



CITY OF BIGGS Planning Staff Report

TO: City of Biggs City Council

FROM: Mark Sorensen, City Administrator
Scott Friend, AICP, City Planner

MEETING DATE: December 10, 2013; 6:30 p.m., Biggs City Hall, 465 C Street, Biggs, CA 95917

SUBJECT: Discussion/Action: Accessory Structures

Summary:

Section 14.60.030 and -.040 of Title 14, *Zoning* of the City of Biggs Municipal Code sets forth the standards in the City of Biggs for attached and detached Accessory Buildings. In general, Title 14 allows for the construction and use of accessory structures in all residential zoning districts as long as the lot coverage, structure height and building setback requirements are met. Currently, there is no limitation on the maximum number of accessory structures allowed on a single lot.

Acting at the direction of the City Council, staff has prepared information which is intended to start a discussion about the adequacy and appropriateness of the City's existing standards for accessory structures. To facilitate this discussion, staff has reviewed the municipal codes of the cities of Chico, Colusa, Live Oak, Orland, and Oroville and extracted basic information related to how those agencies regulate accessory structures. The table on the next page summarizes the setback requirements for accessory structures; identifies whether a use permit is required; identifies if accessory structures are included in the lot coverage calculation; identifies if there is a maximum number of accessory structures allowed on a parcel; and, identifies if there is a limit on the square footage of accessory structures for each city. The table also identifies if the agency places any other restrictions on accessory structures.

Regulations for Accessory Structures						
	Biggs	Chico	Colusa	Live Oak	Orland	Oroville
Setbacks*:						
Front	20'	20'	20'	15'	35'	20'
Rear	0-14', depends on building height	5'	5'	10' or 10% of lot depth	20'	5'
Side	0-14', depends on building height	3'	5'	5'	5'	5'
Use Permit Required	No	No	No	No	Administrative Use Permit	No
Included in Lot Coverage	Yes	Yes	No	Only garages	Yes	Yes
Maximum # of Structures	No	No	No	3	No	No
Square Footage Maximum	No	Workshops, studios, and greenhouses are limited to 25% of the floor area of the main structure	Limited to 50% of required rear yard (20% of lot depth)	1,000 sf combined	NA	Limited to 50% of the required rear yard
Additional Code		Garages greater than 700 square feet are subject to Architectural Review	Structures must be setback 5' from residence	Structures under 120 sf and less than 8' are exempt	Restricts the extension of electric service or plumbing to certain structures	

* The setbacks in the table are generally used by each city, but there are specific rules for garages, accessory structures along an alley, and street side yard setbacks.

Discussion:

Of the City's reviewed, Live Oak has the tightest restrictions on square footage and number of structures. However, the City of Live Oak does not review accessory structures under 120 square feet and less than 8 feet high. The City of Orland regulates certain accessory structures by requiring an administrative use permit. Four of the cities reviewed regulate the square footage of accessory structures: two by limiting the amount of the rear yard that can be used, one by setting a maximum square footage number, and one by limiting the accessory structure to a percentage of the main building. Of these, the strictest regulation is by setting a maximum square footage number.

The intent of this report is to provide information to Council and to receive feedback as to how to proceed with a Code Amendment to modify how the City of Biggs regulates accessory structures if it is determined that such an amendment is desirable. Possible discussion topics may include the following:

- Is there a desire to change the way the City regulates accessory structures?
- What aspects of the City's existing regulatory approach would the Council like to see amended?
- If it is determined that a modification of the City's code is desirable, what are the goals of Council with the action?
- Are there any particular regulations that the Council would like to see added, modified or removed from the Code on this topic?

Environmental determination:

Not applicable at this time.

Fiscal Impact:

Staff time for report preparation.

Public Comment:

Not applicable at this time.

Recommendation:

Staff is seeking input and direction from the Council as to how to proceed with a Code Amendment to modify how the City of Biggs regulates accessory structures. If Council would like to move forward with an amendment, staff is seeking guidance on the direction of the amendment.

Report Attachment:

Biggs Municipal Code Section 14.60.030 and .040

14.60.030

14.60.030 Accessory buildings – Attached.

An accessory building or structure may be attached to a main building if it is made structurally a part of, and has a common wall with the main building, and it complies with all other requirements and development standards applicable to the main building and use of the lot, including setback requirements. [Ord. 320 § 1, 1999]

14.60.040 Accessory buildings – Detached.

The following setback criteria shall apply to all detached nonresidential accessory buildings or structures:

(1) Accessory buildings or structures shall comply with front yard requirements for primary dwellings.

(2) The accessory building or structure shall comply with the following minimum side yard and rear yard setbacks, subject to meeting all Uniform Building Code requirements; provided, that if the lot abuts an alley, no rear yard setback shall be required.

Accessory Building Height	Minimum Side and Rear Yard Setbacks
<6'	0'
6' – 9'	3'
10'	4'
11'	5'
12'	6'
13'	7'
14'	8'
15'	9'
16'	10'
17'	11'
18'	12'
19'	13'
20'	14'

(3) The street-side setback of an accessory building or structure shall be no less than what is required by the zone district in which the building is located.

(4) The accessory building or structure may be connected to the main building with a breezeway.

(5) Accessory buildings or structures shall be located no closer than six feet to any other building.

(6) Swimming pools may be constructed no closer than five feet to any side or rear property line and no closer than 10 feet to any residential structure.

(7) Shade structures may be constructed no closer than five feet to any side or rear property line. [Ord. 376, 2007; Ord. 329 § 1, 2001; Ord. 320 § 1, 1999]

14.60.050 Yards and setbacks – Generally.

(1) Any yard provided about any building or structure for the purpose of complying with the provisions of this chapter and title shall not be considered as providing the yard or open space for any other building or structure.

(2) The setbacks for yards abutting public or private streets shall be measured from the edge of the public right-of-way or private street easement. [Ord. 320 § 1, 1999]

14.60.060 Yards and setbacks – Minimum setbacks for traffic safety.

(1) Notwithstanding any other provision, no building shall be erected, constructed, moved or significantly altered, so that the same shall be closer to a property line than is necessary to provide adequate space for on-site and off-site traffic movements and the stacking of vehicles. In no event shall the same be located in the sight distance area.

(2) Fences, shrubs, screen plantings and similar obstructions shall not exceed three feet in height within the sight distance area. [Ord. 320 § 1, 1999]

14.60.070 Yards and setbacks – Permitted encroachments.

Cornices, eaves, canopies, fireplaces, chimneys and similar architectural features, but not including flat walls or window surfaces, may extend into any required yard a distance not exceeding two feet. [Ord. 320 § 1, 1999]

14.60.080 Fences and landscaping – General height limitations.

(1) On all lots except double frontage and key lots, fences, hedges, and similar obstructions, not including ornamental features and design elements of a conforming decorative fence, shall not exceed four feet in height in front yards, nor six feet in height in any required rear or side yard, unless additional height is authorized by a use permit issued pursuant to Chapter 14.90 BMC (Exceptions). No fence authorized under the provisions of Chapter 14.90 BMC (Exceptions) shall exceed six feet in height in any required front yard or eight feet in height in any side or rear yard setback.