

CHAPTER 26**ACCESSORY USES, BUILDINGS AND STRUCTURES** *(Amended 11/28/06; 01/20/23; 08/22/23)*

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Section 26.010. Purpose.

This Chapter identifies the requirements and general provisions, applicable in all zoning districts, for accessory uses, buildings and structures which are incidental and subordinate to the principal use and which are located on the same lot.

Accessory uses, buildings and structures, incidental and subordinate to an established and authorized use as defined in Chapter 39, may be approved by the Zoning Administrator, provided that such accessory use, building and structure conform to the requirements of this Chapter. Approval of an accessory use, building or structure may be reviewed and approved concurrently with the review and approval of the principal use or as an independent review and approval following the establishment of the principal use.

Section 26.020. General Requirements.

(Amended 11/18/08; 01/12/21)

In addition to the use limitations and other regulations for the zoning district in which the accessory use, building or structure is proposed, no accessory use, building or structure shall be allowed unless it complies with the following requirements:

- A. All accessory use(s), building(s) or structure(s) shall be incidental and subordinate to the principal use or structure in area, extent, and purpose.
- B. An accessory use, building or structure shall be under the same ownership or control as the principal

use or structure.

- C. No accessory use, building or structure shall be established or constructed before the principal use is in operation or the structure is under construction in accordance with the requirements of this Code.
- D. No signage shall be approved or maintained in connection with an accessory use or structure.
- E. An accessory detached garage may be allowed to have an accessory dwelling unit subject to the conditions listed in Section 26.030 and Section 26.040.
- F. Agricultural buildings used for agricultural purposes only, such as barns, silos, bins, and farm machinery sheds in the TH-5, A-5, A-1 and RA-1 Agricultural zoning districts shall not be considered accessory buildings. Such buildings are principal agricultural buildings and shall comply with the bulk and intensity requirements of the zoning district they are located in.
- G. Accessory buildings and structures must comply with any applicable requirements of the International Building Code and International Fire Code.

Section 26.030. Internal Accessory Dwelling Units. *(New 08/28/18; amended 03/26/19; 06/11/19; 12/08/20; 9/14/21; 07/12/22)*

One Accessory Dwelling Unit (ADU) may be allowed in an owner-occupied single-family detached home after obtaining all required permits and approvals. Any person constructing or causing the construction of an ADU shall first obtain a permit from the Planning Division. As long as the unit is rented and in use, an active ADU license is required, and the ADU shall meet the following:

- A. Owner Occupancy Required. The owner of the primary residence shall live in the dwelling in which the ADU was created. The owner shall sign an affidavit therein stating that the primary dwelling will be owner occupied. This affidavit shall be recorded against the property and is required for all owners of the property who operate an accessory dwelling unit.
- B. Appearance. The ADU shall not alter the appearance of the structure as a single-family residence. The structure shall not show external evidence of occupancy by more than one family.
- C. Parking. ADUs shall provide one off-street parking stall. The parking stall shall be separate from,

and not in tandem with the required parking for the primary dwelling. The minimum stall size is 9x20 feet. A lighted walkway must connect from the parking area to the entrance of the ADU. Parking areas shall be constructed of an appropriate material as set forth in Section 37.070(B)(4).

D. Zoning. ADUs shall only be allowed in single-family detached residential homes. ADUs shall not be allowed in any areas identified on the ADU Restricted Area Map.

E. Lot Size. The lot for a single-family home with an ADU shall be a minimum of 6,000 square feet in size.

F. Connection Between Units. There must be a physical connection (such as a locking door) between the primary dwelling and the ADU. The connection must be such that if the ADU was discontinued, the ADU living space could be accessed and used as part of the primary dwelling.

G. Building Division Approval. In addition to the approval required from the Planning Division, all ADUs shall be required to obtain a building permit from the Building Division and shall conform to all applicable standards in the City's adopted building codes. The applicant shall obtain all necessary building permits and pay all applicable fees, including impact fees, prior to constructing the ADU.

H. Both an Accessory Dwelling Unit and a Short-Term Rental permit may be obtained; however, only one of these uses may be active at a time. Only one accessory dwelling unit shall be in service at any given time per single-family dwelling lot.

Section 26.040. Detached Accessory Dwelling Units. *(Amended 07/27/21; 01/11/22; 10/10/23, 06/11/24)*

1. All accessory buildings with an accessory dwelling unit require:
 - (a) A minimum 15,000 square foot lot size.
 - (b) The maximum finished living area of the dwelling unit shall not exceed 1300 square feet.
 - (c) Must be on a permanent foundation.
 - (d) Only one accessory dwelling unit is allowed per lot, meaning an ADU cannot be approved in the main structure and in a detached building.
 - (e) All lighting shall comply with Section 12.110.
 - (f) A separate address (assigned by the City)

is required to be displayed in a size and location that is clearly visible from the street.

- (i) The address will be the primary home address with a ½ at the end signifying to emergency services that it is in a detached dwelling unit.
- (g) All utility services shall be connected to the primary dwelling.
- (h) Adequate all-weather access shall be provided for emergency service vehicles and utilities. Minimum width of 12 feet required.
- (i) The accessory dwelling unit shall include a minimum of two off-street parking stalls in addition to the parking required for the primary dwelling. Each parking stall shall be a minimum of 9 feet by 20 feet in size.
- (j) The accessory dwelling must meet all other requirements of Section 26.030 for Accessory Dwelling Units.

2. New build construction or conversion of an accessory building permitted after December 31, 2020 into an ADU will be a permitted use if it meets the following requirements:

- (a) Can be within five feet of either the side or rear property line if the wall within five feet has either no windows or two small opaque windows each no greater than two square feet in size. If the walls have windows larger than two square feet in size, a minimum setback of 10 feet is required for a one-story (maximum 20-foot height) structure. Any two-story structure (or that exceeds 20 feet in height) must meet the setbacks for a primary dwelling in the zone.
- (b) The height of the accessory building shall be no greater than the primary structure to a maximum of 35 feet.
- (c) The dwelling portion of the accessory building must be at least 300 square feet in area.
- (d) Review of a new build ADU or conversion of an accessory building permitted after December 31, 2020 into an ADU will be done by the Reviewing Departments to determine adequate access, utilities, address location, and other design features.

3. Conversion of an existing accessory building (permitted prior to January 1, 2021) into an ADU requires a Conditional Use Permit.

- (a) The dwelling portion of the accessory building must be at least 300 square feet and does not require a garage.

- (b) The dwelling portion of the building must have a minimum setback of 5 feet from the property line.
- (c) If the building is built within the required setback for the zone no windows can be on the side(s) of the structure within the required setback.
- (d) The conditional use approval will include review by the Reviewing Departments to determine adequate access, utilities, address location, and other design features.

Section 26.050. Location of Accessory Buildings. *(Amended 10/25/05; 7/10/07; 05/08/18)*

- A. Accessory buildings and structures shall not be located within any required utility easement(s).
- B. Accessory buildings and structures shall not be located closer than 12 feet to a dwelling on an adjacent lot or property.
- C. All required setbacks include any eave, overhang, or projection.
- D. Detached accessory dwelling units shall comply with the location standards in Section 26.040.
- E. All accessory buildings and structures are prohibited in any required front yard area.
- F. The location of all accessory buildings and structures in side yards shall be as follows:

1. Agriculture, Residential, Mixed Use and Planned Community Districts.

- (a) Accessory buildings and structures shall maintain the side yard required for the principal building as identified in Table 05-040A except for the following:
 - (i) Accessory buildings and structures with a total height of less than sixteen (16) feet that are located either at least six (6) feet to the rear of the principal building or have a minimum 10-foot side-yard setback from the principal building can have a minimum side yard of two (2) feet. This also applies to accessory buildings and structures with an area of six hundred (600) square feet or less, or light-frame construction, with an eave height of ten (10) feet or less.

- (ii) Accessory buildings and structures with a total height of sixteen (16) feet to twenty-four (24) feet that are located either at least six (6) feet to the rear of the principal building or have a minimum 10-foot side-yard setback from the principal building can have a minimum side yard of five (5) feet.
- (iii) Accessory buildings and structures with a total height greater than twenty-four (24) feet that are located either at least six (6) feet to the rear of the principal building or have a minimum 10-foot side-yard setback from the principal building can have a minimum side yard of eight (8) feet.

2. Other Districts.

- (a) Accessory buildings and structures may be built to the side lot line in the Commercial (C), Technology and Manufacturing (T-M), Business Park (BP), Light Industrial (LI), Historical/Industrial (HI) and Industrial (I) districts provided the building and structure complies with all applicable requirements of the International Building Code, the International Fire Code and is not located within any required utility easement(s) and is not subject to the requirements of Section 12-080(A)(2) of this Code.

3. Corner Lots.

- (a) Notwithstanding Section 26.050 (E) (1) and Section 26.030 (E) (2) all accessory buildings and structures shall maintain the minimum corner side yard required for the principal building as identified in Table 05-040-A, Table 05-040-B and Table 05-040-C.

- G. The location of accessory buildings and structures in rear yards shall be as follows:

1. Agriculture, Residential, Mixed Use and Planned Community Districts.

- (a) Accessory buildings and structures shall maintain the rear yard requirements for the principle structure as identified in Table 05-040-A except for the following:
 - (i) Accessory buildings and structures with a total height of less than sixteen (16) feet that are located at least six (6) feet to the rear of the principal building can

have a minimum rear yard of two (2) feet. This also applies to accessory buildings and structures with an area of six hundred (600) square feet or less, of light-frame construction, with an eave height of ten (10) feet or less.

- (ii) Accessory buildings and structures with a total height of sixteen (16) feet to twenty-four (24) feet that are located at least six (6) feet to the rear of the principal building can have a minimum rear yard of five (5) feet.
- (iii) Accessory buildings and structures with a total height greater than twenty-four (24) feet that are located at least six (6) feet to the rear of the principal building can have a minimum rear yard of eight (8) feet.

2. The table below describes the side-yard and rear-yard setbacks for accessory structures based on height:

Building Height	Side Yard	Rear Yard
Less than 16 ft	2 ft	2 ft
16-24 ft	5 ft	5 ft
Greater than 24 ft	8 ft	8 ft

(a) Accessory buildings must be 10 feet to the side or 6 feet to the rear of the primary dwelling for the setbacks of this table to apply. If the 10-foot side or 6-foot rear setbacks are not met then the standard setbacks of the zone apply for the accessory building.

- 3. Other Districts.
 - (a) Accessory buildings and structures may be built to the rear lot line in the Commercial (C), Technology and Manufacturing (T-M), Business Park (BP), Light Industrial (LI), Historical/Industrial (HI) and Industrial (I) districts provided the building or structure is not subject to the requirements of Section 12-080 of this Code and it complies with all applicable requirements of the International Building Code and the International Fire Code and is not located within any required utility easement(s).

Section 26.060. Maximum Coverage of Accessory Buildings and Structures.

No accessory building(s) or structure(s) shall cover more than 30% of the rear yard of any lot or parcel as identified in Table 05-040-A, Table 05-040-B and Table 05-040-C, consistent with the requirements of Section 12-020(G) of this Code.

Section 26.070. Maximum Height of Accessory Buildings and Structures.

(Amended 11/18/08; 07/27/21; 01/11/22)

A. Accessory buildings and structures shall be limited to one story except where the property is greater than 22,000 square feet or an accessory dwelling unit has been approved.

B. The maximum height of an accessory building shall be according to the following table:

Zone District Classification	Max. bld. Height
TH-5, A-5, A-1, RA-1(>22,000 sq. ft.), R-1-22	No taller than the principal structure, with a 35 ft maximum.
RA-1 (< 22,000 sq. ft.), R-1-15, R-1-12, R-1-10, R-1-8, R-2, R-2.5, R-3, MU, PC, RC, all other non-residential zones.	No taller than the principal structure with a 24 ft maximum.
Detached Accessory Dwelling Units (with 22,000 square foot lot)	No taller than the principal structure, with a 35 ft maximum.

Section 26.080. Architectural Considerations.

(New 11/18/08)

Exterior building materials including roofing and architectural designs and colors used for accessory buildings and structures shall be comparable to, or architecturally harmonious with, the existing main residential structure.

Section 26.090. Handicapped Access.

(Amended 11/28/06)

Uncovered handicapped access ramps are required to comply with the provisions of Section 12-020(E)(1). Covered handicapped ramps or any other covered

facilities for handicapped access that encroach into required setback and yard areas may be authorized by the Planning Commission as a Conditional Use by following the requirements and procedures of Chapter 9.

Section 26.100. Accessory Uses.

(Amended 10/14/03)

Tennis courts are required to maintain a minimum setback from side and rear property lines of fifteen feet and must not be located within any required utility easements. Swimming pools are required to maintain a minimum setback from side and rear property lines of four feet as identified in Section 12.020(E)(2) and must not be located within any required utility easements.