

Carport Ordinance

City Council Work Meeting
November 23, 2021



- A QUICK BACKGROUND

- Under current code, carports are defined as “accessory structures”
- Accessory structures cannot be placed in the required building setbacks = carports in front-yards or side-yard setbacks are not permitted
- Late 2020, the City received numerous complaints regarding illegally placed carports = code enforcement action
- Appeals to Planning Commission and City Council
- January 2021, City Council directed staff to prepare an ordinance for consideration

- A QUICK BACKGROUND

- January 26, 2021 – City Council adopted a 6-month moratorium that has been extended
- May 20, 2021 – Planning Commission recommends adoption of an ordinance (4 to 3 vote)
- July 12, 2021 – City Council Work Session
- July 27, 2021 – City Council meeting = ordinance fails on 4 to 4 vote
- August 23, 2021 – City Council Work Session to review new concepts
- October 21, 2021 – Planning Commission consideration of new version = split 3 to 3 vote
- November 8, 2021 - City Council Work Session and direction to staff
- Today - first reading (revised language highlighted in yellow)



SUMMARY OF THE ORDINANCE:

- Front-yard setback carport permit – administrative review
- Notification to surrounding property owners
- Minimum of 10-day review period prior to approval to allow neighborhood comments
- Carport design subject to standards
 - 4-inch eaves/overhang
 - 4-inch fascia
 - Minimum of 4 x 4 posts; or 4-inch diameter round posts
 - No untreated wood or unpainted galvanized metal
 - Side open minimum of 60-inch from the ground
 - Maximum height of 12 feet
 - Anchoring
 - No other options to place the carport
 - Roof cannot be of flexible material
- Historic Preservation

Carports requiring a front yard carport permit or building permit shall comply with historic preservation or neighborhood character standards adopted by the City.



1. Illustrations of intent
2. Review of the standards in the proposed ordinance

Not Permitted – fabric/nylon tarp roof with “skinny” posts



Not Permitted – fabric/nylon tarp shelter



Not Permitted – continuous roof down the sides



Not Permitted – full side panels, no roof overhang/continuous roof



Not Permitted – full side panels



Permitted – pitched roof with eaves and fascia



Permitted – “thicker posts”, roof overhang, fascia



Permitted – pitched roof with eaves and fascia



Permitted – flat roof with fascia along the roof line



Permitted – flat roof with fascia, “thicker” posts



Permitted – flat roof with fascia, “thicker” posts, gutters and downspouts



An alternative...



7.5.1802: PERMIT REQUIRED AND APPLICATIONS:

A. A front yard carport permit, as approved by the Manager, is required in order to place a carport in a front yard setback.

B. The front yard carport permit runs with the property and expires automatically upon the removal or destruction of the front yard carport or of the Single-family Dwelling Detached or Two-family Dwelling.

C. Applicants shall submit a complete application which contains such information as required by the Manager and shall pay all fees required for a permit application. The application shall be reviewed administratively by the Manager.

D. The Manager shall notify vicinity property owners of the application by mailed public notice, pursuant to section 7.5.902(C)(3) of this code, at least ten (10) days prior to administrative approval of the permit application.

7.5.1803: FRONT YARD CARPORT PERMIT STANDARDS AND REVIEW CRITERIA:

The Manager may approve or approve with conditions an application for a front yard carport in connection with a Single-family Dwelling Detached or a Twofamily Dwelling in the A, R, R-1 6000, R-1 9000, R-2, R-4 and single-family PUD zone districts upon a finding that the application complies with the following standards and criteria:

A. The front yard carport shall comply with all applicable provisions of the Pikes Peak Regional Building Code.

B. The front yard carport shall not exceed five hundred (500) square feet, or the maximum allowable parking and maneuvering area pursuant to section 7.4.206.E of this Code.

C. The front yard carport shall be set back at least five (5) feet from the near edge of the adjacent sidewalk, if any, and at least ten (10) feet from the near edge of the curb or roadway.

D. The front yard carport shall meet the same side setbacks as the principal use

E. The front yard carport shall not have side panels or screens in the area between grade level and sixty (60) inches above grade level.

F. The front yard carport may have one enclosed side only if the enclosed side is a shared wall with a principal or accessory structure.

G. The front yard carport shall not interfere with sight distance requirements set forth in the City Engineering Traffic Criteria Manual.

H. The front yard carport may exceed the eight-foot (8') height limit set forth in City Code Section 7.3.105(A)(1)(h)(1)(A), but shall not exceed twelve feet (12') at the highest point.

I. In order to be architecturally compatible with the primary dwelling unit, the front yard carport shall comply with the following:

1. Not be clad in unpainted wood or galvanized metal and shall match the color of the body or trim of the primary structure.

2. Not be made of non-durable and/or flexible materials, including but not limited to, canvas, plastic, polyester or other tentlike materials.

3. Have support posts or columns at a minimum size of four inches by four inches (4"x4") square or four inches (4") in diameter.

4. When required for proper drainage, have gutters and downspouts installed along the sides of the structure which redirect water and safely lead it away from rights-of-way and neighboring properties toward a designated drainage area. Downspouts may be included in the four-inch (4") requirements set forth above;

5. Have a minimum of four inch (4") wide fascia along the roofline; provided, however that gutters may substitute for fascia where required to meet the drainage requirement set forth above;

6. Have a minimum of four (4) inch wide fascia along the roofline.

7. Intersecting roof pitches shall include a front gable.

8. Roof sheeting without a roof overhang shall not continuously extend

J. Front yard carports that are exempt from building permits shall be anchored according to the manufacturer's specifications. However, if the manufacturer provides no specifications for anchoring, the carport shall be anchored to concrete piers extending at least thirty (30) inches below grade.

K. Front yard carports shall not be permitted unless the side or rear yard is inaccessible/unusable due to:

1. The side and rear yards are each inaccessible/unusable due to insufficient width or size or due to steep terrain; or
2. The Manager determines that use of the side or rear yards for a carport would have a material negative effect on the use and enjoyment of adjoining properties.

L. The front yard carport shall comply with any applicable historic preservation overlay district or neighborhood character standards adopted by the City.

M. The front yard carport shall not be installed in a recorded easement. The owner shall contact the Utility Notification Center of Colorado (UNCC), "Call Before You Dig", at 1-800-922-1987 or online at www.uncc.org to request a utility locate at least three (3) business days prior to installing the front yard carport.

N. The front yard carport shall not jeopardize the health and safety of adjacent property, people, and users of the City's rights-of-way, including but not limited to, public and private utility infrastructure, public works infrastructure, pedestrians and drivers.