

Sec. 10-3-24. Definitions.

Screening: The use of fences, decorative walls or other physical or structural enclosures or plant material to separate uses and hide from view materials which require screening. Screening shall be required for outside storage areas only when called for by the zoning ordinance. Fences, decorative walls or other physical or structural enclosures used for screening shall be opaque to obstruct view of storage materials, with the finished face facing outside, and shall be at least six (6) feet in height with a maximum of eight (8) feet in height. If plant materials are used for screening purposes, they shall be three (3) to four (4) feet in height at planting time and shall otherwise meet the same intent as stated for fencing, etc. with the exception of height described herein. Screening, including walls and plant material, for parking lots and garages adjacent to public streets may be a minimum of four (4) feet in height rather than six (6) feet as specified above for other types of screening.

Sec. 10-3-114. Accessory buildings.

- (a) *In residential districts, except portable restroom facilities, which are further restricted in this section.* Accessory buildings in residential districts may be built in a rear yard, but such accessory buildings shall not occupy more than thirty (30) percent of the required rear yard and shall not be less than five (5) feet from any interior side or rear lot line. Detached garages in townhouse developments are excluded from these requirements (per section 10-3-113). No accessory buildings or garages may be placed within the limits of a recorded easement or required fire lane.
- (b) *In business and industrial districts and the MX-U district, except portable restroom facilities, which are further restricted in this section.* Accessory buildings shall be held to the same setbacks required of principal buildings. No accessory buildings may be placed within the limits of a recorded easement or required fire lane.
- (c) *Principal building or use required.* No accessory building shall be constructed on property which has not been improved with a principal building or use and no accessory building shall be used unless the principal use is active.
- (d) *Location in setbacks in residential districts prohibited.* No accessory building in a residential district shall be located within the existing setback between a principal building and public street; except on through lots where an accessory building may be located within the established rear yard between the principal building and a public street and meet principal building setbacks.
- (e) *Responsibility of owners to confirm covenants.* It is the responsibility of the owner to confirm if any covenants exist on their property which regulate accessory buildings.
- (f) *Bus shelters,* as defined, are exempt from all regulations within this section except that no shelter shall be located within the limits of a recorded easement or required fire lane.
- (g) *Portable restroom facilities in residential districts.* Portable restroom facilities are not permitted as accessory to residential uses. Portable restroom facilities accessory to uses other than residential in residential districts must be setback at least thirty (30) feet from all property lines, shall be screened, and shall not be placed within the limits of a recorded easement or required fire lane.
- (h) *Portable restroom facilities in business and industrial districts and the MX-U district.* Portable restroom facilities in the B-2 and M-1 zoning districts shall be held to the same setbacks required of principal buildings. Portable restroom facilities in the B-1 and MX-U districts shall be held to the same setbacks required of principal buildings, except they shall be located at least thirty (30) feet from public street right-of-way lines and thirty (30) feet from all side and rear property lines when such lines abut residentially zoned property.

Current Zoning Regulations for: Definition of Screening and Section 10-3-114. Accessory Buildings

Portable restroom facilities in all districts shall be screened and shall not be located within the limits of a recorded easement or required fire lane.

- (i) *Portable restroom facilities used for active construction sites, emergencies, or temporary events or festivals,* are exempt from all regulations within this section.

(Ord. of 4-23-96; Ord. of 2-22-05, § 1; Ord. of 11-25-08(5); Ord. of 11-27-12(2); Ord. of 8-27-13; Ord. of 1-14-14(18))