

ORDINANCE NO. 21-_____

AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS AND LAND USE TYPES AND CLASSIFICATIONS), SECTION 105 (ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES) OF PART 1 (RESIDENTIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO FRONT YARD CARPORTS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 201 (Definitions Enumerated) of Part 2 (Definitions) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.2.201: DEFINITIONS ENUMERATED:

* * *

CARPORT: A permanent structure consisting of a roof and supported on posts with three or four open sides used as a minimal shelter for an automobile. It may be freestanding or attached to another structure on one side.

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Section 2. Section 105 (Additional Standards for Specific Uses Allowed in Residential Zones) of Part 1 (Residential Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.105: ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES:

* * *

A. Accessory Uses And Structures: **Except as specifically stated, A**ccessory uses which comply with this section are permitted in any zone district, but only in connection with a principal use which is permitted within the district. No accessory structure shall be constructed and occupied on any lot prior to the time of the completion of the construction of the principal structure to which it is an accessory. The use of vehicles as storage structures or as other types of accessory structures is prohibited.

1. * * *

a. Accessory structures are not allowed in the front yard setback, **except where specifically allowed**. The structure/use shall maintain the minimum side yard setbacks for the zone in which it is located;

* * *

C. Carports And Garages: Carports and/or garages are allowed in any zone district as an accessory use, but only in connection with a principal use. Except as otherwise **stated herein and** provided in part 9 of this article, the maximum capacity and size of any combination of attached or detached private parking garages or carports associated with one dwelling unit are as follows:

1. * * *

6. Carports are allowed in the front yard setback as an accessory use to a Single-family Dwelling, Detached or a Two-family Dwelling in the A, R, R-1 6000, R1-9000, R-2, R-4 and single-family PUD zone districts. The following review criteria shall apply to front yard carports, in addition to all other relevant standards of this chapter.

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 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 shall not be:

 - (1) Clad in unpainted or galvanized metal.
 - (2) Made of non-durable and/or flexible materials, including but not limited to, canvas, plastic, polyester or other tentlike materials.
- i. The front yard carport may exceed the eight foot (8') height limit set forth in this section, but shall comply with all other applicable height limitations.
- 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. 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 two (2) business days prior to installing the front yard carport.
- l. 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.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2021.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk