



## Legislation Text

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**File #:** CPC CA 21-00059, **Version:** 2

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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.

(Legislative)

**Presenter:**

Mitch Hammes, Neighborhood Services Manager  
Peter Wysocki, Director of Planning and Community Development

**Summary:**

This proposed ordinance defines a carport and creates a means for residents in single family and multi-family zoning districts to erect carports in the required front yard setback, which is currently prohibited, with certain requirements to minimally regulate aesthetics and to preserve the safety of pedestrian and vehicle use of the adjacent right-of-ways.

Key elements and requirements of this ordinance define a carport as a permanent structure consisting of a roof and supported on posts with three or four open sides used as minimal shelter for an automobile and:

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.

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

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.

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.

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

The front yard carport shall not have side panels or screens in the area between grade level and

sixty (60) inches above grade level.

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

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

The front yard carport shall not be clad in unpainted or galvanized metal or made of non-durable and/or flexible materials, including but not limited to, canvas, plastic, polyester or other tent-like materials.

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.

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.

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.

**Previous Council Action:**

City Council passed Ordinance No. 21-22, imposing a six (6) month moratorium on the standards contained in City Code § 7.3.105(A)(1)(A) with regard to any carport within a front yard setback in any residential zone, with certain exceptions.

The initial six (6) month moratorium expires on July 12, 2021, and a two month extension (expiring on September 12, 2021) was passed by City Council on June 22, 2021. .

**Background:**

Carports erected in required front yard setbacks are currently a violation of the City Code of Colorado Springs. This issue came to City Council's attention after enforcement action on approximately 84 carports was initiated based on complaints received by Neighborhood Services (Code Enforcement) and appeals of the Notice of Violations were heard. Proponents of front yard carports indicated that carports are necessary in our city to protect vehicles from hail. At that time, City Council directed staff to look into code amendments that can be made to allow carports in required front yard setbacks.

Staff has received considerable input from our community regarding the carport issue. Staff prepared a draft ordinance and presented the draft to the City Planning Commission on June 27, 2021. By a four to three vote, the City Planning Commission recommended the ordinance be forwarded to City Council for their consideration.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

On June 17, 2021, the City Planning Commission recommended this ordinance be forwarded to the City Council for consideration by a four to three vote.

**Stakeholder Process:**

An in-person meeting was held on Monday May 24, 2021 with the identified proponents for front yard carports. The meeting was held by invitation under the carport on the property owned by Ms. Colette Cook at 4975 Nolte Drive North, Colorado Springs. Approximately 30 people were in attendance, including City Councilor, Yolanda Avila.

An online questionnaire was prepared by the City's Communications Department and feedback was requested on this issue for sixteen (16) days. Approximately 300 responses were received for each question/comment section. Additionally, Staff has received approximately 34 emails or phone calls providing input on this issue.

**Alternatives:**

1. Approve this ordinance as written;
2. Deny this ordinance;
3. Refer the matter back to the City staff for further consideration.

**Proposed Motion:**

Approve 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.

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