

Section 5.12 Accessory Structures

A. Applicability

The regulations and standards contained in this section shall apply to Accessory Structures as defined in Chapter 6 Glossary. These uses may only be located in those zoning districts as described in, and shall only be authorized in concert with the permit requirements of, Chapter 3 Zoning District Regulations and Chapter 4 Standards Related to Specific Uses. Specifically, this section covers those accessory uses within the Residential Uses land use category. Other land use categories are addressed in other chapters of this code.

B. Permit Requirements

Except as otherwise exempt below, the majority of accessory structures governed by this section shall go through a simple plan check (Zoning Clearance) at the time a building permit is issued to ensure compliance with applicable regulations. However, in accordance with Section 2.1 Development Review, some larger, enclosed accessory structures may require Development Review permit approval to ensure compliance with all applicable provisions of this code.

C. Development Standards

The development standards in this section are intended to supplement the standards in the underlying Base Zoning District for accessory structures. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

1. The total square footage of all accessory structures on a single parcel, except swimming pools, shall not exceed 50 percent of the habitable floor area of the primary residential dwelling on the same parcel.
2. Not more than 30 percent of the required rear yard shall be occupied by accessory structures, not including patio covers.
3. The appropriate approving authority may apply additional conditions to a Conditional Use Permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.
4. Accessory structures must be constructed in conjunction with or subsequent to construction of the primary building(s) on the site.
5. Proposed structures must meet the development standards outlined in Table 5.12-1. Unless otherwise described in the table, all accessory structures must meet the setbacks in the "General" category.

Table 5.12-1: Development Standards for Accessory Structures

Accessory Use Category	Setback from				
	Front Property Line	Side Street Property Line	Interior Property Line	Rear Property Line	Building Separation
Small Accessory Structures < 120 sq. ft. and < 8 ft. tall (Combustible) ^{Note 1}	Note 2	12.5 ft.	3 ft.	3 ft.	6 ft.
Small Accessory Structures < 120 sq.ft. and < 8 ft. tall (Non-combustible) ^{Note 1}	Note 2	None	None	None	None
General Accessory Structures >= 120 sq. ft. or >= 8 ft. tall	Note 2	12.5 ft.	3 ft.	3 ft.	6 ft.
Patio covers ^{Note 3}	Note 2	Note 4	Note 5	3 ft. ^{Note 6}	As required by Building or Fire Code
Swimming pool or spa	Note 7	Note 7	3 ft	3 ft	None
Pool slides, diving boards, and ground-mounted heaters/filters/pumps and related equipment	Note 7	Note 7	None	None	None
Pad < 8 inches tall	None	None	None	None	None

Notes:

1. Includes landscape features (e.g. garden gateways, gazebos, gates) and play equipment.
2. The minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zoning district. On all lots, the accessory structures shall not be placed in front of the principal building. If located to the side of the principal building, the structure shall not be placed closer to the front lot line than the farthest back front wall of the principal building.
3. Patio covers shall not exceed 9 feet in height within the required rear or street side yard.
4. For street side yards not fully enclosed by a fence or wall of 5 feet in height or more, the minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zone district. For street side yards fully enclosed by a fence or wall of 5 feet in height or more, the minimum setback distance for patio covers, including eaves, shall be 3 feet measured from the wall or fence. See Figure 5.12-1 Patio Cover Encroachment.
5. The minimum setback distance shall be the same as the minimum setback distance for the primary structure in the underlying zone district.
6. Minimum setback distance for patio covers, including eaves. See Figure 5.12-1 Patio Cover Encroachment.
7. Swimming pools, spas, pool slides, diving boards, and ground-mounted heaters/filters/pumps and related equipment may not be located within the required front or side street yard.

Figure 5.12-1 Patio Cover Encroachment

