

**4.02.030 Accessory Structures****A. Purpose.**

1. To ensure accessory structures in residential districts are consistent with the residential character of the neighborhood;
2. To maintain light and air between structures;
3. To minimize the visual impact associated with the height and bulk of accessory structures;
4. To ensure accessory structures are secondary to the primary dwelling in size and use.

**B. Exemptions.** The standards in this section do not apply to the following unless otherwise stated in the applicable zoning district:

1. Detached secondary dwelling units that conform to the regulations of Section 6.03.120 (Secondary Dwelling Units).
2. Covered parking for multifamily developments that conforms to the design review requirements of Chapter 9.07 and all development standards and requirements of the underlying zoning district.
3. Landscape features including the following, provided they do not restrict visibility at a street intersection:
  - a. Light poles and similar lighting features not more than eight feet in height.
  - b. Gates or archways for pedestrian access not more than eight feet in height located in a primary dwelling frontage.
  - c. Planters and similar landscape features.
  - d. Statuary and similar features not more than 8 feet in height.

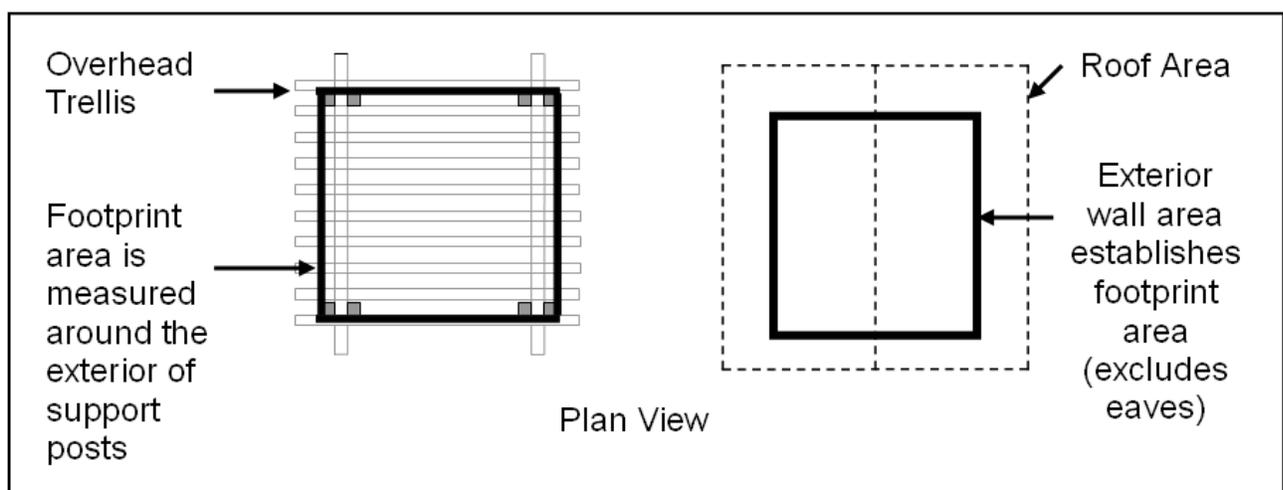


Figure 4.1: Footprint area.

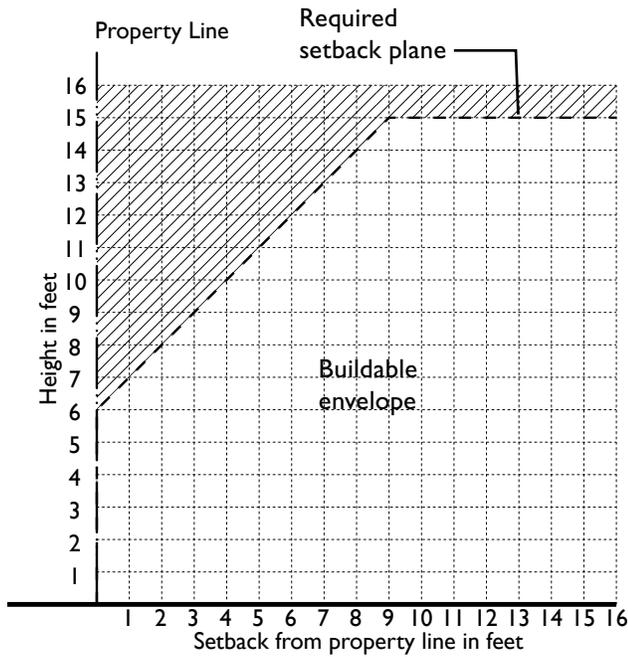


Figure 4.2: Setback diagram for Open Structures.

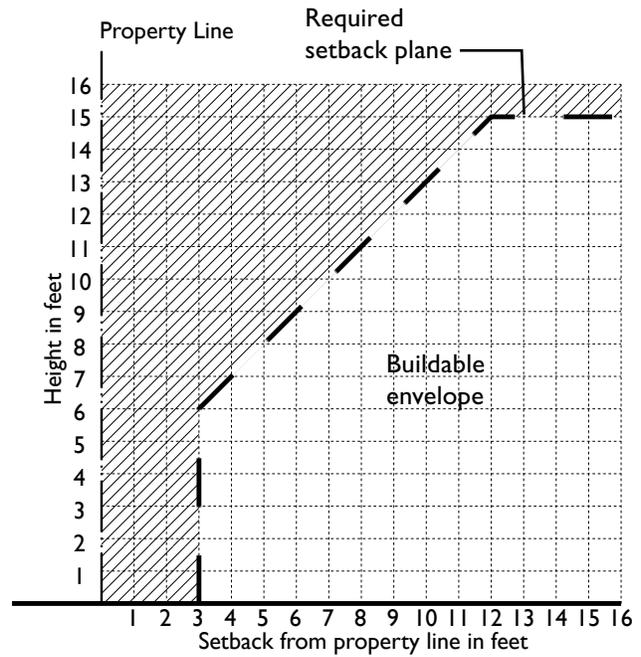


Figure 4.3: Setback diagram for Major Accessory Structures.

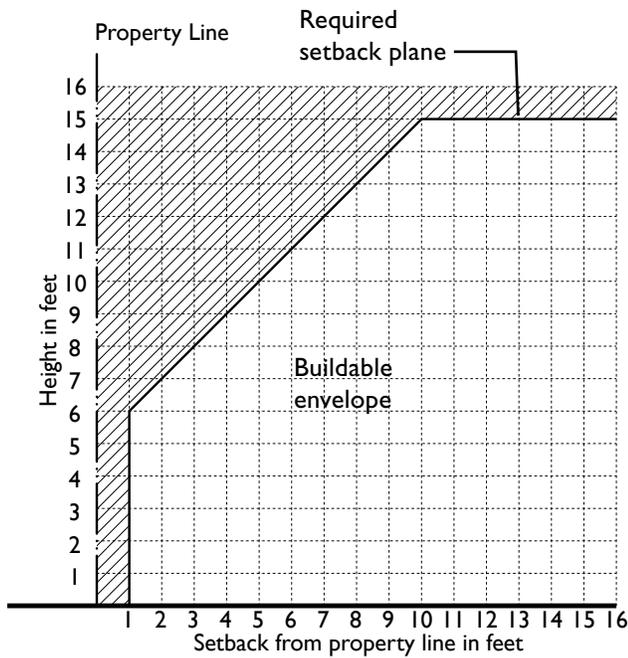


Figure 4.4: Setback diagram for Minor Accessory Structures.

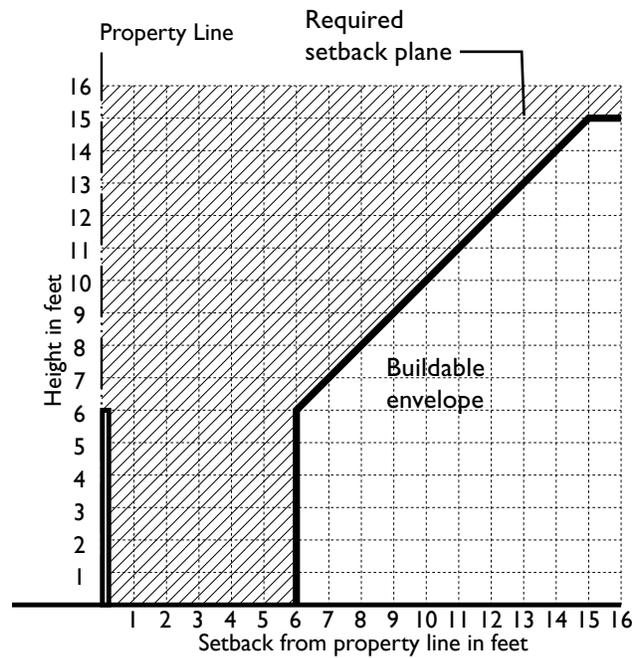


Figure 4.5: Setback diagram for Accessory Structures within 50 feet of Major Street.

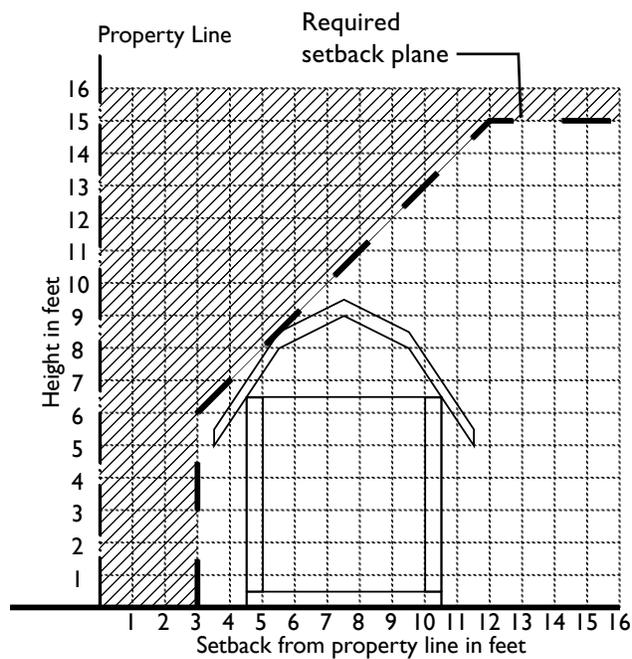


Figure 4.6: Illustrative example of Major Accessory Structures with complex pitch roof.

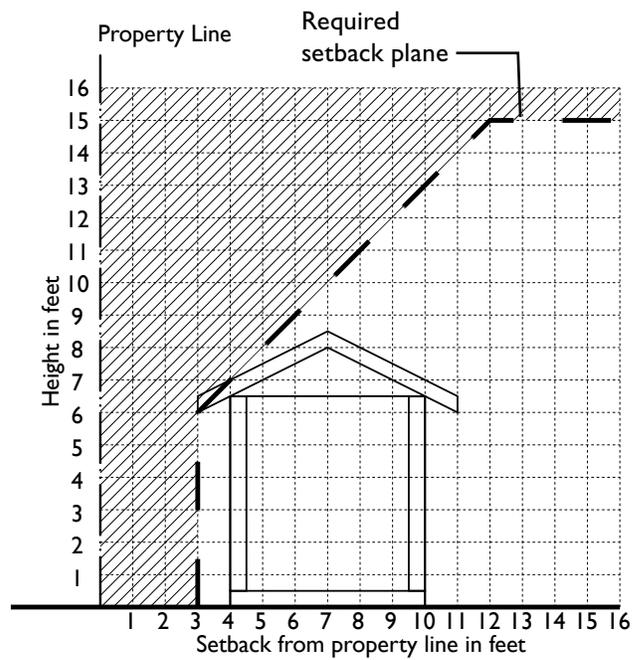


Figure 4.7: Illustrative example of Major Accessory Structures with low-pitched roof.

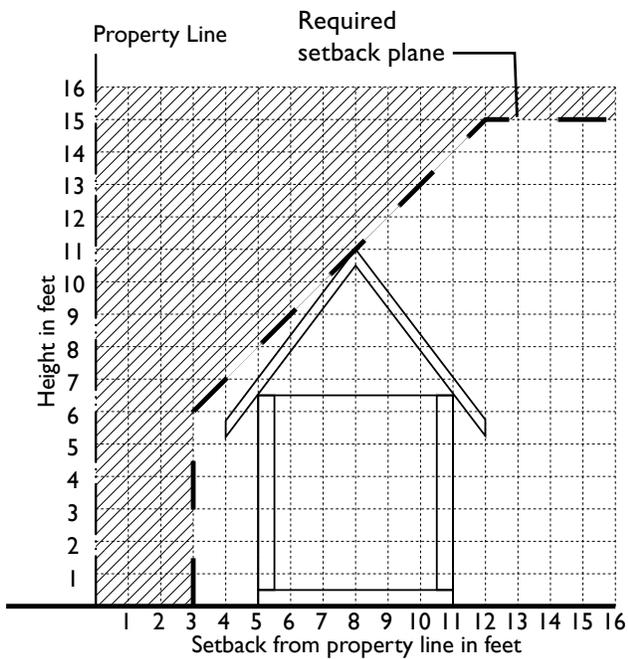


Figure 4.8: Illustrative example of Major Accessory Structures with high-pitched roof.

<b>Table 4.5: Standards <sup>1</sup></b>	
<b>Height</b>	
Height Maximum	1 story, up to 15' tall <sup>2</sup>
Rooftop designed so that it may be used as a deck	Shall not be permitted except for decks on play structures that are 6 feet or less above ground level.
<b>Setback <sup>3</sup></b>	
Within 50 feet of a major street and behind sound wall or solid fence (blocks 90% of light and air)	6 feet + 1 foot for every foot above 6 feet (as measured from wall or fence)
Uncovered (e.g., patios, decks)	See Tables 4.2 and 4.4 for setbacks
Open Structure <sup>4</sup>	1 foot for every foot above 6 feet
Minor ≤ 120 sf footprint	1 foot + 1 foot for every foot above 6 feet
Major > 120 sf footprint	3 feet + 1 foot for every foot above 6 feet <sup>5</sup>
<b>Maximum footprint</b>	
Individual structure	640 square feet
Combined total	10% of lot size or 1,000 square feet, whichever is less
<b>Number of Accessory Structures</b>	
< 6 feet tall	No limit
≥ 6 feet tall	5, up to two major accessory structures <sup>6</sup>

<sup>1</sup> Where a standard in the underlying zoning district or Planned Unit Development (PUD) addresses a specific accessory structure standard (e.g., height or setback) those standards shall take precedence over this section.

<sup>2</sup> Play structures may include two stories. For the purposes of this section, a play structure is an accessory structure principally designed for and used by children at play.

<sup>3</sup> Projection of eaves and overhangs that conform to Subsection 4.02.020.B (Encroachments) are not considered when determining setback requirements. See Figure 4.1 Footprint area for illustration of how to calculate square footage. See Figures 4.2-4.8 for illustrations of setback requirements.

<sup>4</sup> Shall allow light and air to pass through a minimum of 50 percent of the roof surface and shall allow light and air to pass through a minimum of 75 percent of each side. Play structures do not qualify as open structures, but are regulated as minor or major accessory structures.

<sup>5</sup> For properties designated RL, detached garages used primarily for the off-street storage of vehicles shall have a minimum 3-foot setback, provided the property is rectangular in shape and has street frontage of 50 feet or less.

<sup>6</sup> First two open structures ≤ 9 feet in height do not count toward the limitation.

- C. **General regulation.** The following regulations shall apply to all accessory structures which are not exempt per subsection B.
1. Floor area within legal accessory structures shall not be counted against floor area ratio or coverage limit (whichever applies) of the underlying zoning district.
  2. A building permit shall be required for any accessory structure greater than 120 square feet or contains light fixtures or heating appurtenances, or is otherwise served by a utility such as electricity, gas, or plumbing, or is structurally attached to a dwelling or another accessory structure.
  3. Accessory structures shall not be located in a primary dwelling frontage. See Figure 4.9 below.
  4. Accessory structures not within a primary dwelling frontage but located within 50 feet of a street right-of-way shall be located behind a conforming six-foot fence, except for detached garages. See figure 4.9 below.
  5. Limitations on use
    - a. An accessory structure shall be permitted on a lot only in conjunction with a primary dwelling unit.
    - b. Use of an accessory building as a dwelling unit, sleeping quarters, or a housekeeping unit is prohibited, unless permitted as an approved secondary dwelling unit, subject to the provisions of Section 6.03.120 (Secondary Dwelling Units).
    - c. A bathroom is permitted within an enclosed accessory structure.
    - d. A kitchen is prohibited in an enclosed accessory structure, unless permitted in an approved secondary dwelling unit, subject to the provisions of Section 6.03.120.
    - e. A shipping container is not permitted as an accessory structure in a residential

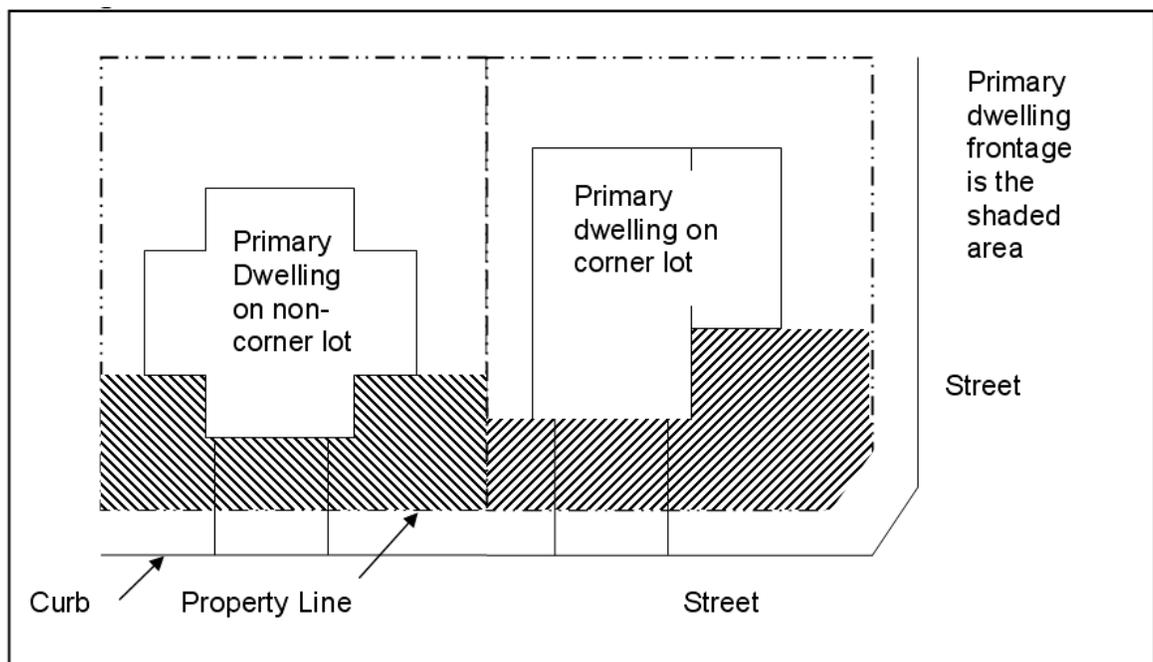


Figure 4.9: Illustrative example of Primary Dwelling Frontage.

zoning district.

6. Separations
  - a. A minimum three-foot separation shall be maintained between an accessory structure and all other structures on a lot, measured from exterior vertical wall or post surfaces, except as noted in Subparagraphs c and d, below.
  - b. Accessory structures attached to a primary dwelling shall be subject to all standards of the underlying zoning district, except as noted in Subparagraphs c and d, below.
  - c. An accessory structure with a covered breezeway separating the accessory structure from a primary dwelling shall be considered a detached accessory structure.
  - d. Patio covers may be attached to the primary dwelling provided all other accessory structure regulations are met. Posts supporting a patio cover or open structure may be less than three feet from another structure.
7. Deviating from any standard in this section may be authorized upon approval of a conditional use permit.
8. Design standards and maintenance
  - a. Accessory structures shall be designed to complement or match the appearance of the primary dwelling unit and be consistent with the residential character of the neighborhood. Colors, materials, roof form, windows, window trim and other architectural features shall complement or match those of the existing primary dwelling unit. Accessory structures shall be constructed using conventional construction methods and materials for accessory structures, including accessory structures commonly pre-manufactured or pre-fabricated for sale and use in residential settings.
  - b. An accessory structure shall be located and designed to not drain onto other property, and shall not be structurally attached to a property line fence.
  - c. Lighting affixed to an accessory structure shall be designed or shielded to not cause glare upon neighboring properties.
  - d. Accessory structures containing fuel-burning appurtenances shall be equipped with a spark arrestor when required by local and/or State fire codes.
  - e. Accessory structures shall be maintained in good repair, in conformance with the Municipal Code 8.14.020.H, and such that members of walls or posts or roof coverings, whether open or solid, or exterior sheathing shall not lean, list, buckle, or otherwise appear to fall or fail, due to defective materials or deterioration.

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#### 4.02.040 Special Height Regulations

- A. **Sloping lot height measurement.** In any district on lots that slope, the maximum height of the structure shall be as set forth in the district and measured vertically from ground level at the front yard setback line, or if no yard is required, at the center of the lot.
- B. **Special architectural element heights.** Subject to any other provisions of law, certain structures as listed below may be erected to a greater height than the limit established for the district in which such structure or use is located.