Chapter 16.105
Accessory Uses, Structures, and Dwellings

16.105.000 Requirements for Accessory Uses and Structures

A. Accessory Structures on Residential Lots
On all residential lots, accessory structures with a floor area greater than 200 square feet associated with a single family dwelling, other than fences or walls, shall be either recessed behind, or flush with, the front elevation of the dwelling. All accessory structures utilized for dwelling purposes must meet the requirements of Section 16.105.005, below.

B. Commercial Activity Associated with Accessory Structures
Commercial activities on residential lots must comply with the Home Occupation standards of identified in Chapter 16.085.

C. Setbacks
In all residential zoning districts, and the residential portions of the NC zoning district, the following setbacks shall apply to accessory structures greater than 200 square feet in size:

1. Rear:
   a. All portions of an accessory structure up to 10 feet in height shall be setback a minimum of 5 feet from the rear property line.
   b. All portions of an accessory structure over 10 feet in height shall be setback a minimum of 10 feet from the rear property line.
   c. These standards may result in a “stair-stepped” setback requirement, with portions of the same building meeting different setback requirements.

2. Side:
   a. All portions of an accessory structure up to 10 feet in height shall be setback a minimum of 3 feet from the interior side property line.
   b. All portions of an accessory structure over 10 feet in height shall be setback a minimum of 5 feet from the interior side property line.
   c. These standards may result in a “stair-stepped” setback requirement, with portions of the same building meeting different setback requirements.

3. Street Side:
   a. Accessory structures shall meet the same street side setback standards as primary structures in the underlying zone.

16.105.005 Requirements for Accessory Dwellings
An accessory dwelling is a secondary housing unit that is smaller than the existing primary
structure on a residential lot, usually the size of a studio apartment. The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. The housing density standard of the base zone does not apply to accessory dwellings, due to the small size and low occupancy level of the use. The following standards are intended to control the size and number of accessory dwellings on individual lots, so as to promote compatibility with adjacent land uses. Accessory dwellings shall comply with all of the following standards:

A. Oregon Structural Specialty Code. The structure complies with the Oregon Structural Specialty Code;

B. Utility Connection. The structure is permanently built and connected to utilities in a manner similar to the primary structure;

C. Unit. A maximum of one accessory dwelling unit is allowed per dwelling unit on the same lot;

D. Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall not exceed 25 feet;

E. Buffering. A 6 foot hedge or fence between an accessory dwelling and a lot line shall be required when the accessory dwelling will have windows or doors which face a side or rear lot line and are within 10 feet of the lot line; and

F. Location. Detached accessory dwellings shall either be recessed behind, or flush with, the front elevation of the principal dwelling.

16.105.010 Requirements for Fences and Walls

Fences and walls may be located in any required yard or along the edge of any yard, subject to the maintenance of clear-vision areas. Fences and walls shall not exceed a height of three (3) feet along the front property line or within a front yard setback. A fence or wall may not exceed six (6) feet in height on a residential lot without approval of a variance.

On residential lots, the fence height may be measured from the elevation of the ground where the fence sits (Figure 1., below) or from the finished floor elevation of the first floor of the home located on the same lot (Figure 2., below). For residential lots where the home sits at an elevation above the location of the fence, a retaining wall or other approved method shall be used to raise the base height of the fence equal with the finished floor elevation of the first floor of the home.