

Sec. 14.02.107 Accessory structures and use regulations

(a) Residential districts. In a residential zoning district, an accessory structure is a subordinate or incidental structure not used for commercial purposes and not rented. Accessory structure shall not be permitted without a main building or primary use being in existence. Accessory structure shall be located toward the rear portion of the property and shall not exceed the height of the primary or main structure. The height of a structure is measured from the finished grade to the peak of the roof.

(1) There is no restriction on the number of accessory structures in a residential district. However, the maximum area of all accessory structures on a lot in a residential district is limited to twenty-five (25) percent of the lot's rear yard as defined as a yard extending across the full width of a lot and having a depth equal to the shortest distance between the rear lot line and the main building.

(2) Accessory dwellings. Accessory dwellings, including garage accessory dwellings and detached units, may be permitted in residential zoning districts (see regulations for the specific district and the use charts). Accessory dwelling units shall be allowed as an incidental residential use of a building on the same lot as the main dwelling unit and used by the resident or residents of the main building, and shall meet the following standards:

(A) No such accessory dwelling or quarters shall be used or occupied as a residence by anyone other than a family member, caretaker, or farm worker actually and regularly employed by the landowner or occupant of the main building, or a guest of the owner or occupant;

(B) Only one accessory dwelling unit, including a garage accessory dwelling, shall be allowed on any lot within a residential zoning district, and they shall be clearly incidental to the primary use;

(C) An accessory dwelling is only allowed on lots that are greater than one-quarter (1/4) acre in area;

(D) An accessory dwelling unit must be constructed to the rear of the main dwelling, separate from the main dwelling;

(E) An accessory dwelling unit shall be no larger than 50% of the floor area of the main building but may be smaller than the minimum dwelling size;

(F) An accessory dwelling unit may be constructed only with the issuance of a building permit and shall be constructed of the same material and in the same architectural design as that of the main building. Maximum height limitations of the primary structure must not be exceeded. Metal buildings are prohibited;

(G) An accessory dwelling unit may not be sold separately from sale of the entire property, including the main dwelling unit, and shall not be leased or rented;

(H) Setback requirements shall be the same as for the main or primary structure;

(I) An accessory dwelling is not permitted without the main or primary structure; and

(J) Utility services shall be metered by the same utility meter as those serving the main structure on the premises.

(3) Temporary personal storage units. For the purpose of this section, temporary personal storage unit shall mean any container designed for the temporary storage of property. Such temporary storage units are typically rented to occupants of property for their storage use on a temporary basis and are typically delivered and removed by truck and/or trailer.

(A) Permit required (residential):

(i) When a personal storage unit is placed on residential property for a time period not to exceed seven (7) days, no permit is required. The personal storage unit may be located in front of the required setback.

(ii) When a personal storage unit is placed on residential property for a time period of greater than seven (7) days and a building permit for construction, remodel and/or repair of the main structure is in effect, the personal storage unit may remain as long as the building permit is in effect for the property. The personal

storage unit may not be delivered until the building permit is issued. The personal storage unit must be removed when the work for which the building permit was issued is complete or when the building permit becomes no longer valid, whichever occurs first.

(iii) No more than one (1) personal storage unit per dwelling unit shall be permitted to be placed on a single-family or two-family residential property.

(b) Accessory structures in general.

(1) Regardless of the rear yard calculation, the maximum size of any one accessory structure shall be not more than 50% of the floor area of the primary or main building.

(2) Accessory structures shall have an exterior siding of brick, stone, stucco, wood, or cementitious fiber board and must be of a color palette which matches or complements the main structure. Galvanized metal siding is prohibited however, metal siding is allowed with the following standards.

(A) Must have a pre-installed finish (paint).

(B) Must have raised or standing seams.

(C) Must have a corner trim.

(D) Commercial shipping containers are not allowed as accessory structures in residential districts.

(3) The following regulations shall govern the location, size, and use of all accessory structures.

(A) An accessory structure that is less than or equal to 200 square feet in size shall not be required to have a building permit but must meet setback requirements as stated for accessory structures.

(B) An accessory structure that is greater than 200 square feet in size shall be required to have a building permit and be inspected by the city.

(C) Accessory structures shall not be located within an easement or right-of-way or in any required front yard setback area.

(D) No accessory building shall be erected within ten feet (10') of any other building, except detached residential garages may be located within five feet (5') of the main dwelling.

(E) No detached residential garage or carport shall be erected or placed closer to any street or alley right-of-way line than the minimum yard requirements (building setback line) governing the district in which such garage or carport is located.

(F) No detached residential garage or carport shall be erected or placed within eight feet (8') from any side lot line.

(G) No accessory structure shall be erected or placed within five feet (5') of any side or rear lot line and shall not encroach upon any easement.

(4) The following items are required in order to be approved for an accessory structure permit.

(A) A scaled site plan, detailing property lines, existing and proposed buildings, and property setbacks.

(B) Scaled building elevations, detailing the materials and colors being used.

(C) Sites containing an OSSF (on-site septic system field) may require the approval of the building official prior to permit approval.

(5) Adjacent to greenbelts. An accessory structure which is proposed for a lot or tract of land which is directly adjacent to and visible from a public or private greenway, golf course, park, playground or other community open space amenity shall observe a setback requirement equal to the setback requirement for the main structure on the same lot.

(6) Steel shipping (cargo) containers.

(A) Steel shipping containers consist primarily of steel exterior, are manufactured to transport goods, have external measurements of twenty (20) or forty (40) feet in length by eight (8) feet six inches in height by eight (8) feet in width.

(B) Steel shipping containers are prohibited in any residential zoning district.

(C) Steel shipping containers are prohibited in any nonresidential zoning district unless they meet the following:

(i) Are screened from view of any right-of-way or adjacent property by an approved fence.

(ii) Are painted to match the primary structure.

(iii) Are maintained to be free from rust.

(iv) Meet all accessory structure setbacks.

(v) Secured to the ground.

(vi) May not be stacked.

(c) Nonresidential zoning districts. In nonresidential zoning districts, an accessory building is a subordinate building, the use of which is secondary to and supportive of the main building. Accessory buildings shall not be permitted without a main building or primary use being in existence. Accessory buildings should, whenever possible, be located toward the rear portion of the property, and shall be constructed of the same material and in the same architectural design as that of the main building.

(1) Accessory buildings in nonresidential zoning districts shall not exceed the maximum height allowed in the specific zoning district. The height of a structure is measured from the finished grade to the peak of the roof.

(2) In nonresidential zoning districts, the maximum size of an accessory building shall be not more than 50% of the floor area of the main building.

(3) Accessory structures shall abide by the setbacks of the primary structure and shall not conflict with site features such as fire lanes, landscape buffers, required parking, and other issues deemed pertinent by the director.

(d) Barns. Barn for the purpose of this article shall be defined as a structure intended to provide shelter to livestock and for the storage of products, equipment and supplies related to the production of livestock and farming. Barns shall not be considered accessory structures and shall be only allowed on lots or tracts in excess of two (2) acres and shall conform to the following:

(1) Barns on lots two to three acres.

(A) Maximum size shall be 2,000 square feet times the number of acres or portion thereof.

(B) Shall not be allowed without a main building.

(C) Shall have a minimum setback from side and rear property lines of twenty-five feet.

(D) The maximum height is the same as the maximum height of the primary structure.

(2) Barns on lots over three acres.

- (A) Maximum size shall be 2,000 square feet times the number of acres or portion thereof.
- (B) Shall be allowed without a main building.
- (C) Shall have a minimum setback from side and rear property lines of twenty-five feet.
- (D) The maximum height is the same as the maximum height of a primary structure.

(3) Facade materials. Any barn facade shall be constructed from wood, masonry or metal materials.

(e) Swimming pools and Jacuzzi/hot tubs. Shall not be located in the front yard area, shall comply with the minimum side yard and corner lot requirements for accessory structures; and be a minimum five-foot setback from an interior side yard or rear yard property line.

(Ordinance 396-13-2019 adopted 4/8/19)