P&Z CASE NO. 447
CHAPTERS 3 & 5 AMENDMENT FOR DEFINITIONS & LOT COVERAGE

APRIL 07, 2025

ADMINISTRATION

Presented by:
Phil Laney
Assistant City Manager

1

SUMMARY

- Proposing updates to key definition – *accessory building or structure* - in Chapter 3, Zoning and Chapter 5, Building & Building Regulations
  - Clarity, consistency regarding what structure meets definition
- Proposing update to Chapter 3 language to make consistent with prior changes

2

BACKGROUND

- Definitions for *accessory building or structure* are in both Chapter 3, Zoning & Chapter 5, Building
  - Different definitions; neither address constructed, anchored outdoor fireplaces or outdoor kitchens
- Key factor for accessory buildings is their placement on a property, dictated by zoning
  - January 2025 ruling by Board of Adjustment stated outdoor fireplaces & outdoor kitchens not explicitly defined as accessory buildings
  - Clarity needed on *accessory structure* definition, to determine if these features must follow placement standards in Zoning Code

3

BACKGROUND

- Existing definitions for *accessory building or structure*
  - *Chapter 3, Zoning* - In a residence district, a subordinate building attached or detached and used for a purpose customarily incidental to the main structure such as a **private garage for automobile storage, tool house, lath or greenhouse as a hobby (no business), home workshop, quarters for servants employed on the premises, children's playhouse, storage house or garden shelter,** but not involving the conduct of business or the use of such accessory structure as a separate domicile.
  - *Chapter 5, Building & Building Regulations* – Means a structure which is built, constructed, or placed and which is detached from a principal structure on the same tract of land, and customarily incidental and subordinate to the principal structure or use and which does not contain a postal address. Accessory structures include but are not limited to **arbors, detached garages, garden utility sheds, decks, detached gazebos, temporary storage facilities, and swimming pools**.

4

BACKGROUND

- Propose amending *accessory structure* definitions to
  - Consolidate concepts into single definition, shown in both chapters
  - Add outdoor fireplace & outdoor kitchen to list of structures
  - Replace "servants quarters" with "casita and/or accessory dwelling unit"

5

CONCEPTS IN DEFINITION

- Current <u>concepts</u> in *accessory building or structure* definition (no changes proposed)
  - Subordinate building attached or detached from principal (main) structure on same tract of land
  - Built, constructed or placed
  - Used for purpose incidental to main
  - Does not contain a postal address
  - Not used to conduct business
  - Not used as a separate domicile, depending on zoning district

6

STRUCTURES IN DEFINITION

- Proposed structures defined as *accessory building or structure*
  - Private garage for automobile storage
  - Tool house
  - Lath or greenhouse
  - Home workshop
  - **Casita and/or accessory dwelling unit (ADD)**
  - Children's playhouse
  - Storage house or garden shelter
  - Arbors
  - Decks
  - Detached gazebos
  - Temporary storage facilities
  - Swimming pools
  - **Outdoor fireplaces (ADD)**
  - **Outdoor kitchens (ADD)**

7

PROPOSED DEFINITION

- Proposed definition to accessory building or structure:
  - A subordinate building or structure attached or detached from a principal structure on the same tract of land, which is built, constructed or place, and used for a purpose customarily incidental to the main structure, does not contain a postal address, and not involving the conduct of business or the use as a separate domicile, as specified for the district in which it is located. Accessory structures include but are not limited to a private garage for automobile storage, tool house, lath or greenhouse as a hobby (no business), home workshop, casita and/or accessory dwelling unit, children's playhouse, storage house or garden shelter, arbors, decks, detached gazebos, temporary storage facilities, swimming pools, anchored outdoor fireplaces and outdoor kitchens.

8

BACKGROUND

- Language cleanup needed in Lot Coverage section for SF-A & SF-B zoning districts, Section 3-17
  - Past zoning changes included “unenclosed roofed front porches up to fifteen (15) ft in height” in the maximum lot coverage calculation
  - Section 3-17 Lot Coverage SF-A & SF-B Districts not updated with previous change
  - Propose removing that language from list of maximum lot coverage exceptions

9

POLICY ANALYSIS

- Updating codes keeps current with community standards & provides clarity on development requirements

10

COORDINATION & FISCAL IMPACT

- Coordination
  - City Attorney & City Manager

- Fiscal Impact – no fiscal impact

11