



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: April 10, 2025
Re: Discussion of Potential Revisions to Accessory Structure Regulations

Executive Summary

The Planning Commission has discussed revisions to the Town's regulations for accessory structures on residential properties in the past several work meetings. In the last work meeting the Commission reviewed draft ordinance language that would:

- 1) Add development standards for accessory structures intended to minimize the visual impact such structures will have as viewed from adjacent properties and streets.
- 2) Limit the total amount of development allowed on residential properties.

The Commission was generally happy with the draft ordinance language as presented in the last meeting. However, the Commission requested several minor revisions to help clarify the intent of the regulations.

Staff has revised the draft ordinance based on the Commission's direction. The revisions from the last version of the draft are shown in yellow highlight on the attached updated draft. These revisions are:

1. Clarification on the process for a person to make a request for an exception to the accessory structure regulations, including details on the information required when making an application for such an exception.
2. Modification to the "Total Square Footage Allowed on Property" table to make the extra square footage allowed on the largest properties in each zone contingent on the proposed accessory structure not having a high visual impact on neighboring properties.
3. Increasing the limit on the total number of accessory structures allowed on a property to five, as long as one of those structures is 200 square feet or less in area.

Commission Action

The Commission should discuss the proposed ordinance language presented in this report to make sure it is consistent with the policy direction discussed in previous meetings. Based on the Commission's review and feedback staff will prepare a final polished draft for public hearing.

SECTION ONE:

***CHANGES TO SECTION 10-20-8: ACCESSORY STRUCTURES OF THE TOWN CODE TO INCLUDE STANDARDS
FOR ACCESSORY STRUCTURE VISUAL IMPACTS***

10-20-8: RESIDENTIAL ACCESSORY BUILDINGSSTRUCTURES:

Accessory ~~buildings-structures~~ are ~~buildings-structures~~ erected in the vicinity of a principal structure. ~~Accessory structures on residentially zoned properties and~~ are defined and limited by the following regulations:

- A. ~~An accessory building shall be located behind the front, side and rear yard setbacks of the lot and, except as otherwise provided in this title, at least ten feet from any dwelling existing or under construction on the same lot. Accessory structure setback and location on the property:~~
 - 1. ~~The minimum setback from property lines for accessory structures is based on the height of the accessory structure, as detailed below:~~
 - a. ~~The minimum setback for accessory structures twelve feet or less in height is the same as the required minimum setback for the primary structure on the property.~~
 - b. ~~The minimum setback for accessory structures greater than twelve feet in height is 1.5 times the required minimum setback for the primary structure on the property.~~
 - 2. ~~Except as allowed by section 10-20-8(E), accessory structures must be located to the side or rear of the primary structure on the same property.~~
 - 3. ~~Accessory structures must be situated on a property in such a way as to minimize the visual impact the structure will have as seen from adjacent properties and rights-of-way. Specifically, except as allowed by section 10-20-8(E), accessory structures must be set back a distance equal to the height of the accessory structure from the following natural features:~~
 - a. ~~Ridgelines (as defined in section 10-15A-3),~~
 - b. ~~The edges of mesas (as defined in section 10-15A-3), and~~
 - c. ~~Slopes 30% or greater in grade that are protected by section 10-15B-9(A) and that slope downward away from the structure.~~
- B. Except for guesthouses, accessory buildings shall not be used for dwelling purposes.
- C. Accessory ~~buildings-structures~~ shall comply with all the applicable ordinances, codes and laws of the Town and the state, and shall be governed by the requirements of the ~~Uniform Building Code~~Town's ~~adopted building code~~. The construction or installation of an accessory ~~building-structure~~ may require a building permit and any other permit required by this title.
- D. ~~The height of all accessory structures on a property is regulated by the building height limit for the zone in which the accessory structure is located, as well as the additional standards below:~~
 - 1. ~~The residential building height bonus allowed by section 10-15H does not apply to accessory structures.~~
 - 2. ~~Except as allowed by section 10-20-8(E), the height of any accessory structure on a high visual impact lot or view obstructing lot may not exceed the height of the primary structure on the same property.~~
- E. ~~Exceptions to accessory structure location and height standards: A property owner may request an exception to the standards in this title regulating accessory structure height, setback, distance between the primary building and the accessory structure, or location on a property in order to better preserve viewsheds from adjacent properties and rights-of-way. Such a request must be made according to the process established in section 10-20-8(F). The Planning Commission shall review such requests and shall grant the request if:~~

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1. The proposed placement or height of the accessory structure will noticeably reduce the visual impact the structure will have when viewed from both surrounding properties and rights-of-way, as compared with an accessory structure that could otherwise be built on the same property in compliance with the standard the applicant is seeking an exception from.
 2. The accessory structure could legally and feasibly be constructed on the property without the requested exception.
 3. The accessory structure complies with all other standards in the land use ordinance.

F. Process for making a request for an exception to accessory structure standards: A person making a request for an exception to accessory structure standards pursuant to section 10-20-8(E) shall submit the following information to the Planning Commission as part of the DDR application for the accessory structure:

1. One complete DDR submission showing the proposed accessory structure on the property in a manner that complies with all applicable land use standards without the request exception(s).
2. Additional site plan, grading plan, floor plans, building elevations, and cross-sections showing the proposed accessory structure in the manner allowed by the requested exception(s).
3. Two sets of photo simulations of the proposed accessory structure, one set showing the accessory structure developed in compliance with all applicable land use standards without the requested exception and the second set showing the proposed accessory structure developed as allowed if the requested exceptions were granted. Both sets shall include photo simulations showing the proposed structure from all four cardinal directions.

SECTION TWO:

***ADDITION OF SECTION 10-20-17 ESTABLISHING A TOTAL BUILDING SIZE LIMIT IN THE
RESIDENTIAL ZONES***

10-20-17: TOTAL AMOUNT OF STRUCTURE AREA ALLOWED ON RESIDENTIAL PROPERTIES:

The total square footage of structures allowed on a property in a residential zone may not exceed the limits established in this section.

A. Applicability: This section applies to properties in all of the following zones:

1. Foothill Residential, including all subzones.
2. Valley Residential, including all subzones.
3. Planned Development Overlay zone, when applied to the FR or VR zones.

B. The total square footage of all structures on a property (main building plus all accessory structures) is limited based on property area as shown in the table below. The sum total of the square footage of the main building (as measured by the building size measurement method established in section 10-9A-10(C) or 10-9B-9(A), as applicable) plus all accessory structures on a property may not exceed the limits shown in the table below. The method of determining the square footage of accessory structures is the same method used to determine the square footage of the main building.

<u>VR ZONE</u>	
<u>Property Area</u>	<u>Total Square Footage of Structures Allowed on the Property</u>
<u>Less than 0.75 acres</u>	<u>6,500</u>
<u>Equal to or greater than 0.75 acres and less than 2.25 acres</u>	<u>7,500</u>
<u>Equal to or greater than 2.25 acres</u>	<u>9,000 plus one additional building not to exceed the size limits defined below if the proposed additional building is placed on a building site that meets the criteria for a “normal parcel” in section 10-15A-3:</u> <u>• 1,250 sf, or</u> <u>• 3,000 sf if the property is at least 3.0 acres in area.</u>
<u>FR-2 Zone</u>	
<u>Property Area</u>	<u>Total Square Footage of Structures Allowed on the Property</u>
<u>Less than 2.0 acres</u>	<u>6,500</u>

<u>Equal to or greater than 2.0 acres and less than 6.0 acres</u>	<u>7,500</u>
<u>Equal to or greater than 6.0 acres</u>	9,000 plus one additional building not to exceed the size limits defined below if the proposed additional building is placed on a building site that meets the criteria for a “normal parcel” in section 10-15A-3: • 1,250 sf, or • 3,000 sf if the property is at least 8.0 acres in area.
<u>FR-5 Zone</u>	
<u>Property Area</u>	<u>Total Square Footage of Structures Allowed on the Property</u>
<u>Less than 5.0 acres</u>	<u>6,500</u>
<u>Equal to or greater than 5.0 acres and less than 15.0 acres</u>	<u>7,500</u>
<u>Equal to or greater than 15.0 acres</u>	9,000 plus one additional building not to exceed the size limits defined below if the proposed additional building is placed on a building site that meets the criteria for a “normal parcel” in section 10-15A-3: • 1,250 sf, or • 3,000 sf if the property is at least 20.0 acres in area.
<u>FR-PD and VR-PD</u>	
	<u>Total Square Footage of Structures Allowed on the Property</u>
<u>All lots in a platted subdivision in the FR-PD or VR-PD zone</u>	<u>7,500</u>

C. Each residential property is allowed to contain a maximum of five total structures, inclusive of the primary structure and all accessory structures. However, if there are five total structures on the property one of the five structures is limited to a maximum of 200 square feet in area.