



# office memorandum

**Date:** November 9, 2022  
**To:** Oversight – Council Committee  
**From:** Jane Hudson, Director of Planning & Community Development  
**Subject:** Carport Amendments

**Background**

In recent years, staff has received multiple complaints regarding the procedure/steps to gain approval to construct a carport.

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

**Discussion**

**Sec. 5-403. - Carports: Construction.**  
~~(As established by Ord. No. O-1920-51 – July 23, 2020)~~

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. No more than one carport shall be permitted for each 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 not be enclosed.
  - e. All carports shall be kept in good repair and safe and sanitary condition.
  - f. All carports open on all sides 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(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.

**Removing the requirement for carport requests to appear before Board of Adjustment as a Special Exceptions.**

## SEC. 441 - THE BOARD OF ADJUSTMENT

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7. Special Exceptions Defined and Enumerated. A special exception is defined as follows: "A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as special exceptions if specific provision for such special exceptions is made hereafter."

The Board of Adjustment is hereby empowered and authorized to grant the following specific exceptions, to wit:

In Chapter 5, we will be amending the following and adding the above proposed ordinance.

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~~Sec. 5-403. - Carports: Construction.~~

~~(a) Carports shall be designed and built so as not to create a fire or other hazard to person or property in the vicinity thereof and shall conform as nearly as possible and be in harmony with the existing structures in the surrounding neighborhood.~~

~~(b) No metal shall be utilized as the roof of any carport except that specifically designed for such purpose.~~

~~(c) The sides of a carport shall never be covered or enclosed by any materials whatsoever, nor shall the sides of such carport be constructed closer than five (5) feet to any fence, growth of vines, flowers, or other vegetable matter.~~

~~(d) The supports of a carport may be constructed of wrought iron or aluminum, steel or aluminum pipe or tubing, and brick. If the supports consist of wrought iron or aluminum, they shall not exceed a dimension of more than one (1) inch in thickness nor more than twelve (12) inches in width; if made of steel or aluminum tubing or pipe, they shall not be more than four (4) inches in diameter; and if made of brick, they shall not be more than twelve (12) inches in any dimension.~~

~~(e) The side supports of any carport situated in any front yard must be no closer together than ten (10) feet.~~

**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 with the same definition from above for this section.)**

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.