



office memorandum

Date: December 8, 2022

To: Planning Commission

From: Jane Hudson, Director of Planning & Community Development

Subject: Carport Ordinance Amendments
Ordinance No. 2223-20

Summary Amending the approval requirements and design/material requirements for a residential carport structure and moving regulations from Chapter 22, Zoning Ordinance to Chapter 5, Building Construction.

Background Staff presented information regarding construction of residential carports to Council Committees and Council Study Session in May and October 2014, June 2018, and June 2019. Over the last few years, staff has researched several other communities and developed varying proposals regarding construction requirements and location of residential carports.

At the October 2014 meeting, the Committee discussed the proposed Ordinance language with a focus on whether the material compatibility should be included, as it could be costly for applicants. There was not a consensus on this issue and the Committee proposed that the Ordinance language should go forward to full Council at a future Study Session. City Council discussed the topic at a Study Session on December 2, 2014. There was no consensus on what the final language should be, the discussion did not proceed and there were no changes to the regulations, at that time.

Beginning again in 2018, Council gave direction to revisit the possible amendment options to the regulations regarding carports in residentially zoned districts. Council requested more information on this amendment and asked that the Community Planning and Transportation Committee (CPT) discuss this item at a future meeting. Staff brought the carport discussion back to Committee in June of 2018 and again in June of 2019.

In early 2020 staff presented possible ordinance amendments for carports, allowing a process to move forward with construction of carports. In July of 2020, amendments to Chapter 5, the Building Construction and Chapter 22, the Zoning Ordinance were adopted to allow for construction of carports based on the adopted regulations. Since the July 2020 amendments, Council and staff has received multiple complaints regarding the additional costs and procedure/steps required to obtain approval to construct a residential carport.

Due to the additional cost and time invested to get approval to construct a residential carport staff has developed the below proposed changes to the Carport Ordinance in Chapter 22 and suggests that the residential carport regulations be returned to Chapter 5 and removed from Chapter 22.

Proposed Regulations:

Sec. 5-403. - Carports: Construction.

1. Carport Defined: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail for passenger vehicles.
2. Applicability: Carports are allowed in any zoning district so long as they are constructed to the standards set forth herein.
3. General Provisions:
 - a. Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.
 - b. In residential zoning districts no more than one carport shall be permitted per residential dwelling unit.
 - c. A building permit shall be required prior to construction, and the structure shall comply with all applicable building, zoning and development codes except as provided herein.
 - d. The carport shall be open on all sides except where attached to a structure.
 - e. All carports shall be kept in good repair and safe and sanitary condition.
 - f. All carports open on all sides, except where attached to a structure, existing as of the date of adoption of this section shall be considered a legal nonconforming use for purposes of the Zoning Ordinance, subject to the restrictions concerning nonconforming uses as set forth in Section 419 of the Zoning Ordinance.
 - g. The area of the carport, combined with all other structures on the lot, shall not exceed the maximum lot coverage established for the zoning district in which it is located.

4. Carport Construction. Carports shall be constructed in compliance with the following:
 - a. All carports shall be located over a paved hard-surfaced drive. Provided however, a gravel driveway may be used to satisfy the requirement if the property owner can demonstrate that the gravel driveway existed in accordance with Section 431.7 2. (f)(2) and was continually maintained.
 - b. Carports may be constructed past the front set back or applicable build line, as set forth in the applicable underlying Zoning District, except that no carport shall be constructed nearer than seven (7) feet to the front property line nor within any sight triangle or intersecting streets.
 - c. Carports may be constructed within 1' of the side property line so long as the structure is open on the side adjacent to the property line.
 - d. In residential zoning districts, the construction and maintenance of carports shall only be permitted on premises where a dwelling structure is also present and maintained.
 - e. Carports shall not be constructed of cloth or fabric of any kind. Tarps, canvas or similar materials shall not be used to enclose the carport.
 - f. The roofing material for the carport must be a minimum of twenty-nine (29) gauge metal.
 - g. The structure must be designed to meet Building Codes and Local Amendments applicable at the time of construction.
 - h. In residential zoning districts, a carport shall not exceed the height of the principal dwelling structure.
 - i. Guttering shall be installed and maintained in a manner to prohibit any increase of water run-off onto the adjacent property.

5. Carports on Corner Lots. Carports located on corner lots shall be permitted as follows:
 - a. The carport must comply with all regulations in Section 3 and 4.
 - b. No part of the carport canopy or appurtenance may extend into the front yard setback more than seven feet and into the exterior side yard setback more than four feet.

- c. In no case shall the installation of the carport interfere with the existing sidewalks, sight triangle or fire hydrants.
- d. All carports which extend into the required front yard setback must abut the principal dwelling structure and shall be permanently open on all sides.

Proposal is to remove the requirement for carport requests to appear before Board of Adjustment as a Special Exceptions.

In Chapter 5, we will be adding the below definition.

Sec. 5-401. - Definitions.

The following words and phrases when used in this article shall, for the purpose of this article, have the meaning respectively ascribed to them in this section except where the context otherwise requires:

(1)Carport: Any structure having a roof and roof supports, but no sidewalls, and is intended for use solely as a shelter for motor vehicles.

Replace the above definition with the same definition from above for this section – see below new definition.

1. Carport Defined: All structures, whether attached to an existing structure or freestanding, which are constructed for the purpose of providing a roof-type cover only, for the protection from the sun, rain, snow, sleet or hail of passenger vehicles.

Conclusion: Staff presents Ordinance No. 2223-20 for consideration by the Planning Commission and recommendation to City Council.