy Mayor Bill Phillips to approve all minutes except the Police Pension Board minutes, which he asked to pull for discussion. His motion was seconded by Councilman Starkey and passed unanimously.

Deputy Mayor Phillips commented regarding the tardiness of the Police Pension Board minutes, especially in notations of pension negotiations. He asked to have Police and Fire Pension Board representatives present when the City budget planning began.

Motion was made to accept the Consent Agenda in its entirety.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- a Parks and Recreation Advisory Board Minutes February 2016
- b Approval of the Cultural Affairs Committee, Environmental Committee, and Police Pension Board Minutes
- c Purchases/Payments for City Council Approval
- 14 Public Reading of Ordinances
- a First Reading, Ordinance #2016-2073: Code Amendment Urban Agriculture

City Attorney Poblick read the proposed ordinances by title only. Deputy Mayor Phillips commented that the ordinances did not address whether urban agriculture could be allowed on rental properties. Councilman Davis asked for a work session prior to a vote being taken, in order to study the ordinances thoroughly.

Pasco County Food Policy Advisory Council member Travis Morehead stated that a like ordinance was planned for County enaction, and that the evening's proposed ordinances would motivate individuals to

move to the City.

Business owner Frank Starkey was in favor of the ordinances' passage, stating that he found them to be well-written. City resident Don Cadle mentioned that he was the only Land Development Review Board member to recommend the ordinances, and that the urban agriculture movement was not a new concept.

Virginia Avenue resident Jim Kovaleski reported that his home's street was now known as the "garden district", and that the street's property values were increasing because of it. Although she was a City rental property tenant, Faye Kroblik stated she was also an urban gardener. She was in favor of the ordinances because of the increase in community involvement and resident interaction. Also in favor was City resident Steve Wexler, who stated his and neighbors' gardens created a positive energy that brought about their neighborhood's commonality and unification, and brought residents together.

City resident Cindy Cadle stated she was a grower and a Tasty Tuesday participant. She reported the event's recent SNAP/EBT acceptance, which not only grew the event's size, but helped provide healthy food for those in the community for less outlay than chain-store supermarkets' prices.

City resident Denise Houston stated that the ordinances would attract the type of people the City desired as residents. Will Clark reported that the Virginia Avenue vista was what decided them to move to New Port Richey.

Environmental Committee Chair Dell deChant stated he was very impressed with the ordinances' wording, and recommended passage. He reiterated the City's prospective improvement and that the gardens would be well cared for by their owners and not neglected, causing code enforcement issues.

None else coming forward for public comment, Mayor Marlowe returned the floor to Council. Councilman Starkey did not see the need for a work session, stating that the ordinances were trend-setting and that residents taking part in the program would take care of their gardens.

Councilwoman DeBella Thomas questioned why hydroponics were not allowed in back yards, and suggested garden design guidelines to prevent a blighted appearance, plus photographs of residents' gardens. Additionally, she questioned why a permit would be required to grow food for one's own use.

Mayor Marlowe was in favor of allowing urban agriculture in homes' front yards. Deputy Mayor Phillips stated he would vote in favor of the ordinances upon first reading, but asked for a work session to further clarify the ordinances prior to their second reading, which would occur after the State's DEO approval. Councilman Davis commented that the City's 45% renter population would not maintain their gardens and would eventually move out, leaving ruined yards behind. Also, he felt that standing water in buckets and pails would contribute to mosquito breeding.

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

b First Reading, Ordinance #2016-2074: Comprehensive Plan Amendment - Urban Agriculture

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c First Reading, Ordinance #2016-2076: Golf Carts on City Roadways

City Attorney Poblick read the proposed ordinance by title only, noting the following corrections.

- Section 9.10, a: strike through "Bank St." and replace with "Grand Blvd."
- Section 9.10, d: strike through "from Gulf Dr. to Louisiana Ave." and replace with "south of Gulf

Dr."

Upon opening the floor to public comment, City resident Sean McCart thanked the City for the ordinance, and asked if there would be reciprocity with Port Richey. Additionally, he asked for carts to be allowed on that section of Indiana Avenue (9.10, h) that was excepted due to emergency vehicle use. He questioned why there was a minimum 5-year age limit if the ordinance required carts to have seat belts.

City Attorney Poblick informed City resident Joan Nelson Hook that registered street-legal carts would not require a City inspection. None else coming forward for public comment, Mayor Marlowe returned the floor to Council.

Deputy Mayor Phillips commented that Port Richey needed to select a new city manager before reciprocity could be discussed. He suggested cart regulations for Sims Park. In response to Councilwoman DeBella Thomas's query, City Attorney Poblick stated he would add an exception for rented/loaned golf carts for special event organizers.

Councilman Davis suggested that a cart-allowed street map and a copy of cart guidelines be supplied to City residents when they applied. Mayor Marlowe suggested cart charging stations. Both Mayor Marlowe and Councilman Starkey questioned Woodridge Estates cart access; Public Works Director Rivera responded that the portion of Congress Street in question was County-owned.

Motion was made to approve the ordinance upon its first reading.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

d First Reading, Ordinance #2016-2077: Code Amendment - Front Porches

City Attorney Poblick read the proposed ordinance by title only. Senior Planner Chris Mettler added that a grant allowed porch construction reimbursement if the minimum income requirement was met.

Upon opening the floor to public comment, business owner Frank Starkey voiced his approval of the ordinance, stating that front porches would increase neighbors' interaction and property values. None else coming forward for public comment, Mayor Marlowe returned the floor to Council.

Deputy Mayor Phillips suggested allowing porch cover variants such as pergolas. Motion was made to approve the ordinance upon its first reading.

Motion made by Judy DeBella Thomas and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- 15 <u>Business Items</u>
- a Cotee River Seafest Alcoholic Beverage Special Event Permit

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips asked to be provided with a list of Main Street board members and their contact information. He suggested moving vendor placement to minimize landscape damage and provide clear vistas. Motion was made to approve the permit.

Motion made by Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

b RESTORE Act Subaward Agreement: City of New Port Richey and Pasco County

This item was tabled.

c Pinehill Park Lease Agreement

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips suggested a review of the agreement in its second year, to consider returning the property to City jurisdiction. Councilman Starkey concurred, stating that the County had no plans to improve the property and that it was too small to accommodate its current users. Motion was made to approve the agreement.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

d 2015/2016 Roadway Striping Project

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Motion was made to approve the agreement.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

e Grand Boulevard Vacation of Right of Way

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips suggested reviewing the resolution to ensure it was not overridden by Ordinance One. Motion was made to approve the resolution.

Motion made by Judy DeBella Thomas and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

f Invitation to Bid-16-009, As Needed Misc. Pipeline Construction Bid Award

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Motion was made to approve the bid.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

g Summary of Uncollected Special Events

Mayor Marlowe, Deputy Mayor Phillips, and Councilman Starkey commented regarding the Finance Department's failure to bill special events for City expenditures. City Manager Manns responded that Fiscal Year 2014-2015 expenditures were being invoiced, and most organizations were grateful to be able to balance their books. No action was required.

h Three-Minute Report: Library

No action was required.

i Three-Minute Report: Technology Solutions

No action was required.

16 Communications

Councilman Starkey reported the successful Police Department prostitution sting, in which ten "johns" were arrested; City Manager Manns added that a press release was issued. Mr. Starkey reminded those assembled to vote in the April 12 City election, and to encourage others to do so.

Councilman Davis stated he was pleased with the City's economic development. Councilwoman DeBella Thomas was pleased with the sting's outcome, and expressed her pride for the City's police force. She thanked City staff for the bridge flags and their beautification efforts. She reported the Holiday Rotary's Chasco Parade presence, and commended Public Works for their first-place float win; she asked that those employees attend the April 19 Council Meeting to be officially recognized and thanked.

Deputy Mayor Phillips also expressed his thanks for a successful parade. He reported his Raise the Roof attendance, and noted Sims Park's positive atmosphere. He asked to meet the new Main Street director, and reminded those assembled of the April 9 Skylar Diggins event at the Recreation & Aquatic Center.

Mayor Marlowe was pleased with the Chasco Fiesta attendance, and noted that even at 9:00 pm the park and playground were full. He suggested a discussion with the Chasco Fiesta event coordinators regarding inebriated parade attendees who then congregated in Sims Park afterwards.

17 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 9:53 pm.

(signed) ______ Doreen M. Summers, CAP-OM, CMC, City Clerk

Approved: _____ (date)

Initialed:



MINUTES OF THE CITY COUNCIL REGULAR MEETING CITY OF NEW PORT RICHEY NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA April 19, 2016

7:00 PM

ORDER OF BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 7:00 pm. Those in attendance were Deputy Mayor Bill Phillips, Councilman Chopper Davis, Councilman Jeff Starkey, and Councilwoman Judy DeBella Thomas.

Also in attendance were City Manager Debbie Manns, City Clerk Doreen Summers, Chief of Police Kim Bogart, Library Director Susan Dillinger, Finance Director Crystal Feast, Development Director Lisa Fierce, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Public Works Director Robert Rivera, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed, and Human Resources Manager Bernie Wharran. City Attorney Joseph Poblick was excused.

- 2 Pledge of Allegiance
- 3 Moment of Silence

A moment of silence was held to honor American servicemen and -women serving at home and abroad.

4 Approval of the April 4, 2016 Regular City Council Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

5 Oaths of Office: Elected Candidates

Councilmen Chopper Davis and Jeff Starkey were sworn in as new councilmembers. Their three-year terms will end on April 16, 2019.

6 Selection of Deputy Mayor

Motion was made to retain Bill Phillips as Deputy Mayor.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 4-0. Ayes: Davis, DeBella Thomas, Marlowe, Starkey Abstain: Phillips

- 7 Proclamation Beta Sigma Phi Day
- 8 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

None coming forward for Vox Pop, Mayor Marlowe returned the floor to Council.

9 <u>Consent Agenda</u>

Motion was made to accept the Consent Agenda.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- a Purchases/Payments for City Council Approval
- 10 Public Reading of Ordinances
- a Second Reading, Ordinance 2016-2076: Golf Cart Operation on City Roadways

City Manager Manns read the proposed ordinance by title only. Upon opening the floor to public comment, City resident Doug Van Etten asked for carts to be allowed on all City streets with speed limits of 30 mph or less, similar to Port Richey's blanket coverage. He thought that the various road section closures would confuse cart drivers. In response to his query, Chief Bogart stated that per Statute, the Florida Department of Transportation did not allow golf carts to cross U.S. 19 at Main Street or Gulf Drive. None else coming forward for public comment, Mayor Marlowe returned the floor to Council.

Mayor Marlowe felt that Section 9.10's restrictions were overreaching, and suggested reserving that section for a possible later addition. He was in favor of a 6-month trial of all streets with a 30 mph or lower speed limit.

Chief Bogart was in favor of retaining the restrictions, citing high-traffic streets that could cause safety issues; Councilmen Davis and Starkey agreed. Councilwoman DeBella Thomas suggested entrypoint signage declaring New Port Richey a golf cart city and advising caution.

Motion was made to approve the ordinance upon its second and final reading with the following amendments and recommendations.

- Delete 9.10 (a) text and replace with "Main Street, with the exception of Main Street from River Road to Van Buren Street;"
- Delete 9.10 (d)
- Delete 9.10 (h)
- Section 4: a June 1, 2016 effective date
- Revisit the ordinance in 6 months and amend if necessary

Motion made by Judy DeBella Thomas and seconded by Bill Phillips. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

b Second Reading, Ordinance 2016-2077: Code Amendment - Front Porches

City Manager Manns read the proposed ordinance by title only. None coming forward for public comment, Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips asked if varied architectural features such as pergolas would be allowed. Development Director Fierce indicated that such design options would be accommodated.

Motion was made to approve the ordinance upon its second and final reading.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c First Reading, Ordinance 2016-2083: Code Amendment - Mobile Home Park District

City Manager Manns read the proposed ordinance by title only. None coming forward for public comment, Mayor Marlowe returned the floor to Council.

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

- 11 <u>Business Items</u>
- a Consideration of Appointments to Intergovernmental Committees

In response to Councilwoman DeBella Thomas's query, City Manager Manns confirmed that the City was a current member of the Suncoast League of Cities. Motion was made to retain the April 2015 intergovernmental committee roster until April 2017.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

b Resolution 2016-09 - Imposing & Assessing Cost of Abatement and Removal of Unsafe Structure at 6035/6037 High Street

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Councilman Davis recalled earlier removal assessments where the lien lingered until its fines rendered it more than the property was worth; he advised monitoring the lien and foreclosing if the lien started to grow, via added late fines, to a disproportionate amount.

Motion was made to approve the resolution.

Motion made by Bill Phillips and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

c Resolution 2016-12: Historic Preservation Small Matching Grant

None coming forward for public comment, Mayor Marlowe returned the floor to Council. City Manager Manns stated that the \$50,000 matching funds would be the Rosners' responsibility, and would be added to the agreement negotiations. The grant would be returned to Council for approval if it was awarded to the City.

Motion was made to approve the resolution.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

d Bid Award: RFQ 16-011, Recreation Center Fitness Equipment

Upon opening the floor to public comment, City resident Greg Smith inquired whether equipment maintenance was part of the bid. Parks and Recreation Director Smith replied in the affirmative, adding that the maintenance specifics varied by equipment type. A new maintenance company had been selected by the City. None else coming forward for public comment, Mayor Marlowe returned the floor to Council.

Deputy Mayor Phillips approved of the Life Fitness equipment brand; Director Smith informed Councilwoman DeBella Thomas that the Center's Silver Sneakers program had approximately 600

enrollees, of whom 541 were active users.

Motion was made to approve the award.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

e 2013 Sewer Improvements Project Close-Out

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Motion was made to approve the deductive change order and final pay request.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

f Notice of Intent to Purchase Utilities

None coming forward for public comment, Mayor Marlowe returned the floor to Council. Deputy Mayor Phillips voiced several concerns; Public Works Director Rivera responded that he would respond to Mr. Phillips and address the various points.

- Well closures or citations.
- The system was 30-48 years old, and no maintenance records were supplied.
- The return on investment (ROI) would commence in 11 years, by which time some equipment would need to be replaced, incurring additional debt instead of a return. The ROI needed to occur sooner if possible.
- Fire hydrants.

Councilwoman DeBella Thomas also expressed her concern with the existing older equipment. She stated that its useful life was either expired or in question, and she did not want to make an assumption regarding its effectiveness, given so many unknown factors. Director Rivera responded that the equipment was examined by Public Works and deemed sufficient; his stated ROI was a maximum timeframe, and he expected the actual date to occur sooner. In response to Councilman Davis's query, Director Rivera stated that if sewer lines were to be added, they would be mandated throughout all three areas.

Motion was made to approve the Notice of Intent.

Motion made by Bill Phillips and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

g City Manager Performance Evaluation

The item was tabled until the May 3, 2016 Regular City Council Meeting.

- h Three-Minute Report: Finance
- i Three-Minute Report: Fire
- 12 Communications

The item was tabled until the close of the subsequent Community Redevelopment Agency Board of Directors meeting.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:54 pm.

Approved: _____ (date)

Initialed:



MINUTES OF THE CITY COUNCIL REGULAR MEETING

CITY OF NEW PORT RICHEY

NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

December 17, 2024 6:00 PM

Please note the meeting times for regular city council meetings has been changed to 6:00 p.m. effective for all meetings after April 1, 2024.

EXCERPT

ORDER OF BUSINESS

2 <u>Business Items</u>

f Discussion Regarding ScreenedFront Porches

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct a discussion regarding screened front porches and to provide staff direction on a proper course of action. This agenda item is being advanced to you at the suggestion of Councilman Butler. She stated that she provided some legislative background on the matter beginning back in April of 2016 when City Council approved the ordinance. She stated the purpose of the agenda item was to encourage residents to add front porches to their homes, in order to improve the appearance of residential neighborhoods, encourage social interaction among neighbors, create a safer environment and improve property values. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Councilman Butler stated that staff has suggested an ordinance change to allow for screened porches to prevent mosquitos and insects without enclosing the space altogether. He stated there should be some aesthetically appeasing elements. Deputy Mayor Mothershead stated that people would utilize their porch more if it was screened. Allowing it to be screened is different than enclosed and development standards need to be created. Councilman Murphy stated he agreed with everyone's comments. Councilman Altman stated he also agrees and he would like to add that accessory dwellings are something we have been asking for as well. He also spoke regarding setbacks and the missing middle. Mayor Davis asked what kind of screens are they looking for. Councilman Butler stated he would like to see options. Mayor Davis spoke regarding the different kinds of screens. Councilman Butler stated he was looking for something sociable and regulating mesh may be narrow. He stated if the porch structure meets code then it should be able to be screened. Council then had a brief discussion regarding the different types of mesh.

END OF EXCERPT



LAND DEVELOPMENT REVIEW BOARD - MINUTES CITY OF NEW PORT RICHEY NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA April 17, 2025 *DRAFT* 2:00 PM

Chairman Grey called the April 17, 2025 Land Development Review Board (LDRB) public meeting and hearing to order at 2:10 pm.

Mr. Grey requested a roll call of members present be conducted and the following persons were in attendance constituting a quorum.

<u>Members in Attendance</u> John Grey Donald Cadle Mike Peters George Romagnoli <u>Staff in Attendance</u> Dale Hall, Development Director Robert Tefft, Senior Planner

Mr. Grey led the pledge of allegiance.

Dr. Cadle made a motion to approve the minutes of the Board's meeting of March 20, 2025. Mr. Peters seconded the motion. The motion was approved unanimously (4-0).

Mr. Grey requested a moment of silence in remembrance of Lisa Algiere. Mr. Grey further asked the Board to further recognize Ms. Algiere's service to the City by having the Council consider a proclamation or placement of a plaque in the City. Dr. Cadle made a motion which was seconded by Mr. Romagnoli. The Board voted unanimously for the Council to consider further recognition of Ms. Algiere's service to the City.

Legislative Item: Ordinance 2025-2319

Amend Land Development Code Section 2.01.00, pertaining to definitions; Sections 7.01.03, 7.02.05, 7.02.11, and 7.03.03, pertaining to minimum setbacks; and adding Section 7.22.02, pertaining to porches.

Mr. Tefft presented the Staff Report. He summarized the timeline for the development of this ordinance. He proceeded to summarize the ordinance stating that there were revisions/additions of multiple definitions, simplification and clarification of existing residential setbacks and a new sub-section added relating directly to residential porches and the factors in which they may be screened.

Land Development Review Board Minutes - April 17, 2025 *DRAFT*

Mr. Tefft outlined the guidelines from our Code that the LDRB should consider when making their recommendations on this LDC amendment.

Mr. Tefft noted that the Development Review Committee recommended approval of the Ordinance.

Mr. Grey asked if there were any comments from the anyone in the audience. Mr. Frank Starkey, 5988 Central Avenue, stated that he was involved with the Longleaf development as Consulting Architect. He explained that porches serve different purposes and that ten (10) feet is the maximum conversational distance for individuals to speak in a normal voice. He concluded that he has misgivings about allowing screens on front porches in residential settings.

Mr. Romagnoli made a motion to approve the ordinance as presented. Dr. Cadle seconded the motion.

Discussion ensued about the purpose of porches. Mr. Romagnoli had concerns with the old definition of a porch however Staff stated that this definition has been updated in the new draft. Mr. Peters was in disagreement with the current motion and stated that porches serve to connect the neighborhood and was concerned that screening would detract from the overall aesthetics of residences and erode the communal nature of a porch. Mr. Gray stated that he believed a porch is intended to be open and once it is closed it is no longer a porch.

An amendment to the current motion was made by Dr. Cadle to approve the Ordinance as written with a change that prohibits screening of porches that encroach in the front setback.

The revision to the initial motion passed (3-1; Mr. Romagnoli in opposition).

The revised motion and the recommendation to forward it to the Council for consideration was approved (4-0).

Staff Comments

Staff noted that the next scheduled meeting for the LDRB is on June 19th and the City is closed to celebrate the Juneteenth holiday. The Board agreed that the June meeting would take place on Wednesday, June 18th at 2pm.

Board Member Comments

Mr. Romagnoli asked the status of the City's ADU ordinance. Staff stated that there is legislature in the State House and Senate that would impact any such City Ordinance so Staff is awaiting that outcome prior to further effort on the matter.

Mr. Romagnoli made a motion to adjourn the meeting. Mr. Peters seconded the motion.

The motion was approved unanimously (4-0), and the meeting adjourned at 2:52 pm.