

## ORDINANCE NO. O-06-2016

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE SECTIONS 86-3, 102-5, 102-88, 102-91 AND 102-523 TO MODIFY THE REQUIREMENTS THAT A GARAGE IS REQUIRED FOR ALL DWELLINGS UNITS; CLARIFYING THE DEFINITION OF A CARPORT AND RELATED CLARIFICATIONS; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the City desires to clarify the requirement that every dwelling unit within the City have a garage and that carports are prohibited.

**NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:**

**Section 1.** City Code Section 86-3 entitled "Definitions" as to the definition of Carports is amended to read as follows:

**Sec. 86-3. – Definitions.**

Carport means an accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least one side ~~two sides~~, and designed or used for the storage of motor driven vehicles owned and used by occupants of the building to which it is accessory.

**Section 2.** City Code Section 102-5 entitled "Enclosed garages required for all residential dwelling units," shall be amended to read as follows:

**Sec. 102-5. – Enclosed garages required for all residential dwelling units.**

All residential dwelling units within the city in any land use district or zoning category shall have an attached or detached enclosed garage of at least ten feet by 20 feet unless otherwise provided in the Code. ~~Existing dwelling units with a garage or carport that is enclosed to form a part of the living space of the dwelling unit shall comply with this [chapter].~~

ADDITIONAL CONDITIONS AND EXCEPTIONS

- a. The requirement for garages may be eliminated in multi-family dwelling units with a special Exception or by rezoning the property to a PUD. This requirement shall apply to all new construction.

- b. All existing carports as of this date in any residential zoning district shall be allowed. This shall not require construction of a garage at these properties. The size of a carport cannot be increased or another carport constructed on the site. A carport of the same size can be rebuilt on the site if it is destroyed by a calamity, such as fire or wind.
- c. Remodeling of an existing dwelling unit, including enclosing a carport to living space, without a garage would not trigger constructing a garage. This would also include remodeling of an existing dwelling unit without a garage that increases the square footage.
- d. converting an existing garage into living space is not permitted, unless a garage is added to site.
- e. Adding a carport to an existing residential site that has a garage is not permitted.
- f. New carports except as set forth in b. above, cannot be constructed in the City.
- g. Existing carports are permitted to be converted to a garage or living space.

**Section 3.** City Code Section 102-88 entitled "Special Exceptions" shall be amended to read as follows:

**Sec. 102-88. – Special exceptions.**

The following are special exceptions in the residential high density, (R-3) zoning category:

- (1) Special exceptions permitted in the residential medium density category, (R-2) zoning;
- (2) Off-street parking lots;
- (3) Nursing homes and convalescence facilities;
- (4) Mobile home parks or subdivisions, provided;
  - a. Piers with adequate foundations shall be located a minimum of ten feet on center under the chassis of each unit;
  - b. Organic material shall be removed from under each unit;
  - c. Appropriate skirting shall be used around all coaches;
  - d. A minimum of three tie-downs shall be provided for each unit with adequate anchoring, however, all tie-downs shall be provided on the unit shall be anchored;
  - e. Each street shall be paved surface of a minimum of 22 feet in width curb to curb;
  - f. Engineering design of all construction shall be approved by the city public works director;
  - g. Individual laundry facilities shall be located within the main unit or within an approved utility structure;
  - h. All utilities shall be provided underground;
  - i. For a mobile or modular home subdivision, the design standard set forth in the city's subdivision regulations shall apply;
  - j. The park or subdivision complies with all state and federal laws.

- (5) Group care homes.
- (6) Multi-family dwelling units with garages.

**Section 4.** City Code Section 102-91 entitled “Permitted Uses” shall be amended to read as follows:

**Sec. 102-91. – Permitted uses.**

The following are permitted uses in the Residential Riverfront, RRF land use category:

- (1) Single-family attached and detached dwelling units;
- (2) Duplexes;
- (3) Multi-family dwelling units with or without garages;
- (4) Churches.

**Section 5.** City Code Section 102-523 entitled “Special Exceptions” shall be amended to read as follows:

**Sec. 102-523. – Special exceptions.**

- (1) Establishments or facilities for automobile parts, sales and service without use of outdoor intercom or public address system or speakers, and no vehicle display racks that tilt vehicles in any way to show underside, unless they are located inside a show room.
- (2) Establishments or facilities for the retail sale and service of all alcoholic beverages for on-premises consumption.
- (3) Single-family detached dwelling units meeting the density requirements of the gateway corridor neighborhood zoning category.
- (4) Multi-family dwelling units without garages.

**Section 6.** The City Council hereby authorizes the City Manager and City Attorney to make any and all revisions necessary to codify this Ordinance. Changes necessary to correct scriveners’ errors are hereby authorized to be made by the City Manager, City Attorney or their designee.

**Section 7. CODIFICATION.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Green Cove Springs; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

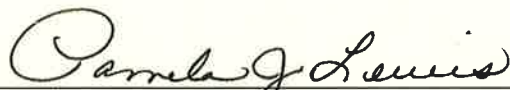
**Section 8. REPEALER.** Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 9. SEVERABILITY.** The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

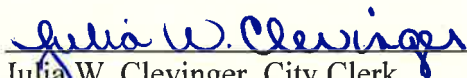
**Section 10. EFFECTIVE DATE.** This Ordinance shall become effective upon passage.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 17<sup>TH</sup> DAY OF MAY, 2016.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

  
Pamela J. Lewis, Mayor

ATTEST:

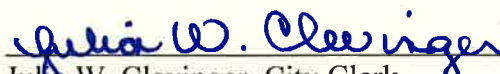
  
Julia W. Clevinger, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 7<sup>TH</sup> DAY OF JUNE, 2016.**

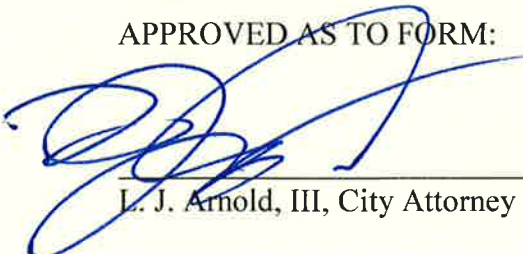
**CITY OF GREEN COVE SPRINGS, FLORIDA**

  
Pamela J. Lewis, Mayor

ATTEST:

  
Julia W. Clevinger, City Clerk

APPROVED AS TO FORM:

  
L. J. Arnold, III, City Attorney