RELEVANT CODIFIED CITY ORDINANCES

**1252.15  ACCESSORY USES AND STRUCTURES.**

   An accessory use or structure shall be permitted **in association with a principal residential structure** provided that the following requirements are met:

   (a)   It shall be no greater than thirty-five percent **(35%) of the building footprint** of the principal use or structure or **624 square feet**, whichever is greater.

   (b)   In R-12 zoning district, it shall be 312 square feet per dwelling unit, up to thirty-five percent (35%) or less of the building footprint of the principal use or structure.

   (c)   It shall not contain or be used as adwelling unit.

   (d)   It may contain no more than two of the following elements: a bedroom; a kitchen; or a bathroom, so long as it does not qualify as a dwelling unit as defined in Chapter 1230.

   (e)    It **shall not exceed one story in height**, **ridgeline not to exceed 20'** **without approval from the Board of Zoning and Planning**. Such special permit shall be strictly limited to permitting additional height of the accessory structure and shall not be used to apply conditions to restrict its use.

   (f)   **No story** in an accessory structure **shall exceed ten feet**.

   (g)   Accessory structures and uses shall be permitted only in the rear yard and shall be at least three feet from all property and right-of-way lines, provided that ample yard space is left open for the entrance and use of fire protection equipment. **Detached garages** shall not be located less than ten feet from a principal structure.

   (h)    For corner lots in residential districts, accessory uses and structures shall be located a minimum of five feet farther back from the side street than the principal structure is allowed.
(Ord. 29-16.  Passed 11-15-16.)

**DEFINITIONS (1230)**

**1230.02  ACCESSORY USE OR STRUCTURE.**

   "Accessory use or structure" means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. An accessory structure may be attached to or detached from the principal structure. Parking structures or lots are accessory structures or uses except where they are the principal structure or use or where they are an integral part of the principal structure or use.

(Ord. 29-16.  Passed 11-15-16.)

**1230.77  STORY, RESIDENTIAL.**

   "**Story" means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.** A basement is considered as one-half a story if one-half to two-thirds of its volume is above the average level of adjacent ground (before construction), and as one story if over two-thirds of its volume is above the level of adjacent ground or if it is used as a separate dwelling unit or establishment. **An attic is considered as a story if it contains two-thirds or more as much volume as the story immediately below in the building or if it is used as a separate dwelling unit or establishment.** Buildings containing split-levels of stories are considered by the maximum number of stories in any individual section of the building.

(Ord. 29-16.  Passed 11-15-16.)

**1230.78  STORY, COMMERCIAL.**

   That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

(Ord. 29-16.  Passed 11-15-16.)

**1230.25  DWELLING.**

   "Dwelling" means any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, trailer, or trailer coach, boarding or rooming house, hotel or motel. A building consisting of one or more dwelling units, is defined as follows:

   (a)    Single-family dwelling, consisting of one dwelling unit only;

   (b)    Two-family dwelling, consisting of two dwelling units only; and

   (c)    Multifamily dwellings, consisting of three or more dwelling units only.

      (Ord. 29-16.  Passed 11-15-16.)

**1230.26  DWELLING UNIT.**

   "Dwelling unit" means space within a building designed for occupancy by one family for living purposes and having all of the following permanent components: cooking, bathing, and toilet facilities; provided that unless all members of a family are related by blood or marriage, or are domestic servants employed on the premises, no such family shall contain over five persons.

(Ord. 29-16.  Passed 11-15-16.)