

A G E N D A

**GREEN COVE SPRINGS CITY COUNCIL
321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
SPECIAL SESSION
TUESDAY, JANUARY 12, 2016 – 5:00 P.M.**



ANYONE WISHING TO ADDRESS THE CITY COUNCIL REGARDING ANY TOPIC ON THIS AGENDA IS REQUESTED TO COMPLETE A CARD AVAILABLE AT THE CITY CLERK'S DESK. SPEAKERS ARE RESPECTFULLY REQUESTED TO LIMIT THEIR COMMENTS TO THREE (3) MINUTES.

THE CITY COUNCIL PROHIBITS THE USE OF CELL PHONES AND PAGERS WHICH EMIT AN AUDIBLE SOUND DURING ALL MEETINGS WITH THE EXCEPTION OF LAW ENFORCEMENT, FIRE AND RESCUE OR HEALTH CARE PROVIDERS ON CALL. PERSONS IN VIOLATION WILL BE REQUESTED TO LEAVE THE MEETING.

Invocation & Pledge of Allegiance to the Flag

Roll Call

Mayor to call on members of the audience wishing to address the Council on matters not on the Agenda.

COUNCIL BUSINESS

1. City Council review of the Land Development Regulations relating to enclosed garages in any Land Use District or Zoning Category. **Judd / Fleet**
2. Adjournment.

The City Council meets the first and third Tuesday of each month beginning at 7:00 p.m. Meetings are held in City Hall at 321 Walnut Street and audio recordings of the meetings are posted in the City's website at www.greencovesprings.com.

The City may take action on any matter during this meeting, including items that are not set forth within this agenda.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Public Participation: Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any "proposition" before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

Exparte Communications: Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Council Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the City Council. The exchanges must be disclosed by the City Council so the public may respond to such comments before a vote is taken.

Minutes of the City Council meetings can be obtained from the City Clerk's office. The Minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

Persons who wish to appeal any decision made by the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

**CITY OF GREEN COVE SPRINGS, FLORIDA
STAFF REPORT
FOR MEETING OF JANUARY 12, 2016**



SUBJECT: CITY COUNCIL REVIEW OF THE LAND DEVELOPMENT REGULATIONS RELATING TO ENCLOSED GARAGES IN ANY LAND USE DISTRICT OR ZONING CATEGORY

BACKGROUND: On November 3rd, the Council deliberated on a provision in our Land Development Regulations as it relates to Garages. Section 102-5 of the City Code states:

“All residential dwelling units within the City in any land use district or zoning category shall have an attached or detached enclosed garage of at least ten feet by 20 feet. Existing dwelling units with a garage or carport that is enclosed to form a part of the living space of the dwelling unit shall comply with this chapter.”

At the meeting on November 3rd, a majority of the Council affirmed the provision in the City Code relating to garages and carports. However, during the discussion, it was clear that other matters came to light as part of the dialogue. Therefore, the Council proposed that a Special Council meeting be set to discuss this topic such that a referral to the Planning & Zoning Board can occur. At their November 17th meeting, the City Council voted to hold a Special Session on this issue on January 12, 2016.

The current code requires garages of this dimension in *all five (5) residential zoning districts*. This would include R-1 (low density single-family residential), R-2 (medium density single-family residential unit, duplex, triplex, quadruplex), R-3 (high density residential of 5 or more units), Residential Riverfront (high density residential up to 20 units per acre), and RPO (residential/professional/office).

The policy decisions for the Council would include the following:

1. Continue the garage requirement in all residential zoning districts noted above (R-1, R-2, R-3, Residential Riverfront, and RPO), whether the dwelling unit is a single family dwelling unit, duplex, triplex, quadruplex, apartment, or condominium. **This provision is clear in the current Code.**
2. Apply this requirement to **all new construction** in *all residential zoning districts* whether the dwelling unit is a single family dwelling unit, duplex, triplex, quadruplex, apartment, or condominium. **This provision is clear in the current Code.**

3. Consider grandfathering in all existing carports in any residential zoning district. This would not require construction of a garage at these properties. However, it should also not allow a carport size to be increased or another carport to be constructed on the site. **This is not clearly articulated in the current Code.**
4. Determine if remodeling of an existing dwelling unit without a garage that *does not increase* the square footage should trigger constructing a garage. In this instance a carport does not exist. **This is not clearly articulated in the current Code.**
5. Determine if remodeling of an existing dwelling unit without a garage that *does increase* the square footage should trigger constructing a garage. In this instance a carport does not exist. Currently non-conforming structures must be brought into compliance if the structure is expanded by more than 25 percent or in the case of a calamity (fire, storm, etc.); the improvements to the structure are more than 60 percent of the assessed value of the structure before the calamity. **This is not clearly articulated in the current Code.**
6. Determine if converting an existing garage into living space should be permitted. Currently, this is not permissible. **This is clearly articulated in the current Code.**
7. Determine if converting an existing carport to living space that does not increase the square footage should be permitted without requiring a garage. **This is not clearly articulated in the current Code.**
8. Determine if adding a carport to an existing residential site that has a garage should be permitted. **The current Code implies that this is not permitted.**
9. Determine *if in any instance, a new carport may be constructed.* **This is the policy decision for the Council.**
10. Review the definitions of the carports and garages in Chapter 86 of the City Code:

Carport means an accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides, and designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is accessory.

Garage, private means a structure designed or used for inside private parking of private passenger vehicles by the occupants of the main building. A private garage attached to or a part of the main structure is considered part of the main building. An unattached private garage is considered an accessory building.

This is clearly articulated in the current Code.

FISCAL IMPACT / FUNDING SOURCE: None.

STAFF RECOMMENDATION: Staff recommends City Council accept the presentation and direct Staff as to the manner it desires to proceed on the 10 scenarios presented herein.

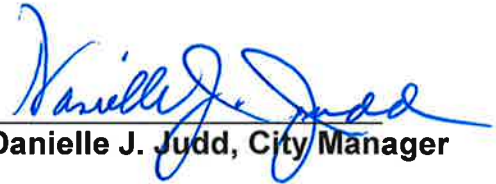
MOTION: To accept the presentation and direct the Administration on future actions.

SUBMITTED BY:



Janis K. Fleet, AICP
Development Services Director

APPROVED BY:



Danielle J. Judd, City Manager