



STUDY SESSION

Agenda Item # 9

AGENDA REPORT SUMMARY

Meeting Date: June 27, 2017

Subject: Accessory Structure Standards

Prepared by: Jon Biggs, Community Development Director

Approved by: Chris Jordan, City Manager

Attachment(s):

1. Municipal Code Section 14.06.120 – Accessory Structures
2. Accessory Structure Placement Diagram
3. Accessory Structure Placement Within Rear Yard Diagram

Initiated by:

City Council

Fiscal Impact:

Undetermined

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Are current site development standards for accessory structures appropriate?

Summary:

- Following the City Council's review of the draft accessory dwelling unit regulations, which allow the conversion of existing accessory structures to accessory dwelling units, it was requested that an overview of the current accessory structure regulations be provided.
- This report, and the presentation at the City Council meeting, will provide that overview. Council may determine that adjustments to the current accessory structure regulations are needed to minimize the potential for impacts to adjoining properties.

Staff Recommendation:

Receive the report on accessory structure standards and provide appropriate direction.



Subject: Accessory Structure Standards

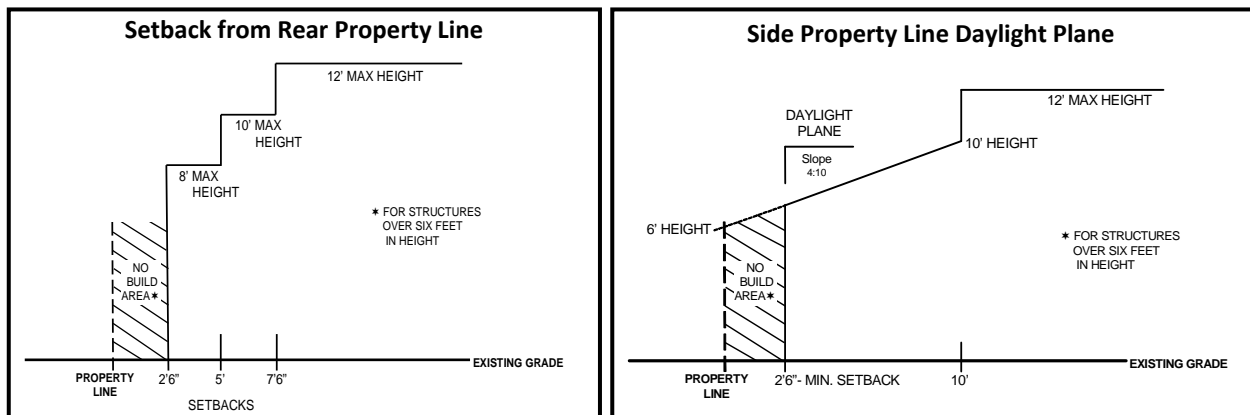
Purpose

Review existing regulations and determine if modifications to the site development standards for accessory structures are warranted.

Background

For its meeting of May 23, 2017, consideration of the Accessory Dwelling Unit regulations by Council was agendized. In light of questions concerning the conversion of existing accessory structures into accessory dwelling units, the City Council continued its consideration of the accessory unit regulations to a future meeting.

Accessory structures on single-family (R1-10) zoned properties are regulated by Section 14.06.120 (Attachment 1) of the Municipal Code. Accessory structures over six feet in height can be located within the rear yard setback area, provided they have a minimum setback of 2.5 feet from the nearest property lines and do not exceed 800 square feet in size. An accessory structure may be up to 12 feet in height, depending on its placement within the rear yard area and its distance to the nearest side and rear property lines. However, the Code, in regulating the height, size, and setbacks for accessory structures, can appear confusing. The setback from the rear property line is governed by the overall height of an accessory structure and the setback from a side property line is governed by an accessory structure daylight plane. The following diagrams reflect how these standards are applied:



To provide additional clarity, two color coded diagrams are attached with this report. The first diagram shows where an accessory structure within a given height category can be sited on a corner lot or an interior lot (Attachment 2). A second diagram shows the distances to property lines that are required for an accessory structure that is placed within a rear yard setback area (Attachment 3).



Subject: Accessory Structure Standards

Discussion/Analysis

The existing accessory structure regulations have been modified at various times over the years in response to concerns that have come up regarding the height and placement of accessory structures on a lot. The most recent amendment to these regulations occurred in 2008, when the rear yard setback for taller accessory structures was increased from 2.5 feet to the current stepped setback requirement that ranges from 2.5 to 7.5 feet.

Like many regulations that have been altered or amended over time to address a variety of concerns, the language of this code section can be challenging for staff to explain and for property owners and applicants to understand. Staff has prepared a handout with graphics that describes and shows where the various accessory structures can be sited, which has helped; but a change to some of the code language could provide greater clarity and public understanding. The following is an example of how a code section could be reworded to provide greater clarity:

Existing Language

In no case, shall there be less than a five-foot clearance between either the accessory structure and the main structure or the accessory structure and the property line.

Possible Language

Clearance for accessory structure shall be one of the following:

- five (5) feet to the main structure, or
- five (5) feet to a property line

Additional changes may provide greater clarity and ease of use; however, staff would need additional time to evaluate and develop code language if so directed.

After receiving this presentation, the Council may feel that other amendments to the accessory structure regulations are warranted to ensure that new accessory structures do not unreasonably impact neighboring properties. However, it is also important to note that, historically, detached garages and accessory structures have been allowed to be sited with minimal setbacks when located in rear yard spaces; and hundreds of such structures currently exist on properties around the City. Other regulations, such as height, size and placement of window and door openings, could also be effective ways to minimize impacts on adjacent properties while allowing a property to have an accessory structure and a usable rear yard area.

Therefore, staff requests guidance from the Council on if there are potential impacts, such as noise, privacy, or aesthetics, related to accessory structures that are of concern and what current regulations, if any, should be modified to address these potential impacts.



Subject: Accessory Structure Standards

Options

- 1) Provide direction to staff on amendments to the accessory structure regulations and start the public hearing process, beginning with review by the Planning and Transportation Commission.

Advantages: Modifications to the Code can help reduce potential impacts of uses within accessory structures on neighboring properties

Disadvantages: Adjustments to the Code can make many of the existing accessory structures nonconforming and intended results may not be achieved.

- 2) Retain current accessory dwelling unit regulations.

Advantages: Provides for continued regulation of accessory structures under current site development standards.

Disadvantages: May not appropriately mitigate potential impact of uses within the accessory structures on neighboring properties.

Recommendation

The staff recommends Option 1

ATTACHMENT 1

LOS ALTOS MUNICIPAL CODE – ACCESSORY STRUCTURE REGULATIONS

14.06.120 - Accessory structures, outdoor barbeques and swimming pools (R1-10).

A.

Accessory structures that are no more than six feet in height may be located in interior and exterior side and rear yard setbacks subject to the following provisions:

1. The maximum width of the accessory structure shall be five feet.
2. The maximum length of the accessory structure shall be sixteen (16) feet.
3. The accessory structure shall be screened from off-site view with solid fencing which is not lower in height than the accessory structure and which is constructed in conformance with the provisions of [Chapter 14.72](#) of this title.
4. In no case shall there be less than a five-foot clearance between either the accessory structure and the main structure or the accessory structure and the property line.

B.

Accessory structures that are more than six feet in height may be located in the required rear yard setback area or in the main structure's building envelope, subject to the following provisions:

1. Accessory structures shall have a minimum setback of two and one-half feet from the side property line and a minimum setback from the rear property line as follows:
 - i. Two and one-half feet when the structure is under eight feet in height;
 - ii. Five feet when the structure is between eight and ten (10) feet in height;
 - iii. Seven and one-half feet when the structure is between ten (10) and twelve (12) feet in height; and
 - iv. Two and one-half feet when the rear property line abuts an alley.
2. No portion of any accessory structure shall project above a daylight plane, beginning at a height of six feet at the side property line and increasing at a slope of four feet for each ten (10) feet of distance from the side property line to a distance of ten (10) feet from the side property line.

3.

The maximum allowable height for accessory structures shall be twelve (12) feet.

4.

The maximum allowable size for each accessory structure located in the required rear yard setback area shall be eight hundred (800) square feet of gross floor area.

5.

Notwithstanding the provisions of [Section 14.66.220](#) of this title, no portion of an accessory structure, including but not limited to roof eaves, chimneys and vents, shall project into any required setback or daylight plane as outlined in this subsection B.

6.

The architectural and site review committee may approve an accessory structure located entirely within the main structure's building envelope to extend up to eighteen (18) feet in height if the committee finds and determines that the additional height is necessary in order to establish architectural compatibility with the main structure.

C.

Outdoor barbeques, fireplaces, sinks and similar structures located within the required rear yard setback shall be set back a minimum of five feet from any property line. Said structures shall not be located in the required front or side yard setback areas.

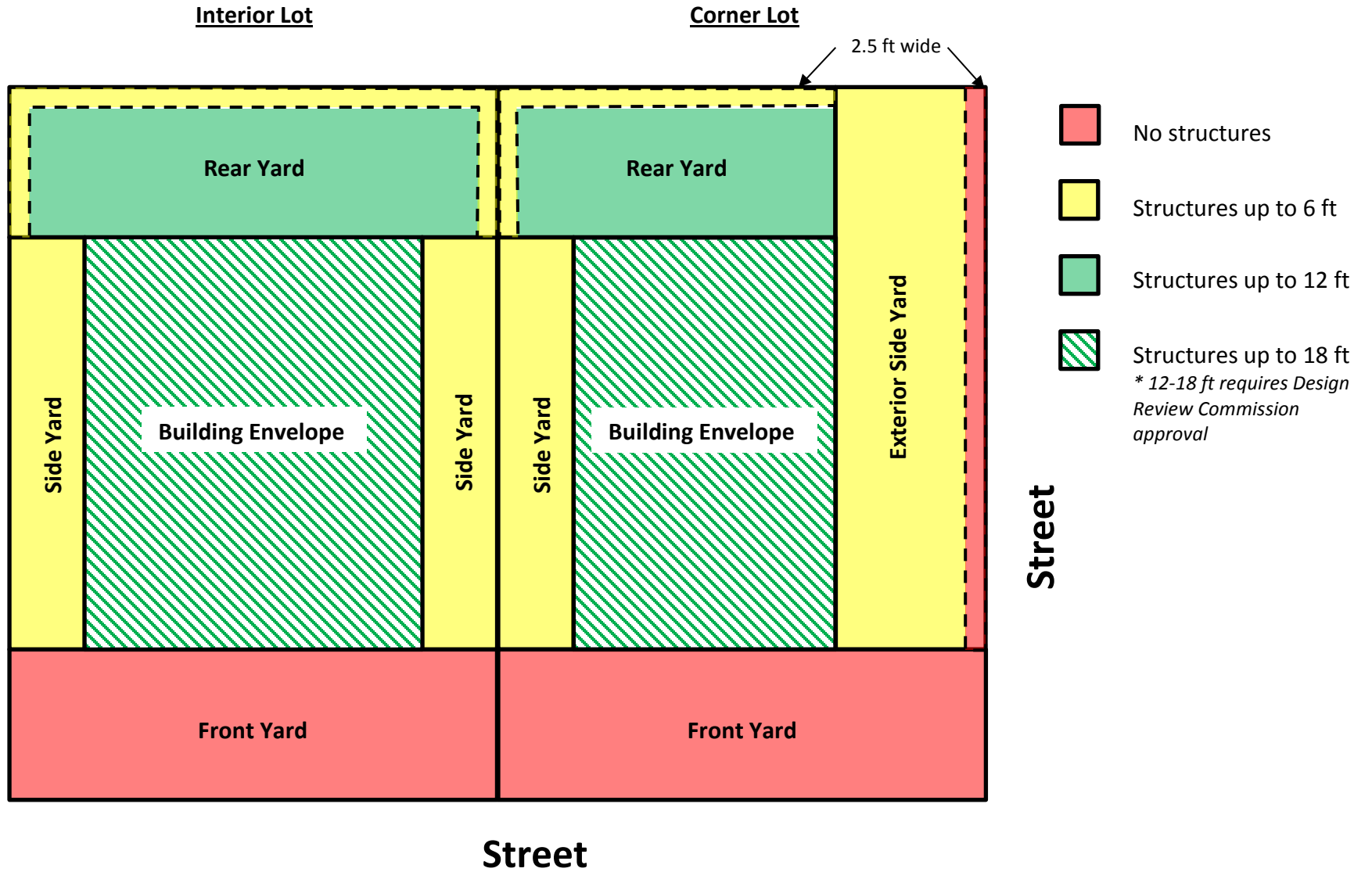
D.

Swimming pools, hot tubs, and spas located within the required rear yard setback shall be set back a minimum of five feet from any property line. The setback shall be measured from the outside edge of the pool structure. Said structures shall not be located in a required front or side yard setback area.

E.

Accessory structures containing swimming pool motors and equipment shall not be located in a required interior side yard setback area.

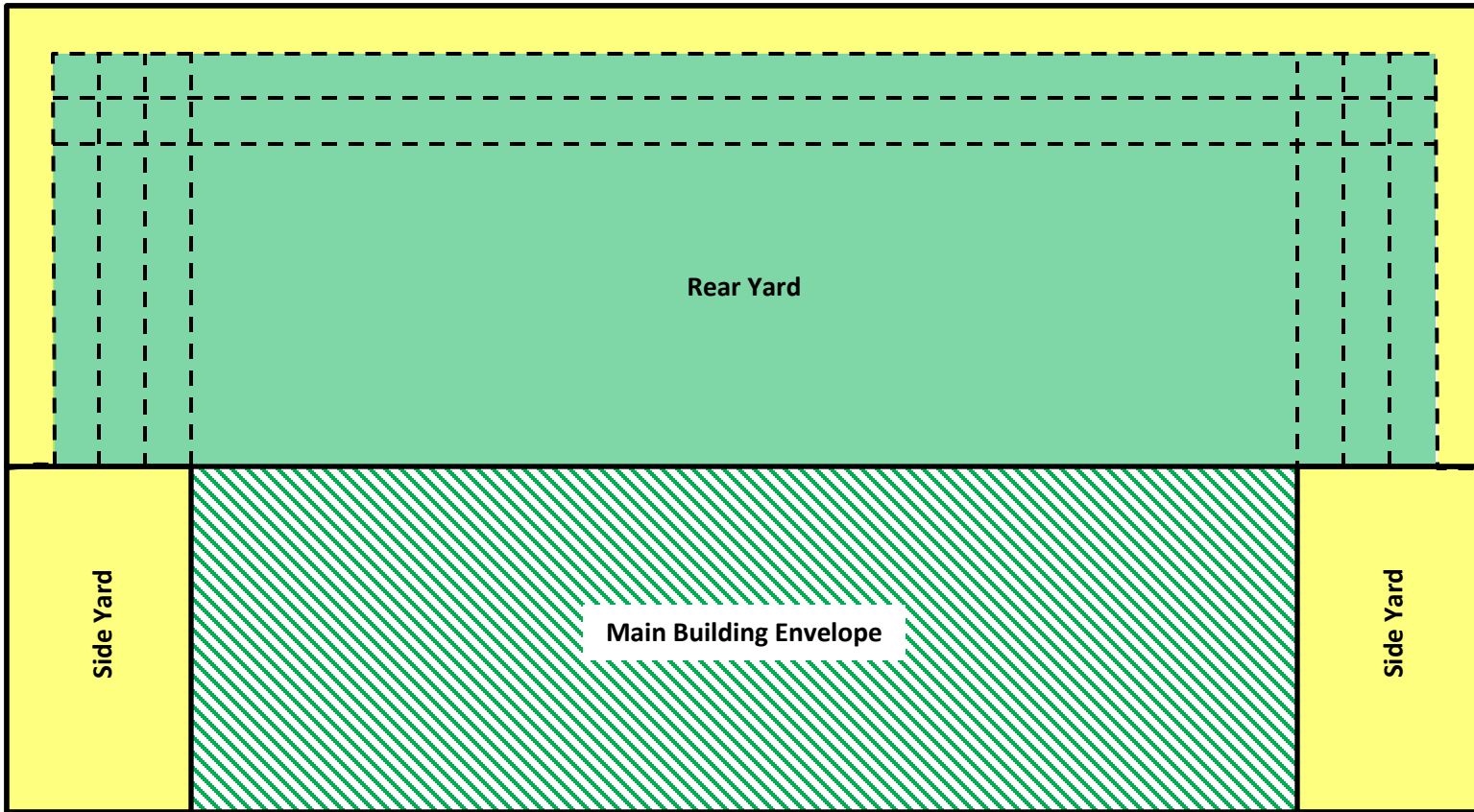
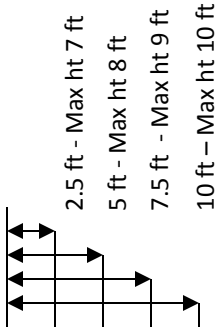
Accessory Structure Placement



Accessory Structure Placement

Within the Rear Yard Setback Area

Side Yard Daylight Plane



Rear Yard Setback

