

SECTION 18

ACCESSORY BUILDINGS, STRUCTURES AND USES

SECTION:

- 10-18-1: Purpose
- 10-18-2: Time of Construction
- 10-18-3: Application
- 10-18-4: Building Permits
- 10-18-5: Exterior Building Standards
- 10-18-6: Area, Number and Height Limitations
- 10-18-7: Setbacks
- 10-18-8: Animal Enclosures
- 10-18-9: Compost Structures and Firewood Piles
- 10-18-10: Swimming Pools
- 10-18-11: Solar Energy Systems
- 10-18-12: Temporary Family Health Care Dwellings

10-18-1: PURPOSE: The purpose of this chapter is to provide performance standards for the erection, siting and use of accessory buildings, structures and uses that may be allowed within the various zoning districts to ensure compatibility with the principal use and with surrounding properties, as well as to protect the general health, safety and welfare of the community.

10-18-2: TIME OF CONSTRUCTION: No detached accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. Agricultural buildings on farm properties are exempt from the requirements of this Ordinance.

10-18-3: APPLICATION: Any structure which requires a building permit or which is thirty (30) inches or more in height shall be subject to setback, floor area and other requirements of this Ordinance.

10-18-4: BUILDING PERMITS:

- A. Detached accessory buildings not exceeding one hundred twenty (120) square feet in floor area shall be allowed without issuance of a building permit, but shall comply with all other provisions of this Ordinance.
- B. Detached accessory buildings greater than one hundred twenty (120) square feet in floor area shall require a building permit. The Building Official shall review the

site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

- C. In conjunction with the issuance of a building permit for a detached accessory structure in the Rural Service Area, the property owner shall execute a home occupation awareness form. Said form shall certify that the detached accessory structure and the premises on which it is located, will not be used for the purposes of a Home Occupation without first obtaining the required approvals.
- D. In conjunction with the construction of an agricultural accessory structure, the property owner shall execute an agricultural structure awareness form. Said form shall certify that the accessory structure and the premises shall only be used for agricultural purposes.

10-18-5: EXTERIOR BUILDING STANDARDS: Architectural details for accessory buildings are to be the same or similar as for the principal building based upon (but not limited to) the following criteria:

- A. Scale and detailing.
- B. Roof pitch orientation and slope.
- C. Overhang depth and details.
- D. Window and exterior door proportion and types.
- E. Building material. Detached accessory structures in the Rural Service Area may, however, be finished with baked enamel siding.
- F. Exterior color.

10-18-6: AREA, NUMBER AND HEIGHT LIMITATIONS: Accessory structures shall comply with the following area, number and height limitations:
(Ord 76, SS 08-04-03)

A. Rural Service Area:

- 1. Attached accessory structures shall not exceed eight hundred forty (840) square feet in size, except that the maximum square footage can be increased to one thousand (1,000) square feet, provided that the accessory structure size does not exceed eighty (80) percent of the foundation footprint of the principal structure.
- 2. Detached accessory structures shall be limited as follows:

LOT SIZE

ACCESSORY STRUCTURE LIMITS

| | | |
|-----------------------------------|---|---------------------------|
| a. less than 1 acre | Total detached square footage: Maximum number of detached buildings: <u>NO POLE BUILDINGS ALLOWED</u> Maximum sidewall height: | 600 1 10 feet |
| b. 1 acre but less than 2 ½ acres | Total detached square footage: Maximum number of detached buildings: <u>POLE BUILDINGS ALLOWED</u> Maximum sidewall height: | 1,200 1 12 feet |
| c. 2 ½ but less than 5 acres | Total detached square footage: Maximum number of detached buildings: <u>POLE BUILDINGS ALLOWED</u> Maximum sidewall height | 1,500 2 14 feet |
| d. 5 acres but less than 10 acres | Total detached square footage: Maximum number of detached buildings: <u>POLE BUILDINGS ALLOWED</u> Maximum sidewall height: | 4,000 2 16 feet |
| e. 10 acres and larger | Total detached square footage: Maximum number of detached buildings: <u>POLE BUILDINGS ALLOWED</u> Maximum sidewall height | 5,000 2 18 feet |

B. Urban Service Area: (Ord 181, SS, 4-21-13)

1. Attached and detached private residential garages shall not exceed eight hundred forty (840) square feet in size, except that the minimum square footage can be increased to one thousand (1,000) square feet, provided that the accessory structure does not exceed eighty (80) percent of the foundation foot print of the principal structure.
2. All new and relocated residential homes shall be constructed with an accessory structure meeting the minimum standards required in Section 10-19-9. For one and two family dwelling units, said accessory structure shall have a minimum floor area of at least four hundred forty (440) square feet.
3. Residential properties within the Urban Service Area may have one detached accessory structure, not to exceed two hundred (200) square feet in size, in addition to private residential garage. This second detached accessory building shall not exceed sixteen (16) feet in height.
4. Residential properties with detached accessory structures that subsequently construct an attached accessory structure, shall deduct the

square footage of the detached structure from the allowable square footage, less two hundred (200) square feet.

5. Unless otherwise permitted, all detached accessory buildings shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less.

10-18-7: SETBACKS:

A. **Attached Buildings/Garages:** An attached garage shall be considered an integral part of the principal building and shall conform to district setback requirements.

B. **Detached Buildings:**

1. Rural Service Area:

- a. All Lots. No accessory building shall be located within a drainage or utility easement.
- b. Lots Less Than One (1) Acre. Twenty-five (25) feet from the side and rear property lines.
- c. Lots One (1) Acre and Larger. Twenty-five (25) feet from the side and rear property lines.
- d. All detached accessory structures in the Rural Service Area shall be placed no closer to the front property line than the principal structure, except when the principal structure has a front yard setback of at least one hundred fifty (150) feet. The detached accessory structure may be located closer to the front property line than the principal structure, but shall maintain at least a seventy-five (75) foot front yard setback off a City street and a one hundred (100) foot front yard setback off of a County or State road.
- e. Accessory farm buildings shall not be erected within fifty (50) feet of a neighboring property.

2. Urban Service Area: (Ord 181, SS, 4-21-13)

- a. All Lots. No accessory building shall be located in front of the principal structure or within a drainage or utility easement. Accessory buildings must maintain setbacks of five (5) feet from the side property line and ten (10) feet from the rear property line.

- b. Street Side Yard. Detached accessory structures may be located twenty (20) feet from a street side yard on corner lots, provided the structure does not have access to the public right-of-way on the side yard.
3. Except in Commercial and Industrial Districts, all detached accessory buildings shall maintain a ten (10) foot setback to the principal structure and other detached accessory buildings on the parcel. (Ord 181, SS, 4-21-13)

10-18-8: ANIMAL ENCLOSURES:

- A. Domestic animal enclosures shall not be placed in the front yard or in the side yards abutting a street, shall not be placed closer than ten (10) feet to any property line, and shall not be placed closer than twenty-five (25) feet to any dwelling unit other than on the owner's property.
- B. No encroachment shall be permitted in existing or required drainage and/or utility easements.
- C. Screening and/or a hard surface will be required if problems occur with appearance, noise, odor, and sanitation as determined by the Zoning Administrator.

10-18-9: COMPOST STRUCTURES AND FIREWOOD PILES: Compost structures and firewood piles shall be considered accessory uses but not buildings, shall be limited to rear yards, shall be subject to setback and other requirements of this Ordinance, and shall not exceed six (6) feet in height. (Ord 181, SS, 4-21-13)

10-18-10: SWIMMING POOLS:

- A. **Applicability:** This Section shall apply to all new swimming pools or spas.
- B. **Construction:**
 1. Standards. The construction of swimming pools and spas shall conform to all applicable provisions of the Uniform Building Code, and all other State or Federal regulations concerning such construction.
 2. Utility Lines. It is unlawful for any person to build, construct, situate or install any swimming pool or spa beneath any overhead utility line or easement nor over any underground utility line or service or easement.

3. **Setback Requirements.** It is unlawful for any person to build, construct, situate or install any swimming pool or spa within ten (10) feet of any side or rear lot line, nor within six (6) feet of any principal structure, nor closer to the front lot line than the principal structure except as hereinafter provided:
 - a. On residential parcels which contain a lot area of one (1) acre or more, a swimming pool or spa may be constructed closer to the front lot line than the principal structure, provided that such swimming pool or spa is constructed with in the minimum set back of the District within which it is to be located.
 - b. No swimming pool or spa shall be located within twenty (20) feet of any portion of any on-site sewer system or any private water supply.

C. Fencing:

1. **Temporary Fencing.** During the construction of any swimming pool or spa, the construction area must be secured with a portable fence which is not less than four (4) feet in height.
2. **Permanent Fencing.** All outdoor swimming pools must be completely enclosed by a permanent fence or wall of a non-climbing type which has no external handholds or footholds, so as to be impenetrable by toddlers. The entire enclosure must be at least four (4) feet in height.
 - a. All outdoor fence or wall openings or outdoor points of entry into the pool area shall be equipped with self-closing and self-latching devices. The opening between the bottom of the fence and the ground or other surface shall be not more than three (3) inches.
 - b. All above-ground swimming pools that have a minimum side-wall height of four (4) feet need not be fenced, but shall have removable steps.
3. **Outdoor Spas.** All outdoor spas shall have either a fence as described herein, or a secured cover. The secured cover shall be constructed of a material and be so secured as to be impenetrable by toddlers.

10-18-11: SOLAR ENERGY SYSTEMS:

- A. **Accessory Use:** Solar Energy Systems are permitted as an accessory use in all districts.

- B. **Roof mounted and building integrated solar system:** Roof mounted and building integrated solar energy systems are permitted on all structures provided:
 - 1. Roof mounted solar panels shall meet the height requirements of the zoning district.
 - 2. No more than 80% of the roof shall be covered in solar panels.
 - 3. Solar panels and associated structures shall not project beyond the edge of the roof.
 - 4. Building integrated systems shall not be placed on the street facing front of any structure.
 - 5. For commercial and industrial uses, roof mounted systems shall meet the requirements established for rooftop mechanical equipment.

- C. **Ground mounted solar energy systems:** Ground mounted solar energy systems are permitted as follows:
 - 1. Ground mounted systems shall comply with all regulations related to accessory buildings and structures, except as follows:
 - a. The system is exempt from accessory structure number and area limitations except as provided herein.
 - b. Ground mounted systems shall not exceed ten feet in height.
 - 2. Ground mounted systems 200 square feet in area or less are a permitted accessory use in all districts.
 - 3. Ground mounted systems greater than 200 square feet in area may be permitted in RR, ML-PUD, A-1, A-2, and A-3 Districts when in receipt of a conditional use permit and meeting the following standards:
 - a. The system shall be screened from neighboring properties.
 - b. The system shall not exceed 25% of the structure size limits for accessory buildings for the lot.

4. Ground mounted systems greater than 200 square feet but less than 1000 square feet may be permitted on all commercial, industrial, institutional, and multi-family parcels when in receipt of a conditional use permit and meeting the following standards:
 - a. The system shall not exceed 10% of the area of the lot.
 - b. The system shall be screened from neighboring residential properties. (Ord 223, SS, 8-15-16)

10-18-12: TEMPORARY FAMILY HEALTH CARE DWELLINGS:

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of St. Francis opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

(Ord. 222, SS, August 15, 2016)