

Land Development Code

2.3.1 Purpose

This section authorizes accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow accessory uses while not creating adverse impacts on surrounding lands. Examples of accessory uses and structures include accessory dwelling units, detached garages, detached sheds, gazebos, swimming pools, hot tubs and spas, and courts for tennis and other recreational sports.

2.3.2 General Provisions

- (A) Fencing and walls will not be subject to the requirements of this section. Standards for fencing and walls are established in Section 3.3.2, Fencing and Walls.
- (B) An accessory use structure will be incidental to the principal use of the site, and shall not negatively alter the character of the principal use.
- (C) Small accessory structures such as arbors, benches, doghouses, play sets, garden decorations, pergolas, and firewood cribs are exempt from the provisions of this section, but cannot be located in public rights-of-way.
- (D) Accessory structures will only be constructed concurrent with or after the construction of the principal building on the same site.
- (E) Accessory structures located on lots with stream or river frontage may be located between the public road and the principal structure, provided it is clearly demonstrated that physical conditions require such a location.
- (F) Uses and structures that are accessory to a conditional use permit for a principal use shall be permitted in accordance with this section, without requiring a conditional use permit amendment, unless specifically required as a condition of the conditional use permit approval.
- (G) An accessory structure in residential districts that is detached from the principal building will comply with the following standards, unless otherwise stated in this section and the use-specific standards of Section 2.10.4, Standards for Specific Accessory Uses and Structures.
 - (1) Setbacks
 - (a) An accessory structure will not be located within a front yard.
 - (b) An accessory structure will maintain a front and corner side setbacks at least as great as the setback of the principal building, except that an existing non-conforming detached residential garage may be replaced or expanded to a distance of at least 3 feet to the interior side or rear yard property line.
 - (c) An accessory structure shall maintain at least a 5 foot separation from other accessory structures and the principal building.
 - (2) Size and Height Limits
 - (a) With the exception of sheds and detached garages, the maximum height of a detached accessory structure will be 10 feet.

- (b) Detached sheds on residential properties shall not be larger than 200 square feet, and cannot exceed an 8 foot sidewall and a peak height of 13 feet from grade.
 - (c) No detached garage used or intended for the storage of vehicles on a residential property shall exceed 864 square feet nor shall any access door or other opening exceed the height of 12 feet.
 - (d) Detached garages will not exceed 18 feet in height, or 24 feet in height if the structure includes an accessory dwelling unit.
- (3) Maximum Number and Building Area Ratio
- (a) Up to three accessory structures may be permitted on a single lot, but only one of those detached structures may be a garage. For the purposes of this subsection, accessory structures shall only include detached garages, sheds, accessory dwelling units, swimming pools, hot tubs, spas, and courts for tennis or other recreational sports.
 - (b) Detached garages are included in the building area ratio requirements in Table 3.2-1.
- (H) An accessory structure in non-residential districts that is detached from the principal building will comply with the following standards, unless otherwise stated in this section and the use-specific standards of Section 2.10.4, Standards for Specific Accessory Uses and Structures:
- (1) Setbacks
One half of the required setback for the principal building, but in no instance less than 10 feet except for properties zoned C1.
 - (2) Height limits
The maximum height shall be 20 feet.
 - (3) Maximum size
The maximum size shall be no greater than 50 percent of the building area of the principal building.
 - (4) Building area ratio
The building area of non-residential accessory structures shall be limited by the building area ratio as applicable in the zoning district.