

ORDINANCE NO. 2023-2277

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SECTION 7.22.00 OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO GENERAL DISTRICT REGULATIONS IN THE ZONING CHAPTER; PROVIDING FOR A NEW SECTION 7.22.06 PERTAINING TO PROHIBITED STRUCTURES; PROVIDING FOR PROHIBITION OF SHIPPING CONTAINERS IN ALL ZONING DISTRICTS; PROVIDING FOR PROHIBITION OF MOBILE HOMES OUTSIDE THE MOBILE HOME PARK ZONING DISTRICT (MHP); PROVIDING FOR AMENDMENT OF SECTION 2.01.00 PERTAINING TO DEFINITIONS OF TERMS; PROVIDING FOR DEFINITIONS OF TERMS USED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of New Port Richey is a small city with vernacular architecture; and

WHEREAS, some styles of architecture and building materials are inappropriate for the city's architectural character; and

WHEREAS, shipping containers are incompatible with the city's architectural character; and

WHEREAS, mobile homes are permitted in mobile home park zoned properties and are architecturally incompatible with single family and multifamily zoned properties; and

WHEREAS, prohibiting shipping containers throughout the city and limiting mobile homes to mobile home parks will protect the architectural character of the city; and

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

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

WHEREAS, the New Port Richey City Council finds 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 7.22.00 of Chapter 7 of the New Port Richey Land Development Code, pertaining to General District Regulations in the Zoning Chapter, is hereby amended, by adding Section 7.22.06 thereto, as follows (strikeout text is deleted and underlined text is added):

7.22.06. Prohibited Structures. The following structures are prohibited in all zoning districts:

- a. Shipping Containers, except when used as a temporary storage container on a construction site for which an open, valid and unexpired building permit has been issued by the City; and
- b. Mobile Homes, except those located in the MHP (Mobile Home Park) zoning district.

SECTION 2. Section 2.01.00, Definitions, of the New Port Richey Land Development Code is hereby amended to add the following definition thereto (strikeout text is deleted and underlined text is added):

Shipping Container. Shipping container means a container or box specifically designed and constructed for the transport of goods by rail, ship or transport truck, whether intended or used for such purpose or not, which is typically constructed of corrugated steel or metal.

SECTION 3. 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 4. Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. 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 6. 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 20th day of June, 2023.

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 18th day of July, 2023.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Alfred C. Davis, Mayor – Councilmember

(SEAL)

APPROVED AS TO LEGAL FORM AND CONTENT

Timothy P. Driscoll, City Attorney