

§ 5.3 ACCESSORY STRUCTURES

5.3.1 General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, unless otherwise permitted or restricted by specific regulations of this Article and Code.

A. No accessory building or structure shall be constructed until the construction of the principal structure has commenced. No accessory building or structure shall be used unless the principal structure also is being used. A building permit may be required for the construction of an accessory structure per the building code.

B. The maximum height of any detached accessory structure is that of zoning district, unless otherwise restricted by this Code.

C. Detached accessory structures must be setback a minimum of five feet from any lot line in all districts, unless otherwise permitted or restricted by this Code. However, an accessory structure located on waterfront property shall be set back a minimum of 20 feet from the mean highwater line except for the landward portion of:

1. A permitted dock.
2. A boat house that is accessory to a permitted boat dock or marina.
3. Pool and pool equipment.
4. Outdoor kitchen that does not require utility connection.

D. The total gross floor area of all accessory buildings shall not exceed 50% of the main principal structure total gross floor area with exception of accessory structures in the FR district which may not exceed 75%.

E. Accessory structures are included in the calculation of any maximum impervious surface and building coverage requirements of the district.

F. Detached accessory buildings shall be located behind the front building line of the main principal structure, unless specifically allowed by this Code. However, in water-oriented subdivisions, in-ground pools may be located in front of the main principal structure.

G. A detached accessory structure may not contain food preparation facilities, bedroom, or a full bath. Plumbing fixtures are prohibited above the first floor. This does not apply to an approved accessory dwelling unit.

H. No accessory structure may be located in a recorded easement.

I. Separate meters are prohibited except for irrigation purpose.

5.3.2 Specific Accessory Structures Regulations

The following regulations apply to specific types of accessory structures. The regulations of the section above (##) apply unless specifically modified by the standards of this section.

A. Amateur (ham) Radio Equipment

1. Towers that solely support amateur (ham) radio equipment are permitted in the rear setback only, and must be located ten feet from any lot line. Towers are limited to the maximum building height of the applicable district plus an additional ten feet, unless a taller tower is technically necessary to engage successfully in amateur radio communications.

2. Antennas may be building-mounted and are limited to a maximum height of ten feet above the structure, unless a taller antenna is technically necessary to engage successfully in amateur radio communications.

3. Where additional height is required, the operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower and/or antenna will not prove a hazard.

B. Garages (Detached) and Carports

1. Detached garages and detached carports are permitted in the interior side, corner side, and rear setbacks. Detached garages and detached carports are prohibited in front of the front building line, including when placed within the corner side setback.
2. When accessed from a street, all garages and carports (whether attached or detached) must be set back a minimum of 20 feet from the lot line where access to the garage is taken. However, when accessed from an alley, the setback is reduced to three feet.
3. All garages and carports must be set back a minimum of five feet from all other lot lines.
4. Carports must be located over a foundation and accessed by a driveway.

C. Mechanical Equipment

Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, power storage, pool pumps, and similar equipment.

1. Ground-Mounted Equipment

- a. Mechanical equipment is permitted in the interior side or rear setback, behind the front building line and must be located three feet from a lot line.
- b. For multi-family and nonresidential uses, ground-mounted mechanical equipment must be screened from public view by a decorative wall, solid fence, or year-round landscaping that is compatible with the architecture and landscaping of a development site. The wall, fence, or plantings must be of a height equal to or greater than the height of the mechanical equipment being screened.

2. Roof-Mounted Equipment

- a. For structures 40 feet or more in height, all roof equipment must be set back from the edge of the roof a minimum distance of one foot for every two feet in height.
- b. For structures less than 40 feet in height and for any building where roof equipment cannot meet the setback requirement of item a above, there must be either a parapet wall to screen the equipment or the equipment must be housed in solid building material that is architecturally integrated with the structure.

D. Refuse and Recycling Containers

These provisions do not apply to standard personal refuse and recycling bins, approximately 96 gallons or less in size.

1. Refuse and recycling containers are permitted only in the interior side or rear setback, behind the front building line. No dumpsters may be located on any right-of-way, including alleys.
2. Enclosures are required as follows:
 - a. All refuse and recycling containers must be fully enclosed on three sides by a solid fence, wall, or wall extension of the principal building a minimum of six feet and a maximum of seven feet in height. The wall or wall extension must be constructed as an integral part of the building's architectural design
 - b. The enclosure must be gated. Such gate must be solid and a minimum of six feet and a maximum of seven feet in height. This requirement does not apply to refuse containers located adjacent to an improved alley.
 - c. The gate must be maintained in good working order and must remain closed except when refuse/recycling pick-ups occur.
 - d. Refuse and recycling containers must remain in the enclosure with the gate closed and/or locked.

E. Satellite Dish Antennas

1. General Requirements

- a. Satellite dish antennas must be permanently installed on a building, in the ground, or on a foundation, and cannot be mounted on a portable or movable structure.
- b. Subject to operational requirements, the dish color must be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer.
- c. Antennas no longer in use must be immediately removed.
- d. Every effort must be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way.

2. Additional Standards for Large Satellite Dish Antennas

Large satellite dish antennas, which are greater than one meter (3.28 feet) in diameter, are subject to the general requirements above as well as the following requirements:

- a. Large satellite dish antenna are permitted only in the rear yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.
- b. Roof-mounting is permitted only if the satellite dish antenna is screened from public view by a parapet wall a minimum of four feet in height.

F. Solar Panels

1. General Requirements

Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

2. Building-Mounted Systems

- a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
- c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.
- d. Wall-mounted solar panels may project up to four feet from a building façade and must be integrated into the structure as an architectural feature.

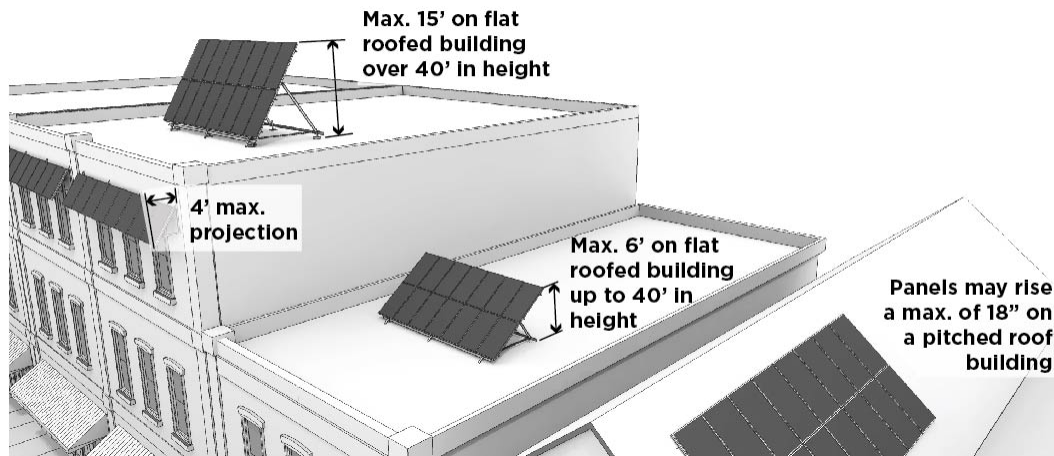
3. Freestanding Systems

- a. A freestanding system is allowed in interior side and rear yards behind the front building line, and must be five feet from any lot line.
- b. The maximum height of a freestanding system is ten feet.

4. Co-Location

Solar panels may be co-located on structures located on private property such as light poles.

SOLAR PANELS



G. Wind Turbines

1. Wind turbines may be designed as either vertical or horizontal axis turbines, or designs that combine elements of the different types of turbines.
2. Wind turbines are subject to the following height restrictions:
 - a. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district or 35 feet, whichever is less. A taller height may be allowed by special permit approval.
 - b. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure. A taller height may be allowed by special use.
 - c. Maximum height is the total height of the turbine system as measured from the base of the tower to the top. For horizontal axis turbines, the maximum vertical height of the turbine blades is measured as the length of a prop at maximum vertical rotation.
 - d. No portion of exposed turbine blades may be within 20 feet of the ground. Unexposed turbine blades may be within ten feet of the ground.
3. Ground-mounted wind turbines are permitted only in the rear setback. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.
4. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.

WIND TURBINES

