

# ARTICLE 5

## SUPPLEMENTARY STANDARDS

### CHAPTER A GENERAL

#### Section 1 Purpose and Intent

The purpose and intent of this Article is to establish minimum standards for accessory and temporary uses, design standards, Parks and Recreation, performance standards, legal documents, and density bonus programs.

#### Section 2 Definitions

See [Art. 1.H, Definitions and Acronyms](#).

#### Section 3 Deviations

Deviation(s) from the provisions of this Article may be permitted for development supporting government facilities within the PO Zoning District, subject to [Art. 2, Application Processes and Procedures](#) and [PPM #ZO-O-063](#), as applicable and as amended. [Ord. 2007-013] [Ord. 2010-022] [Ord. 2019-005]

### CHAPTER B ACCESSORY USES AND STRUCTURES

#### Section 1 Supplementary Regulations

##### A. Accessory Uses and Structures

###### 1. General

The following provisions in this Section shall apply to all development in Standard, PDD, or TDD Zoning Districts, unless otherwise stated. [Ord. 2007-001] [Ord. 2017-007]

###### a. Standards

Uses indicated in the Use Matrix as blank in a zoning district shall not be allowed as accessory use unless stated otherwise in [Art. 4, Use Regulations](#). An accessory use or structure shall be subject to the same regulations that apply to the principal use or structure, except as otherwise stated. [Ord. 2017-007]

###### b. Location

All accessory uses and structures except for approved off-site parking, shall be located on the same lot as the principal use. No accessory structure shall be located in the front or side street yard except for dumpsters, or unless stated otherwise herein. [Ord. 2017-007] [Ord. 2017-025] [Ord. 2018-002]

###### 1) General Exceptions

Structures such as: fences and walls; entry features for access ways internal to a PUD; bike racks; outdoor recreation amenities and support structures such as cabanas, located within a Neighborhood Recreation Facility or Recreation Pod; or, structures, projects, and improvements listed in [Art. 3.D.1.D.5, Setback Exceptions](#), excluding mechanical equipment accessory to a building, may be allowed within front or side street yards. [Ord. 2017-025]

###### 2) Exceptions for Buildings Accessory to Residential

A detached garage, cabana, accessory quarters, or guest cottage, may be allowed within the front or side street yard, subject to the following: [Ord. 2017-025]

- a) The building is consistent with the architecture characteristics of the principal building, including roofing materials, fenestration, and paint color, where applicable; [Ord. 2017-025]
- b) When accessory to a principal residential use, such as a Single Family home, accessory structures shall be connected to the principal building by common shared driveways, sidewalks, or pathways; and, [Ord. 2017-025]
- c) An application for a DO or Building Permit for any building proposing to utilize this provision shall include an affidavit from a licensed architect or general contractor, delineating how the proposed building will be in compliance with the requirements above. [Ord. 2017-025]

**3) Accessory Solar**

Accessory solar in the form of mechanical equipment attached to other permitted structures, or Solar Trees, in accordance with the standards of [Art. 5.B.1.A.27, Accessory Solar Energy Systems](#). [Ord. 2017-025]

**c. Floor Area**

**1) Non-Residential Zoning Districts**

Where allowed, accessory uses and structures shall not exceed 30 percent of the GFA or business receipts of the principal use or uses, whichever is more restrictive. Minor Utility use is not subject to this provision. [Ord. 2017-007]

**2) Residential Zoning Districts**

Accessory uses and structures in the U/S Tier shall not exceed the square footage of the principal use.

**d. Setbacks, Accessory Structure**

**1) Residential Districts (Except AR)**

Accessory structures may be set back a distance of five feet from the side and rear property lines provided it is not located in an established easement or required landscape buffer.

**a) Townhouse**

Accessory structures shall meet the setback and separation requirements in [Table 3.D.2.A, Townhouse Property Development Regulations](#). No detached accessory building or structure other than permitted fences or walls shall be permitted on any lot less than 30 feet in width.

**b) ZLL**

Accessory structures shall meet the setback requirements of [Table 3.D.2.B, ZLL Property Development Regulations](#). [Ord. 2008-037]

**c) Exceptions**

(1) All structures used as dwellings, such as guest cottages, grooms quarters, and accessory dwellings, shall meet the minimum setback in [Table 3.D.1.A, Property Development Regulations \(PDRs\)](#), or [Art. 1.F.2.C.1, Minimum Residential Setback Requirements](#), if applicable. [Ord. 2016-042]

(2) All structures over ten feet in height shall meet the minimum setbacks in [Table 3.D.1.A, Property Development Regulations \(PDRs\)](#), or [Art. 1.F.2.C.1, Minimum Residential Setback Requirements](#), if applicable. [Ord. 2016-042]

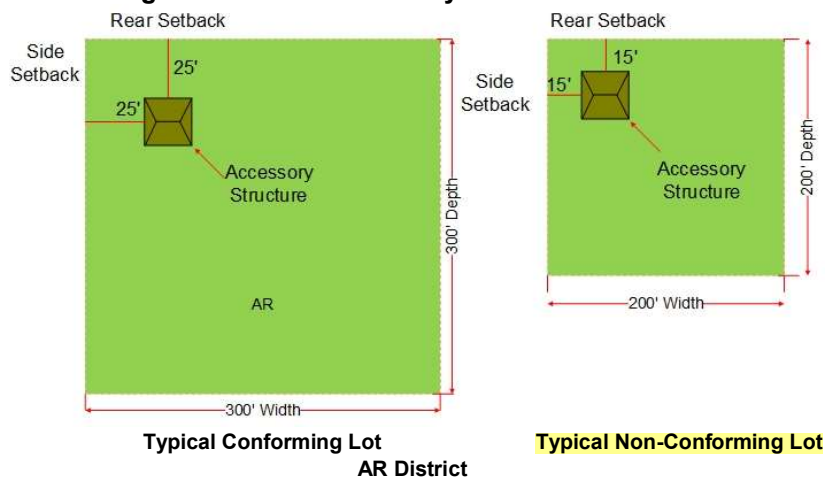
(3) Encroachment into easements shall be in accordance with [Art. 5.F.2.A, Easement Encroachment](#).

**2) AR District**

**a) Conforming Lot Dimensions**

Accessory structures may be set back a distance of 25 feet from the side and rear property lines on lots with conforming width and depth lot dimensions.

**Figure 5.B.1.A – Accessory Structure Setbacks**



[Ord. 2016-042]

**b) Non-Conforming Lot Dimensions**

The setbacks for accessory structures on lots with nonconforming width or depth may be reduced for either non-conforming dimension, as follows: [Ord. 2016-042]

**(1) General**

A minimum setback distance of 15 feet from the side or rear property lines; or [Ord. 2016-042]

**(2) U/S Tier**

The minimum setback may be reduced in accordance with the following: [Ord. 2016-042]

(a) The reduced setback permitted under [Art. 1.F.2.C.1, Minimum Residential Setback Requirements](#); or [Ord. 2016-042]

(b) Parcels that are less than or equal to 13,999 square feet may apply the accessory structure setbacks of [Art. 5.B.1.A.1.d.1\), Residential Districts \(Except AR\)](#). [Ord. 2016-042]

**c) Minimum Setback from Easements**

Must be five feet from all established easements, except where use of [Art. 5.B.1.A.1.d.1\), Residential Districts \(Except AR\)](#) is permitted. [Ord. 2016-042]

**3) Prohibition in Landscape Buffers**

Accessory structures shall not be located within a required landscape buffer. [Ord. 2016-042]

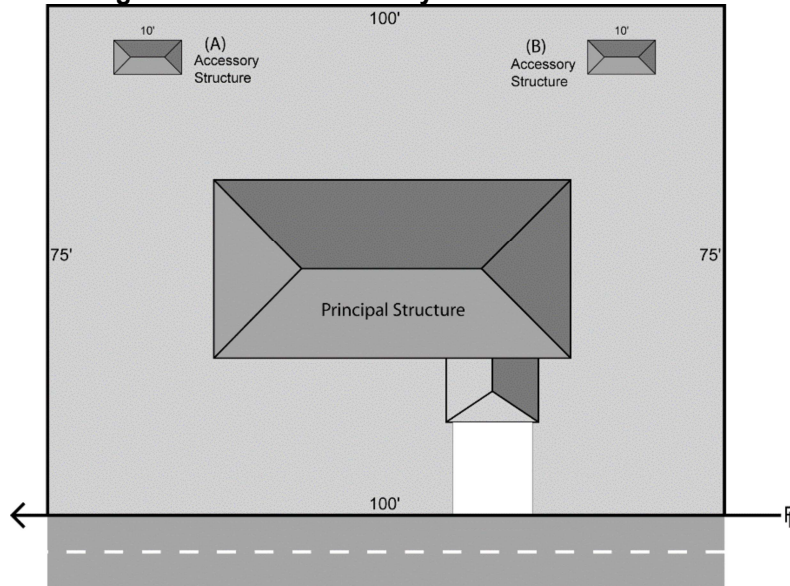
**4) Non-Residential Districts**

Accessory structures shall meet the setback requirements in [Table 3.D.1.A, Property Development Regulations \(PDRs\)](#).

**5) U/S Tier – Maximum Accessory Structure Dimensions**

In the U/S Tier, all accessory structures located on a parcel in a residential district shall not occupy more than 25 percent of the distance between property lines. [Ord. 2008-037] [Ord. 2016-042]

**Figure 5.B.1.A – Accessory Structure Dimensions**



In the U/S Tier, all accessory structures located on a parcel in a residential district shall not occupy more than 25 percent of the distance between property lines.

This Example:

Distance between property lines 100'  
Total of A+B accessory structures 10'+10'=20'  
 $100' \times 25\% = 25'$  maximum allowed by Code