

17.12.165 - Residential accessory uses and structures.

When permitted in the zoning district applicable to a site, pursuant to Section 17.11.010 of this development code, specific residential accessory uses are subject to the provisions of this section. Residential accessory uses include any use that is customarily related to a residence including swimming pools, workshops, studios, storage sheds, greenhouses and garages. Residential accessory structures for the purpose of this section shall not include secondary housing units which are regulated by Section 17.12.170.

- A. General Requirements. All accessory uses and structures are subject to the following standards, except where more restrictive requirements are established by other provisions of this section for specific uses.
 - 1. Relationship of Accessory Use to Principal Use. Accessory uses and structures shall be incidental to and not alter the character of the site from that created by the principal use.
 - 2. Setback requirements: as provided by Section 17.13.020.
- B. Antennas. Antennas are subject to the provisions of Section 17.12.050.
- C. Decks. Decks are subject to the setback requirements of Section 17.20.180 (E). The walking surface of a deck shall not exceed a height of five feet above finished grade.
- D. Garage/Yard Sales. The sale of miscellaneous items by residents from a yard or open garage is permitted up to four times per year per property, for a maximum of three days per sale.
- E. Garages. A garage shall provide at all times the minimum space required to accommodate the number of off-street parking spaces required by this title. A detached accessory garage shall not occupy more than five hundred (500) square feet per dwelling unit (including any workshop or storage space within a garage) unless a larger area is authorized by the commission through a site plan review. The floor area of an accessory garage that is attached to a principal structure is not limited, except as may be required by Title 15.
- F. Greenhouses. An accessory greenhouse may occupy up to five hundred (500) square feet per dwelling unit or ten (10) percent of the lot, whichever is smaller. Larger greenhouses shall be considered to be plant nurseries, and are permitted only in the CL zoning district.

- G. Home Occupations. Home occupations are subject to the requirements of Section 17.12.100.
- H. Swimming Pools/Spas/Hot Tubs. Private swimming pools, spas and hot tubs are permitted accessory to approved residential uses on the same site, subject to the following provisions:
1. Limitation on Use. The pool is to be used solely by occupants of the dwelling(s) on the same site and their guests.
 2. Setbacks. Except where Title 15 requires greater setbacks, a pool/spa/hot tub shall be located at least five feet from any property line and at least five feet from the main residence. The setback shall be measured from the water line of a pool or spa or from the structure of an above-ground pool/spa hot tub. The setback for an infinity pool shall be measured from the edge of the catch basin (Figure 3-10). Related equipment shall be located at least three feet from the property line.
 3. Except where Title 15 requires greater setbacks, all pool related structures including waterfalls, grottos and slides, when attached to the pool or intended to serve the pool, shall be located at least five feet from any property line.
 4. Fencing. The swimming pool shall be secured by fencing or building walls to prevent uncontrolled access by children, in compliance with Title 15. Chain link fencing is not permitted around private swimming pools; and
 5. For pools and spas, a two-foot minimum setback from the rear or side property line is allowed under special circumstances, and subject to administrative plan review approval, where:
 - a. The property line in question abuts an open space area of at least ten (10) feet in width, as measured from the property line, and said open space area is permanently protected or dedicated (through an easement or other dedication) for drainage, slope maintenance and management, or other open space purposes.

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Outdoor Recreational Features. Outdoor recreational features such as fireplaces, pizza ovens, barbeque grills and fountains not exceeding six feet in height shall be a minimum of three feet from all property lines. Outdoor recreational features over six feet in height shall be a minimum of seven and one-half feet from a side property line and ten (10) feet from a front and rear property line.

- J. Tennis and Other Recreational Courts. Noncommercial outdoor tennis courts and courts for other sports (e.g., racquetball) accessory to a residential use are subject to the following requirements:
1. Fencing. Fencing shall be subject to the design criteria of Section 17.20.100 and shall not exceed a maximum height of twelve (12) feet. Fences between six feet and twelve (12) feet in height shall be subject to administrative plan review approval; and
 2. Lighting. Court lighting shall not exceed a maximum height of fourteen (14) feet, measured from the court surface. The lighting shall be directed downward, shall only illuminate the court, shall not illuminate adjacent property and is subject to the standards in Chapter 17.27.
- K. Trash Enclosure. Any trash enclosure visible from the public right-of-way shall meet the following requirements:
1. The area shall be enclosed with an opaque wall that is compatible, in material, color and texture with the primary or main building. The wall shall be at least four feet high, or the height of the enclosure door in the closed position, whichever is greater.
 2. The enclosure shall be large enough to accommodate at least three ninety-five-gallon carts for trash, recycling and organic waste. Minimum inside dimensions are four feet by ten (10) feet (or forty (40) square feet). The requirement increases sixteen (16) square feet for each additional container.
 3. The storage area must be paved and sufficiently impervious to contain leaks and spills.
- L. Vehicle Storage. The storage of vehicles, including incidental restoration and repair, is subject to Section 17.12.200.
- M. Workshops, Studios, Pool Houses, and Other Similar Structures.
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An accessory structure may be constructed or used as a workshop or studio in any residential zoning district solely for (i) noncommercial hobbies or amusements; (ii) for maintenance of the principal structure or yards; (iii) for artistic endeavors, (e.g. painting, photography or sculpture; (iv) maintenance or mechanical work on vehicles owned or operated by the occupants; or (v) for other similar purposes. Any use of such accessory structures for any commercial activity shall meet the standards for home occupations (Section 17.12.100).

2. An accessory structure may be constructed or used as a pool house in conjunction with a swimming pool. Unless there is an existing pool, the pool shall be constructed and completed prior to pool house construction.
3. A workshop, studio, pool house or other accessory structure shall not contain a kitchen and/or any other facilities for a kitchen.

(Ord. No. 2010-265, § 3, 1-27-2010; Ord. No. 2012-297, § 1(Att. A), 5-23-2012)