

ORDINANCE NO. 2018-02

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES OF *THE LAND DEVELOPMENT CODE* TO AMEND THE ARCHITECTURAL STANDARDS FOR DETACHED GARAGES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, this is an administrative amendment to the City of Ormond Beach *Land Development Code* (“the *LDC*”), of the City of Ormond Beach, by amending the criteria for architectural standards for detached garages, and

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has conducted a public hearing on November 9, 2017, on the requested amendment and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(a), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the amendment to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 2-50, Accessory Uses of Article III, General Regulations, of Chapter 2, District and General Regulations, of the *LDC* is hereby amended to read as follows:

- (n) *Fences and walls.* ...(No change in existing text)...
- (o) *Garages.* ...(No change in existing text)...
 - (1) *Attached garages.* ...(No change in existing text)...
 - (2) *Detached garages.* Detached garages are permitted in residential zoning districts under the following conditions:
 - a. The detached garage may not exceed fifty percent (50%) of the total square footage of the principal structure.
 - b. The building setbacks of the detached garage shall conform to the principal building setbacks of the zoning district.
 - c. ~~The detached garage is required to have architectural features, construction type and color similar to the principal house structure.~~
 - d. Garages that provide an accessory apartment shall be required to meet all the requirements contained in subsection (b) of this section.
 - d. *Architectural standards.* Detached garages shall comply with the following architectural standards:
 - 1. For properties over one (1) acre the following standards shall apply:
 - a. Within the R-1 (Residential Estate) and R-2 (Single-Family Low Density) zoning district:
 - 1. The detached garage is required to have architectural features, construction type and color similar to the principal house structure.

b. All other zoning districts:

1. The detached garage shall have color(s) similar to the principal house structure.
2. The detached garage shall have a roof pitch that is consistent with the principal house structure. The pitch of the detached garage roof is not required to be the same slope. Flat roofed principal structures are allowed to have pitched roof slopes on the detached garage.

2. For properties under one (1) acre where the detached garage is located to the side or rear of the principal house structure the following standards shall apply:

- a. The detached garage shall have color(s) similar to the principal house structure.
- b. The detached garage shall have a roof pitch that is consistent with the principal house structure. The pitch of the detached garage roof is not required to be the same slope. Flat roofed principal structures are allowed to have pitched roof slopes on the detached garage.

3. For properties under one (1) acre where the detached garage is located in front of the principal house structure the following standards shall apply:

- a. The detached garage is required to have architectural features, construction type and color similar to the principal house structure.

(p) *Garage sales.* ...(No change in existing text)...

...(No change in existing text)...

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 2nd day of January, 2018.

PASSED UPON at the second and final reading of the City Commission, this 16th day of January, 2018.



BILL PARTINGTON
Mayor

ATTEST:



J. SCOTT McKEE
City Clerk