



CITY OF ORLAND STAFF REPORT

MEETING DATE: February 4, 2025

TO: City of Orland City Council

FROM: Scott Friend, AICP – City Planner

SUBJECT: **Municipal Code Amendment:**

- Amend portions of Title 17 – *Zoning* to modify the design and setback standards for accessory structures.

Environmental Review:

- The Planning Commission recommends that the City Council determine that the project is *Exempt* from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA.

**PLANNING
COMMISSION
ACTION:**

At its regular meeting on January 16, 2025, the Planning Commission conducted a duly noticed public hearing and unanimously (4-0, with 1 absence) recommended approval of the proposed amendments regarding accessory structures. Three speakers from the public were present and all expressed support for the amendments.

SUMMARY:

The proposed amendments to Title 17 – *Zoning* of the Orland Municipal Code would modify the design and setback standards for accessory structures in residential zones, R-1: *Residential One-Family Zone*, R-2: *Residential Two-Family Zone*, and R-3: *Residential Multiple Family-Professional Zone*.

RECOMMENDATION:

The Planning Commission recommends that the City Council take the following action(s):

- 1) Adopt City Council Ordinance No. 2025-02, approving the first reading of Code Amendments regarding Accessory Structures as presented and determine that the proposed amendment is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

DISCUSSION:

Current Standards for Accessory Structures:

Accessory structures are defined in the Orland Municipal Code as “a usual and customary building normally associated with a permitted or conditional use.” (OMC 17.08.040) Accessory structures are intended to be incidental to the primary structure, to include uses that are associated with an existing permitted or conditional use such as detached enclosed garages, storage structures, or patio covers (see Figures 1-3).

FIGURE 1 – Accessory Structure, Storage Shed



FIGURE 2 – Accessory Structure, Patio Cover



FIGURE 3 – Accessory Structure, Detached Garage



The Planning Department ministerially permits residential accessory structures with approval of an administrative use permit if the proposed structure meets the City’s required setbacks, size, height, and design standards (see **Table 1 & 2**). Additionally, if a proposed accessory structure exceeds 120 square feet in size, a building permit shall also be obtained from the Orland Building Department.

Table 1: Design Standards for Accessory Structures

	Enclosed Detached Garage	Detached Storage/Shop Building	Patio Cover/Shade Structure
Size	Shall be at least 20’ x 20’	Shall conform to the maximum building coverage requirements	n/a
Height	15’	15’	12’
Utilities	Shall be equipped with a 208/240 volt electrical outlet	Shall <u>not</u> be equipped with electrical service or plumbing of any kind <i>(Pertains only to the R-1 Zone)</i>	n/a
Location	Shall be positioned to have proper driveway access	Shall <u>not</u> be located in any required front yard, or in front of the primary structure (whichever is greater)	n/a
Design	Shall have a minimum 16’ wide garage door	The roof pitch and construction materials of	Shall be open on at least two sides

	The roof pitch and construction materials of the building shall be similar to the main residential structure	the building shall be similar to the main residential structure	
--	--	---	--

Residential accessory structures are subject to minimum setback requirements unless otherwise described within the respective chapter (see **Table 2**).

Table 2: Minimum Structure Setback Requirements for Accessory Structures

	R-1 Zone	R-2 Zone	R-3 Zone
Front	35'	35'	35'
Side	5'	5'	5'
Rear	20'	20'	15'

ANALYSIS:

Proposed Text Amendments

The following Municipal Code text amendments concerning residential Accessory Structures have been recommended to Council by the Planning Commission:

1. **Accessory Structure Height.** The draft amendment would modify the maximum 15-foot structure height to 25 feet for accessory structures. Currently, primary structures in the R-1 and R-2 zones are allowed a 35-foot maximum building height and 45-feet in the R-3 zone. Additionally, the maximum height of an ADU structure is applicable according to the designated residential zone in which the property is located.

Considering the greater height limits for primary structures and ADUs, the proposed increase of maximum building height for accessory structures would allow for increased flexibility and maximization of yard area.

2. **Utility Restriction.** The draft amendment would remove the electrical and plumbing restriction stated in OMC Section 17.20.060(E)(6). The current restriction on installation of electrical and plumbing only applies to accessory structures within the R-1 zone. The proposed draft amendment would remove the limitation to provide consistency amongst the design standards for accessory structures in the R-2 and R-3 zones and would allow for expanded uses within a residential accessory structure.
3. **Restricted Dwelling Use.** The draft amendment would insert a new standard to restrict residential occupation of an accessory structure. Despite the proposed amendment to remove the installation of electrical and plumbing, the permitted uses of an accessory structure shall be distinguished from those of an Accessory Dwelling Unit (ADU). Shall a structure be intended for living purposes, the structure shall comply with the ADU standards of OMC Section 17.76.130.
4. **Runoff Prevention.** The draft amendment would add the design standard for all accessory structures to be constructed to prevent stormwater runoff onto adjacent properties. Regardless of

structure setbacks, proper construction and maintenance of drainage would be the responsibility of the property owner.

5. **Minimum Structure Setbacks.** The draft amendment would modify the minimum setback requirement to 4 feet from the side and rear property line in all residential zoning districts. Currently, it is codified that accessory structures shall have a minimum 5-foot side and 20-foot rear setback. The proposed setback amendment would provide consistency with the 4-foot side and rear setback standard for ADUs as prescribed in GOV § 66314, subd. (d)(7) and stated in OMC Section 17.76.130.

Additionally, the proposed draft amendment would clarify the minimum front setback of accessory structures to 20 feet and would add the standard that no accessory structure shall exist in the front plane of the primary structure. The modification from 35 feet to a 20-foot front setback would provide consistency with the setback requirements of a primary structure and would provide flexibility and maximization of rear/side yard area.

It shall be noted that not all accessory structures are permitted within a front yard. As accessory structures refer to the assortment of buildings that are incidental to a primary structure, some structures (garage/carport) are permitted in the front yard while others (storage/shop building, pool/spa) are restricted, and thus would be applicable to the front setback standard. Nonetheless, Staff proposes to include a standard that no accessory structure shall be allowed in the front plane of a primary structure to maintain neighborhood aesthetics.

6. **Setback Exceptions.** The amendment would codify accessory structures under 120 square feet in size, 6 feet or less in height, and not requiring a building permit would have zero side and rear setbacks. Currently, the setback standards within the OMC state that structures less than 120 square feet and less than or equal to 6 feet tall shall have a zero rear setback standard. The proposed text amendment would streamline incidental structures and provide consistency with exempted structures identified in the California Building Code. Additionally, the proposed 6-foot height limit would maintain consistency with the residential fence standard stated in OMC Section 17.76.190(C), as permitted by right.

It shall be noted that a building permit shall continue to be required on all installations of plumbing and electrical within a structure. In the case of a proposed accessory structure that does not meet all 3 requirements to qualify for zero side and rear setbacks, the minimum 4-foot side and rear setbacks would apply.

Additionally, all accessory structures, regardless of size, would be required to comply with the stormwater runoff prevention design standard. Shall a proposed accessory structure qualify for zero side and rear setbacks, the structure should be constructed to maintain proper drainage to prevent runoff to adjacent properties.

7. **Accessory Structure Setbacks Table.** Based upon the Planning Commission's feedback and to ensure clarity, the Structure Setbacks Table is proposed to be updated as follows:
 - a. The side, interior lot, setback requirement for accessory structures would be amended to distinguish tiers, specific to the height of the structure. Establishing setback tiers would allow for increased flexibility amongst homeowners when determining the appropriate sized structure, while maximizing the amount of yardage. The three setback tiers are as follows:
 1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a zero-foot setback from the side property line.
 2. Accessory structures between 6 feet and less than 15 feet shall have a 4-foot side setback.

3. Accessory structures that have a height between 15 feet and 25 feet shall have a minimum 4-foot side setback and shall add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure shall maintain a minimum 7-foot side setback.
- b. The side, corner lot, setback requirement for accessory structures would be amended as follows:
 - i. Accessory structures, located on the side yard as the primary structure, would be amended to have a minimum 10-foot setback.
 - ii. Accessory structures, located behind the rear plane of the primary structure, would be amended from a 10-foot side setback to a 4-foot side setback.
 - c. The rear setback requirement for accessory structures would be amended as follows:
 - i. It is currently codified that accessory structures not located on an alley shall maintain rear setbacks specific to the material and height of the structure (see **Figure 4**).

FIGURE 4 – REAR ACCESSORY STRUCTURE SETBACKS

Accessory structure (no alley):	
Less than or equal to 120 square foot footprint, and less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure greater than six feet tall	1' for each foot of height above six feet, up to ten feet

The proposed amendment would remove the specificity of material and establish tiers based upon the height of the structure. Consistent with the proposed side setback amendment, the three tiers would be described as follows:

1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a minimum zero-foot setback from the rear property line.
2. Accessory structures between 6 feet and less than 15 feet shall have a minimum 4-foot rear setback.
3. Accessory structures that have a height between 15 feet and 25 feet would have a minimum 4-foot rear setback and would add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure would be subject to a minimum 7-foot rear setback.

ENVIRONMENTAL DETERMINATION:

The Planning Commission recommends that the City Council determine that the proposed action (Municipal Code Amendment) is determined to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA. A Notice of Exemption was prepared for this project and has been included with this staff report as **Attachment B - Notice of Exemption**.

FISCAL IMPACTS: None / Not Applicable

RECOMMENDATIONS:

The Planning Commission recommends that the City Council approve the proposed Municipal Code Title 17 – *Zoning* Amendment through adoption of City Council Ordinance #2025-02 as included as **Attachment C** and approve the adoption of the Notice of Exemption included as **Attachment B**.

It is recommended that the City Council utilize the following process for consideration of this matter:

1. Accept a presentation of the project by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project by the City Council; and
4. Motion and vote by the City Council.

If the City Council determines that it intends to adopt the Municipal Code Amendment, the following motion is offered for Council consideration:

I move that the City Council adopt City Council Ordinance #2025-02, approving the first reading of Amendments to Title 17 concerning Accessory Structures, as contained herein, and adopt the findings of the Notice of Exemption prepared for the proposed action.

ATTACHMENTS:

Attachment A. Proposed Municipal Code Amendments Title 17 – *Zoning* (strikethrough).

Attachment B. CEQA Notice of Exemption.

Attachment C. Orland City Council Ordinance No. 2025-02.

Exhibit A. Municipal Code Amendments Title 17

ATTACHMENT A

CITY OF ORLAND MUNICIPAL CODE AMENDMENTS

Proposed Code Amendments to Title 17 Zoning

Chapter 17.08 – Definitions

17.08.040 – Accessory use, structure.

- A. “Accessory use” means a land use that is associated with an existing permitted or conditional use ~~within a zoning district.~~
- B. “Accessory structure” means a usual and customary building normally associated with a permitted or conditional use.

Chapter 17.20 – R-1 Residential One-Family Zone

17.20.030 – Administratively permitted uses.

Administratively permitted uses in an R-1 zone are as follows:

- A. Accessory structures typically occurring in residential areas;

17.20.060 – Design Requirements

D. An enclosed garage for at least two cars shall be provided for all new residential construction. The garage shall be at least twenty (20) feet by twenty (20) feet with a minimum sixteen (16) foot wide garage door. The garage shall be equipped with a dedicated 208/240 volt electrical outlet to allow for installation of a Level 2 electric vehicle charging station. Driveway access shall be paved;

E. A single detached storage or shop building shall meet the following criteria:

- 1. The structure ~~storage or shop building~~ shall conform to the maximum building coverage requirements;
- 2. The height of the structure ~~storage building~~ shall not exceed ~~fifteen (15) feet~~ twenty-five (25) feet;
- 3. The roof pitch and construction materials of the accessory structure ~~building~~ shall be similar to that of the ~~dwelling unit~~ primary structure;
- 4. Shall not be located in any required front yard (closest to the front property line) or in front of the primary structure;
- 5. Consistent with setbacks for this zone district;
- 6. ~~The storage building shall not be equipped with electrical service or plumbing of any kind.~~
- 7. Shall not be occupied for living purposes; and
- 8. Shall be constructed to prevent stormwater runoff to adjacent properties. The property owner shall install, monitor, and maintain measures to ensure proper drainage of stormwater.

F. Patio covers and shade structures shall meet the following criteria. Those not meeting this criteria shall meet the yard, height and design criteria for main buildings:

- 1. Set back a minimum of ~~five~~ four feet from the rear and side yard property line;

2. Open on at least two sides
3. Maximum height: ~~twelve (12) feet~~ twenty-five (25) feet; and
4. Minimum six-foot spacing on support posts shall be provided.

17.20.070 – Setbacks

- A. Minimum yards in the R-1 zone are as follows:

Main Building:

Front: twenty (20) feet;

Rear: twenty (20) feet;

Side: five feet. Side setback on a corner lot facing the street shall not be less than twenty (20) feet.

Accessory Structures:

Front: ~~thirty five (35) feet;~~

twenty (20) feet;

Rear: ~~twenty (20) feet, unless otherwise specified herein;~~

four feet, unless specified herein.

Side: ~~five feet, unless otherwise specified herein.~~

four feet, unless otherwise specified herein.

- B. Exceptions to the minimum yards established above are as follows:

1. Detached accessory buildings shall not be located within five feet of any ~~main building~~ other structure, ~~nor within five feet of a side lot line~~, nor encroach on any easement. Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard and setback requirements.
2. If the property abuts a public alley, the rear setback shall be as detailed in Table: R-1 Structure Setbacks if this section.
3. The rear setback for a detached garage that meets the following requirements shall be as detailed in Table: R-1 Structure Setbacks of this section:
 - a. The height shall not exceed ~~fifteen (15)~~ twenty-five (25) feet;
 - b. The roof pitch and construction materials of the garage shall be similar to that of the primary structure dwelling unit.
4. Where more than one-half of the block is occupied with buildings, the required front yard may be reduced to the average of those of the improved sites, but in no case shall be less than twelve (12) feet.
5. ~~If any building is so located on a lot that the front faces any side lot line, it shall be at least twenty five (25) feet from such side lot line.~~
6. Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard of structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.
7. Setbacks for all other garages or accessory structures not otherwise described herein shall be as detailed in Table: R-1 Structure Setbacks of this section.
8. See Section 17.76.190 – Fence standards for fence height and setback regulations.

9. Detached accessory structures under one hundred-twenty (120) square feet in size, less than six (6) feet in height, and not requiring a building permit are not subject to setback standards.

R-1 Structure Setbacks

Yard	Structure	Setback
Front	House/Main Building	20
	<u>Accessory Structures:</u>	
	<u>Garage</u>	<u>20</u>
	<u>Pool or Spa</u>	<u>Not allowed</u>
	<u>All Other Accessory Structures</u>	<u>Not allowed</u>
Side (interior lot)	House/Main Building	5
	<u>Accessory Structures:</u>	5
	Garage	5
	Patio Covers and Shade Structures	5 <u>4</u>
	<u>All Other Accessory Structures:</u>	
	<u>120 square feet or less, below 6 feet in height, and not requiring a building permit</u>	<u>Zero</u>
	<u>Structure between 6 feet and 15 feet in height (regardless of square footprint)</u>	<u>4</u>
	<u>Structure between 15 feet and 25 feet in height (regardless of square footprint)</u>	<u>Minimum 4ft. setback, plus 1ft. for each additional foot above 15ft.</u>
	House facing side yard	25
Side yard facing street (corner lot)	House/Main Building	20
	Garage (at same front plane as house)	20
	Garage (behind rear plane of house, with alley access only)	10

	Accessory structure (same plane as house <u>side of house</u>)	20 <u>10</u>
	Accessory structure (behind rear plane of house)	40 <u>4</u>
Rear	House/Main Building	20
	Garage (detached, no alley)	10
	Garage (on alley)	Zero, if min. 24' backup available into alley
	Garage or accessory structure in rear yard abutting land on which no structure can be built (example: abutting US Bureau of Reclamation ditch right-of-way)	Zero
	Patio covers and shade structures	40- <u>4</u>
	Accessory structure (on alley)	Zero
	Accessory structure (no alley):	
	<u>120 square feet or less, below 6 feet in height, and not requiring a building permit</u>	<u>Zero</u>
	<u>Structure between 6 feet and 15 feet in height (regardless of square footprint)</u>	<u>4</u>
	<u>Structure between 15 feet and 25 feet in height (regardless of square footprint)</u>	<u>Minimum 4ft. setback, plus 1ft. for each additional foot above 15ft.</u>
	Metal sided and roofed:	
	Structure less than or equal to six feet tall	Zero
	Metal sided and roofed: _____	
	Structure greater than six feet tall	1' for each foot of height above 6', up to 10'
	Non-metal sided and roofed structure greater than 120 square feet and greater than six feet tall	Minimum 5', plus 1' for each foot of height above 6', up to 10'

Notice of Exemption

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Orland
815 Fourth Street
Orland, CA 95963
(Address)

■ County Clerk
County of Glenn
526 West Sycamore Street
Willows, CA 95988

Project Title: Municipal Code Amendments to Title 17 concerning Accessory Structures.

Project Location - Specific:

City of Orland – Citywide.

Project Location – City: Orland **Project Location – County:** Glenn

Description of Nature, Purpose, and Beneficiaries of Project: Proposed amendments to Title 17 of the Orland Municipal Code modify standards concerning accessory structures administratively permitted within residential districts. The proposed amendments increase flexibility of accessory structures uses and streamline smaller structures from setback standards.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

City of Orland

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: §115061(b)(3) General rule
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland City Council has determined that this project is exempt from CEQA as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

Lead Agency

Contact Person: Scott Friend, AICP Area Code/Telephone/Extension: (530) 865-1608

Signature: _____ Date: _____ Title: City Planner

■ Signed by Lead Agency

Date received for filing at OPR: N/A



ORDINANCE NO. 2025-02

AN ORDINANCE OF THE ORLAND CITY COUNCIL ADOPTING THE FIRST READING OF THE AMENDMENTS TO TITLE 17 OF THE ORLAND MUNICIPAL CODE (ZONING) REGARDING ACCESSORY STRUCTURES STANDARDS BY READING OF THE TITLE ONLY AND ASSOCIATED CEQA EXEMPTION.

WHEREAS, a number of amendments to Title 17 of the Orland Municipal Code (Zoning) have been proposed to modify standards pertaining to Accessory Structures; and

WHEREAS, the Planning Commission forwarded a recommendation of approval to the City Council after considering the code amendments, staff report, and public comments provided at a public hearing on January 16, 2025, duly noticed and held in the manner required by law; and

WHEREAS, the proposed Amendments are consistent with the procedures of Section 17.88 of the Orland Municipal Code that the City Council may approve, amend or deny the application after the public hearing; and

WHEREAS, Title 17 – *Zoning* – Chapter 17.08 – Definitions §17.08.040 *Accessory use, Structure* has been amended to clarify language of the definition of an accessory use; and

WHEREAS, Title 17 – *Zoning* – Chapter 17.20 – R-1 Residential One-Family Zone, Chapter 17.24 – R-2 Residential Two-Family Zone, and Chapter 17.28 – R-3 Residential Multiple Family-Professional Zone has been amended to increase the maximum height of an accessory structure to twenty-five (25) feet, add a restriction against the habitable use of an accessory structure, remove the electrical and plumbing installation in R-1 accessory structures, and has distinguished a standard for accessory structures to be constructed to prevent stormwater runoff; and

WHEREAS, Title 17 – *Zoning* – Chapter 17.20 – R-1 Residential One-Family Zone, Chapter 17.24 – R-2 Residential Two-Family Zone, and Chapter 17.28 – R-3 Residential Multiple Family-Professional Zone has been amended to modify the minimum setback standards for accessory structures to create consistency amongst other residential structures; and

WHEREAS, Title 17 – *Zoning* – Chapter 17.20 – R-1 Residential One-Family Zone, Chapter 17.24 – R-2 Residential Two-Family Zone, and Chapter 17.28 – R-3 Residential Multiple Family-Professional Zone has been amended to add an exception for accessory

Attachment C

structures under one hundred-twenty (120) square feet in size, less than six (6) feet in height, and not requiring a building permit to have a zero-minimum side and rear setback.

WHEREAS, following the advertisement of the matter in the newspaper of general circulation as required by the Orland Municipal Code and State Government Code, the City Council held a duly noticed public hearing on February 4, 2025, on the proposed amendments to Title 17, *Zoning*, in order to provide the community and interested parties the opportunity to comment on the proposed amendments; and

WHEREAS, the proposed amendments are exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Orland approve the associated CEQA Exemption and approve the Orland Municipal Code Amendments reflected in **Exhibit A** and incorporated herein by reference.

This Ordinance was first introduced at the regular meeting of the City Council for a Public Hearing of the first reading (by title only) on **February 4, 2025**.

PASSED AND ADOPTED by the Orland City Council on this ____ day of _____, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Scott Friend, City Planner
City of Orland

Jennifer Schmitke, City Clerk

Attachment C

CITY OF ORLAND MUNICIPAL CODE AMENDMENTS

Proposed Text Amendments to Title 17 Zoning

Chapter 17.08 – Definitions

17.08.040 – Accessory use, structure.

- A. “Accessory use” means a land use that is associated with an existing permitted or conditional use ~~within a zoning district.~~
- B. “Accessory structure” means a usual and customary building normally associated with a permitted or conditional use.

Chapter 17.20 – R-1 Residential One-Family Zone

17.20.030 – Administratively permitted uses.

Administratively permitted uses in an R-1 zone are as follows:

- A. Accessory structures typically occurring in residential areas;

17.20.060 – Design Requirements

- D. An enclosed garage for at least two cars shall be provided for all new residential construction. The garage shall be at least twenty (20) feet by twenty (20) feet with a minimum sixteen (16) foot wide garage door. The garage shall be equipped with a dedicated 208/240 volt electrical outlet to allow for installation of a Level 2 electric vehicle charging station. Driveway access shall be paved;
- E. A single detached storage or shop building shall meet the following criteria:
 - 1. The ~~structure storage or shop building~~ shall conform to the maximum building coverage requirements;
 - 2. The height of the ~~structure storage building~~ shall not exceed ~~fifteen (15) feet~~ twenty-five (25) feet;
 - 3. The roof pitch and construction materials of the ~~accessory structure building~~ shall be similar to that of the ~~dwelling unit~~ primary structure;
 - 4. Shall not be located in any required front yard (closest to the front property line) or in front of the primary structure;
 - 5. Consistent with setbacks for this zone district;
 - 6. ~~The storage building shall not be equipped with electrical service or plumbing of any kind.~~
 - 7. Shall not be occupied for living purposes; and
 - 8. Shall be constructed to prevent stormwater runoff to adjacent properties. The property owner shall install, monitor, and maintain measures to ensure proper drainage of stormwater.
- F. Patio covers and shade structures shall meet the following criteria. Those not meeting this criteria shall meet the yard, height and design criteria for main buildings:
 - 1. Set back a minimum of ~~five~~ four feet from the rear and side yard property line;
 - 2. Open on at least two sides

3. Maximum height: ~~twelve (12) feet~~ twenty-five (25) feet; and
4. Minimum six-foot spacing on support posts shall be provided.

17.20.070 – Setbacks

- A. Minimum yards in the R-1 zone are as follows:

Main Building:

Front: twenty (20) feet;

Rear: twenty (20) feet;

Side: five feet. Side setback on a corner lot facing the street shall not be less than twenty (20) feet.

Accessory Structures:

Front: ~~thirty-five (35) feet;~~

twenty (20) feet;

Rear: ~~twenty (20) feet, unless otherwise specified herein;~~

four feet, unless otherwise specified herein.

Side: ~~five feet, unless otherwise specified herein.~~

four feet, unless otherwise specified herein.

- B. Exceptions to the minimum yards established above are as follows:

1. Detached accessory buildings shall not be located within five feet of any ~~main building~~ other structure, ~~nor within five feet of a side lot line~~, nor encroach on any easement. Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard and setback requirements.
2. If the property abuts a public alley, the rear setback shall be as detailed in Table: R-1 Structure Setbacks if this section.
3. The rear setback for a detached garage that meets the following requirements shall be as detailed in Table: R-1 Structure Setbacks of this section:
 - a. The height shall not exceed ~~fifteen (15)~~ twenty-five (25) feet;
 - b. The roof pitch and construction materials of the garage shall be similar to that of the primary structure dwelling unit.
4. Where more than one-half of the block is occupied with buildings, the required front yard may be reduced to the average of those of the improved sites, but in no case shall be less than twelve (12) feet.
5. ~~If any building is so located on a lot that the front faces any side lot line, it shall be at least twenty-five (25) feet from such side lot line.~~
6. Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard of structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.
7. Setbacks for all other garages or accessory structures not otherwise described herein shall be as detailed in Table: R-1 Structure Setbacks of this section.

8. See Section 17.76.190 – Fence standards for fence height and setback regulations.
9. Detached accessory structures under one hundred-twenty (120) square feet in size, less than six (6) feet in height, and not requiring a building permit are not subject to setback standards.

R-1 Structure Setbacks

Yard	Structure	Setback
Front	House/Main Building	20
	<u>Accessory Structures:</u>	
	<u>Garage</u>	<u>20</u>
	<u>Pool or Spa</u>	<u>Not allowed</u>
	<u>All Other Accessory Structures</u>	<u>Not allowed</u>
Side (interior lot)	House/Main Building	5
	<u>Accessory Structures:</u>	<u>5</u>
	<u>Garage</u>	<u>5</u>
	<u>Patio Covers and Shade Structures</u>	<u>5-4</u>
	<u>All Other Accessory Structures:</u>	
	<u>120 square feet or less, below 6 feet in height, and not requiring a building permit</u>	<u>Zero</u>
	<u>Structure between 6 feet and 15 feet in height (regardless of square footprint)</u>	<u>4</u>
	<u>Structure between 15 feet and 25 feet in height (regardless of square footprint)</u>	<u>Minimum 4ft. setback, plus 1ft. for each additional foot above 15ft.</u>
	House facing side yard	25
Side yard facing street (corner lot)	House/Main Building	20

	Garage (at same front plane as house)	20
	Garage (behind rear plane of house, with alley access only)	10
	Accessory structure (same plane as house <u>side of house</u>)	20 <u>10</u>
	Accessory structure (behind rear plane of house)	40 <u>4</u>
Rear	House/Main Building	20
	Garage (detached, no alley)	10
	Garage (on alley)	Zero, if min. 24' backup available into alley
	Garage or accessory structure in rear yard abutting land on which no structure can be built (example: abutting US Bureau of Reclamation ditch right-of-way)	Zero
	Patio covers and shade structures	40 <u>4</u>
	Accessory structure (on alley)	Zero
	Accessory structure (no alley):	
	<u>120 square feet or less, below 6 feet in height, and not requiring a building permit</u>	<u>Zero</u>
	<u>Structure between 6 feet and 15 feet in height (regardless of square footprint)</u>	<u>4</u>
	<u>Structure between 15 feet and 25 feet in height (regardless of square footprint)</u>	<u>Minimum 4ft. setback, plus 1ft. for each additional foot above 15ft.</u>
	Metal sided and roofed:	
	Structure less than or equal to six feet tall	Zero
	Metal sided and roofed: _____	

		Structure greater than six feet tall	1' for each foot of height above 6', up to 10'
		Non metal sided and roofed structure greater than 120 square feet and greater than six feet tall	Minimum 5', plus 1' for each foot of height above 6', up to 10'