

STAFF REPORT

**REQUEST TO INITIATE ZONING TEXT AMENDMENT RELATING TO SETBACKS
FOR ACCESSORY STRUCTURES AND DETACHED GARAGES ON SINGLE- AND
TWO-FAMILY LOTS**

October 12, 2021

BACKGROUND:

Grant Thompson of 407 Pearson Avenue in Country Club Estates contacted Council Member Betcher (Attachment A) and other City Council members regarding his inability, by Code, to demolish and rebuild an existing, nonconforming garage in the same location (Attachment B). The accessory structure is considered nonconforming with regard to the setbacks. Mr. Thompson has stated that the garage is deteriorating, and he would like to replace it in the same location. Remodeling and rehabilitation of the garage would be permitted by the Zoning Ordinance; however, replacement of a nonconforming structure is prohibited.

According to County Assessor records, the house and the garage were constructed in 1927. The current garage is approximately 6 feet from the rear (west) property line and estimated to be several inches from the side (north) property line. The base zoning district, "RL" Residential Low Density, requires a minimum setback of 20 feet from the rear property line and 8 feet from the side property line (the side setback is determined by the number of stories in the primary structure: a two-story building has an 8-foot side setback). **Although the Zoning Ordinance has exceptions for accessory buildings that allow reduced setbacks of as little as 3 feet, they do not apply in this situation. There is no allowance to rebuild or place a structure at a setback of less than 3 feet anywhere within single-family zoning** (Attachment C- excerpt from the Zoning Ordinance pertaining to accessory structures and diagram of setbacks).

The homeowner could build a new garage on the property by complying with the setbacks but doing so would significantly reduce the usable area of the rear yard. Alternatively, a nonconforming structure can be maintained and rehabilitated rather than removed and replaced. The nonconforming standards apply uniformly across the city for all types of structures. While having a garage is not a right guaranteed by the Zoning Ordinance, nor is it even required, it is generally recognized as desirable along with having usable yard space on a property. As such, the homeowner is requesting consideration of a text amendment.

OPTIONS:

Mr. Thompson is requesting that the City initiate a Text Amendment for accessory structures, specifically detached garages. A nonconforming garage is not a unique to Mr. Thompson's property. Staff did a visual survey with aerial photography for areas north of

Downtown and south of Campus that are known to have a significant number of detached garages and determined that over 500 properties are likely nonconforming for either a rear setback or side setback standard. (See Attachment D) There would be additional such structures in other neighborhoods. Changing either the garage setback standards and/or the nonconforming standards could affect all such properties, potentially in a beneficial way about having flexibility for siting accessory buildings. A corresponding negative impact could also be had on properties adjacent to those with nonconforming accessory structures.

Staff also reviewed ordinances from other communities when considering how the current regulations apply. The current standards are similar to the other communities, some cities allow for uniform reduction of setbacks to three feet, while other still require larger setbacks of five feet. Clearly, the standards come down to local preferences about spacing and setbacks compared to flexibility for a property owner in siting accessory buildings. All of the comparable cities appear to allow for rear yard setback encroachment to a greater extent than Ames, but also have additional rear yard building size limitations that Ames does not have. See Attachment E for more information.

Option 1: Modify Setbacks for All Accessory Structures (New and Existing)

The intent is to amend the rules for setbacks for all accessory structures. There is a range of changes that could occur in this category for rear setbacks, side setbacks, or both.

A) The simplest change, which would be partially beneficial to Mr. Thompson, is to adjust the rear yard exception to apply across the rear yard (from side lot line to side lot line, behind the primary structure) regardless of whether it is partially in a side yard. This would allow for a rear 3-foot setback for any structure located behind the home, but still require a 6- or 8-foot side yard setback that applies across the City.

B) Council could also consider changes to side yard setbacks as well when the structure is located within a rear yard by allowing for side setbacks to also be reduced to 3 feet. These types of change might involve revising definitions, revising the setback exceptions, or both.

Option 2: Create Reconstruction Standards for Nonconforming Accessory Structures

The intent is to modify the rules to allow for existing, nonconforming structures to be rebuilt essentially as they exist today or in a similar manner that does not exacerbate a nonconformity. A rebuilt structure would still need to comply with current building code requirements. The nonconforming location would thus be “grandfathered” in perpetuity. Staff would recommend tailoring such a change to accessory structures only for a limited size. This option could meet Mr. Thompson’s interests, depending on the final language to allow for reconstruction. This option is beneficial to a property owner with a nonconforming structure, but does not overtime create conformity with spacing that is applied to all new buildings.

Option 3: Amend the Zoning Ordinance to Address both Option 1 and 2

The City Council would choose this option in order to provide reduced setbacks for all garages, regardless of whether they are nonconforming, and allow for an extra exception for reconstructing nonconforming garages. This option would likely meet Mr. Thompson’s interest. The intent is to look at rewriting the code with a combination of Option 1 and Option 2. This would benefit people looking for reduced setbacks for new structures and also grandfather all existing structures.

Option 4: Modify “Minor Area Modification” Exceptions to include Accessory Structures.

The City allows for the Zoning Board of Adjustment to approve small encroachments into required Setbacks for existing principal structures, of up to 2 feet into a side yard and rear yards by up to 5 feet. These exceptions do not apply to detached accessory structures. Adding language for accessory structures would be a minor change and grant partial relief in nonconforming situations after a noticed hearing and approval by the ZBA. This would allow for case by case review with a public hearing. This option would possibly partially meet Mr. Thompson’s interest because it would allow for reduced setbacks but not necessarily rebuilding it in a zero lot line condition.

Option 5: Decline the Request

The City Council can decline to take any further action. This would result in no changes to current rear and side yard setback requirements. Over time, the encroaching structures would gradually be removed and replaced as they reached the end of their useful lives. If someone was able to demonstrate a hardship they could apply for a variance, but the threshold for a variance approval is a vary high bar.

STAFF COMMENTS:

The setback standards currently apply equally to new structures and replacement structures throughout the City. As written, the regulations for accessory structures and nonconformities are designed to allow current nonconforming structures to remain until such time as replacement is required. At that time, compliance with setbacks is necessary.

Staff finds that Option 1A has the greatest overall applicability for residential properties and clarifies for all properties that a three-foot rear yard setback is allowed, even if it is not located directly behind a home. This would clean up a confusing section of Code and provide the intended flexibility for rear yard structures with minimal impact to adjacent properties. Additionally, the City Council could also consider including 1B to allow for three-foot side yard setback under the same rear yard circumstances.

If we pursue this either Option 1A or Options 1A & B Combined, staff would also assess our current size limitations and coverage limitations to assure they align with any reduced setback allowance. Any version of Option 1 would be relatively straight forward as a change and not require substantial community outreach to implement. Staff would

proceed with a zoning text amendment over the next few months if this option is selected by City Council.

If City Council selects Options 2, 3, or 4, it would be important for City Council to define intended outreach for the change and its priority for the proceeding with the item if there is a significant outreach component.

Attachment A Request to Council

Good evening Council Member (Dr.) Betcher,

My name is Grant Thompson. I live at 407 Pearson Ave and I believe that we met at the Ag Ave Block Party earlier this summer when we signed your petition to run again.

I am writing regarding the Ames municipal code as it relates to buildings and planning. We have a 1.5 car garage that is a non-conforming structure, meaning that it was grandfathered in when the current setbacks for buildings and accessory structures was passed. The garage is original to the house as far as we know (late 1920s) and is in disrepair with cracked floors, rotting sills, and is not standing straight and has been this way since we bought the home in 2018 when I was hired at ISU.

Today I was speaking with Benjamin Campbell, a Planner with the City and learned that essentially there is absolutely no way for it to be rebuilt without conforming to the modern side and rear yard setbacks. Given the size of our lot and the configuration of our house and yard, there is really no way to rebuild a new garage that meets the setbacks. I was told that when a non-conforming structure is lost for any reason - rebuild, derecho, fire, act of god, etc. the grandfathering of the structure is lost too. All new structures must conform.

Benjamin suggested that the only way to really address this was to discuss with my council representative and go from there.

On one of my many walks through the south campus neighborhood, I noticed that a large number of homes have garages that are non-conforming and could not be rebuilt in their current locations due to city code.

While garages are "nice-to-haves" and not "necessary" strictly speaking, they are desirable and have not only an affect on home price, but also desirability for future buyers. For some buyers, a no garage home may be a deal-breaker. In my case, if the garage is torn down, there's an immediate financial loss to the property and a desirability-loss when we'd eventually move.

My point is that the code seems to unfairly penalize many older homes - like many of those in the south campus neighborhood - that have been around longer than the current relevant city code.

We enjoy the numerous amenities in the south campus neighborhood - walkability, campus, campustown, Reiman Gardens, etc. and would like to remain here for the long-term if possible. My wife works at Workiva and I'm on campus, so it's a gem of a spot. Yet, the pending loss of a garage that will eventually deteriorate as all structures do, makes it a complicated choice.

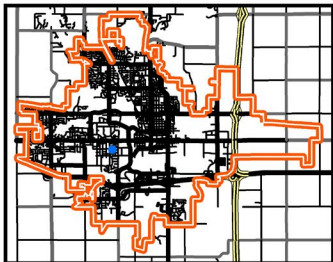
While not the intent of the municipal code, it seems to inhibit the upgrading of older homes in historic neighborhoods in favor of newer construction and suburban sprawl with larger, modern, and conforming structures. I don't know what it would take, but it seems that some interpretation, amendment, or such could be written and passed to at least allow rebuilds under certain circumstances.

I would be happy to visit with you about this and think that, if you are willing, visiting my home and a short walk in the neighborhood would help illustrate this point. I am starting with you as my ward rep, but would also be happy to include the at-large reps at this time if you think that would be advisable.

Thank you for your community service and for listening to this concern.

With best regards,
-Grant Thompson, PhD, PLA

Attachment B Map



407 Pearson Avenue



25 12.5 0 25
Feet

Legend

 407 Pearson Avenue

Attachment C
Zoning Code Requirements for Accessory Structures

Sec. 29.408 Other General Development Standards

(7) Requirements for Private Garages and Other Accessory Buildings.

(a) The following requirements apply to private garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:

(i) Location Within Setbacks.

- a. No detached garage or accessory building is allowed in the front yard, or within the side yard setback adjacent to public right-of-way in the case of corner lots.
- b. A detached garage or accessory building wholly or partially within the side yard shall meet all the same side setbacks as required for the principal building except in the case of a corner lot. In the case of a corner lot a garage or accessory building may be placed within 3 feet of the side lot lines, provided the garage is set back a minimum of 25 feet from the abutting streets and provided the garage or accessory building is located in the side yard that does not abut the front yard where the principal building is addressed.
- c. A detached garage or accessory building wholly within the rear yard shall be a minimum of 3 feet from the abutting property line.
- d. In cases in which the rear yard of a lot abuts the front yard of an adjoining lot, a detached garage or accessory building in the rear yard shall be not less than 6 feet from the adjoining property line for the distance of the required front yard setback on the adjoining lot.
- e. In no case shall a detached garage or an accessory building in the rear yard be placed closer than 15 feet to any lot line that abuts a street.

(ii) Height.

- a. A detached garage or accessory building on the same lot with a 1 story principal building shall not exceed the height of that principal building.
- b. Detached garages or accessory buildings on the same lot with a principal building that is taller than 1 story shall not exceed 80% of the height of the principal building or 20 feet, whichever is lower.

(iii) Size.

- a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the rear yard.
- b. The maximum gross floor area shall not exceed 900 square feet for a detached garage or accessory building/structure to a Single Family Dwelling or 1,200 square feet for accessory uses to a Two Family Dwelling.
- c. In any Agricultural or Residential district the cumulative garage door opening width shall not exceed 30 feet for a Single Family Dwelling. Doors less than 8 feet in width, such as for lawn and garden equipment, are exempt. A cumulative width of all garage door openings exceeding 30 feet may be approved if
 - (i) the cumulative garage door openings that are generally parallel to and visible from the street are 20 feet in width or less, and

- (ii) the additional garage door openings are located generally perpendicular to the street or are not visible from the street.
 - d. Two Family Dwellings are limited to a garage door width of 20 feet per dwelling unit. Doors less than 8 feet in width, such as for lawn and garden equipment, are exempt.
- (iv) General Requirements.
 - a. Driveways to streets. The driveway leading from a street to the entrance of a detached or attached garage shall be at least 20 feet long measured from the property line.
 - b. Driveways to alleys. The garage door opening to a detached or attached garage that opens to an alley shall be located either 8 feet from the property line abutting the alley or a minimum of 20 feet from the property line abutting the alley.
 - c. No detached garage or accessory building shall contain habitable space and/or a bathroom, except for recreational uses requiring plumbing such as a pool house.
 - d. The construction of a detached garage or accessory building shall not precede the construction of the principal building on the same lot.
- (b) The following requirements apply to private garages and accessory buildings to legally nonconforming Single Family and Two Family Dwellings in Commercial and Industrial Districts:
 - (i) No detached garage or accessory building is permitted in the front yard.
 - (ii) A detached garage or accessory building is permitted in the side or rear yard on the same lot with a Single Family or Two Family Dwelling in Commercial Districts, provided it maintains the same side and rear yard setbacks that a principal building of a commercial nature would be required to maintain.
 - (iii) A detached garage or accessory building is permitted in the side or rear yard on the same lot with a Single Family or Two Family Dwelling in an Industrial District, provided the same side and rear yard setbacks for a permitted structure in the district are maintained.
- (c) When a special use permit is required for an institutional use, garages and accessory buildings/structures shall be exempt from that requirement, if the accessory structure does not exceed 900 square feet. Garages and accessory structures for an institutional use exceeding 900 square feet require approval of a special use permit.
- (d) The following requirements apply to shared common lot line garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:
 - (i) Location Within Setbacks.
 - a. Shared common lot line garages shall be permitted only on lots where an existing common lot line garage exists, or on lots where substantial proof can be submitted indicating a shared common lot line garage had previously existed.
 - b. No detached garage or accessory building is allowed in the front yard, or within the side yard setback adjacent to public right-of-way in the case of corner lots.
 - (ii) Height.
 - a. A detached garage or accessory building on the same lot with a one story principal building shall not exceed the height of that principal building.

- b. Detached garage or accessory buildings on the same lot with a principal building that is taller than one story shall not exceed 80% of the height of the principal building or 20 feet, whichever is lower.
- (iii) Size.
- a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the combined rear yard of the two subject lots.
 - b. The structure should not exceed a maximum of 1,200 square feet shared between the two properties.
 - c. In any Agricultural or Residential district the cumulative garage door width shall not exceed eighteen (18) feet per lot. Doors less than eight feet in width, such as for lawn and garden equipment, are exempted from this requirement.
- (iv) General Requirements.
- a. Driveways to streets. The driveway leading from a street to the entrance of a detached or attached garage shall be at least 20 feet long measured from the property line.
 - b. Driveways to alleys. The driveway leading from an alley to the entrance of a detached or attached garage shall be at least 8 feet long.
 - c. No detached garage or accessory building shall contain habitable space and/or a bathroom, except for recreational uses requiring plumbing such as a pool house.
 - d. The construction of a detached garage or accessory building shall not precede the construction of the principal building on the same lot.
- (v) Special Setbacks.
- a. In cases in which the rear yard of a lot abuts the front yard of an adjoining lot, a detached garage or accessory building in the rear yard shall be not less than 6 feet from the adjoining property line for the distance of the required front yard setback on the adjoining lot.
 - b. In no case shall a detached garage or an accessory building in the rear yard be placed closer than 15 feet to any lot line that abuts a street.
- (vi) Agreement. All shared driveways and shared common lot line garages shall be acknowledged as such and the respective owners of the affected lots shall have the right to use such driveways and shared common lot line garages jointly. Cross easements shall be granted over, across and under that portion of each owner's lot where such shared driveway is located. In addition, the rights and responsibilities for the construction, maintenance, repair and rebuilding of such driveway and shared lot line garage shall be addressed in the cross easement documents and submitted to staff.

Placement Options for Accessory Buildings in Residential Zoning Districts

LEGEND -

Areas where Placement Prohibited:



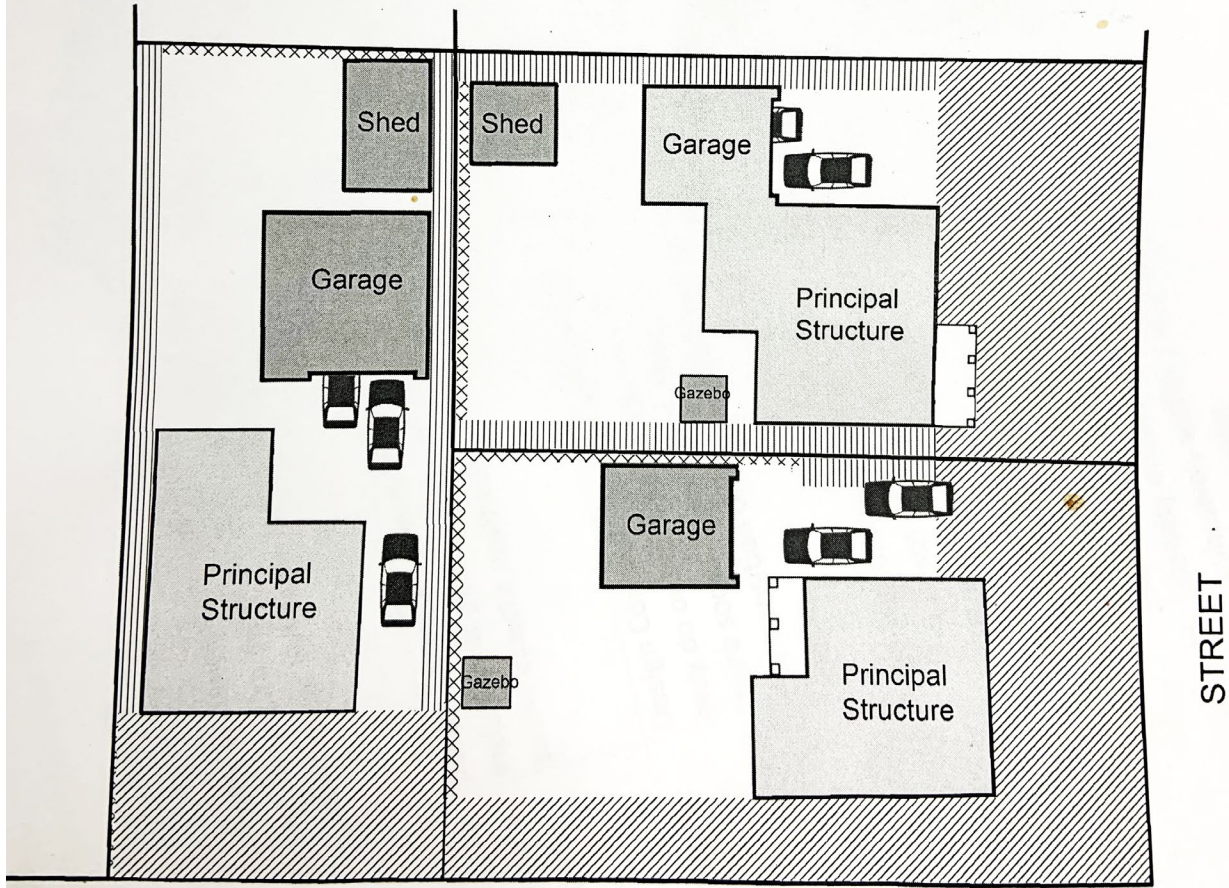
Front Yard



Rear - 3' from property line (including eaves)



Side - 6' from property line (one-story principal structure)
8' from property line (two-story principal structure)



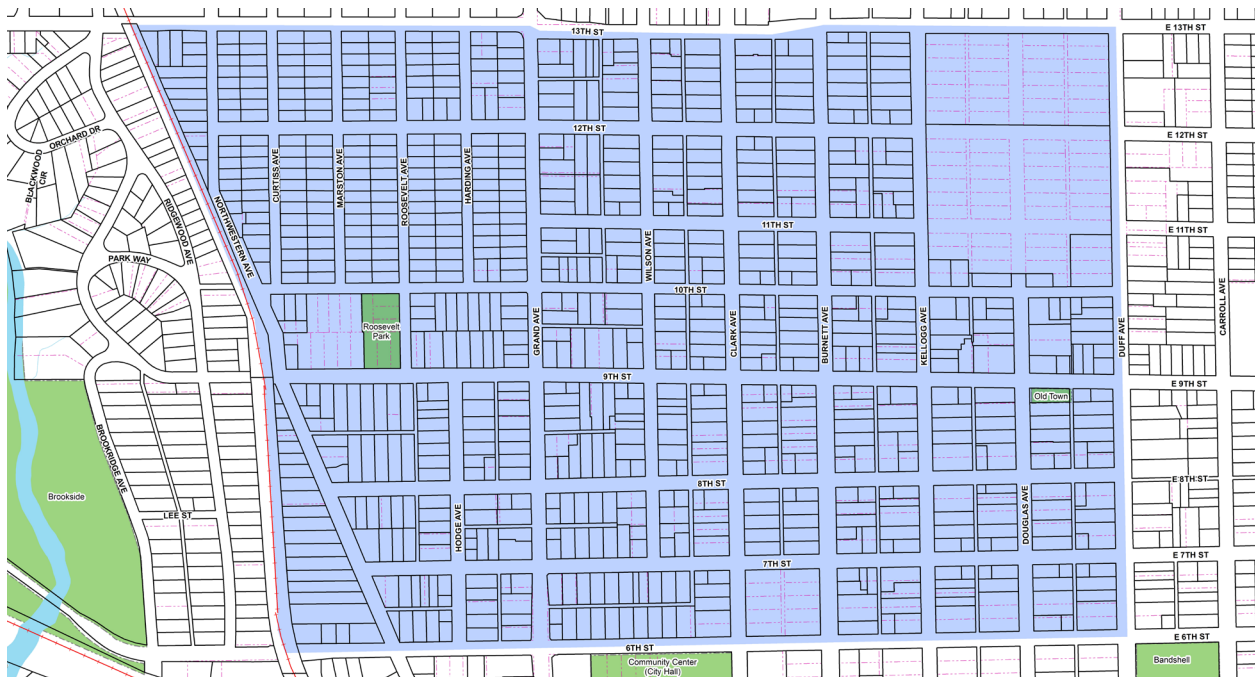
STREET

Attachment D Neighborhoods with Potentially Nonconforming Accessory Structures

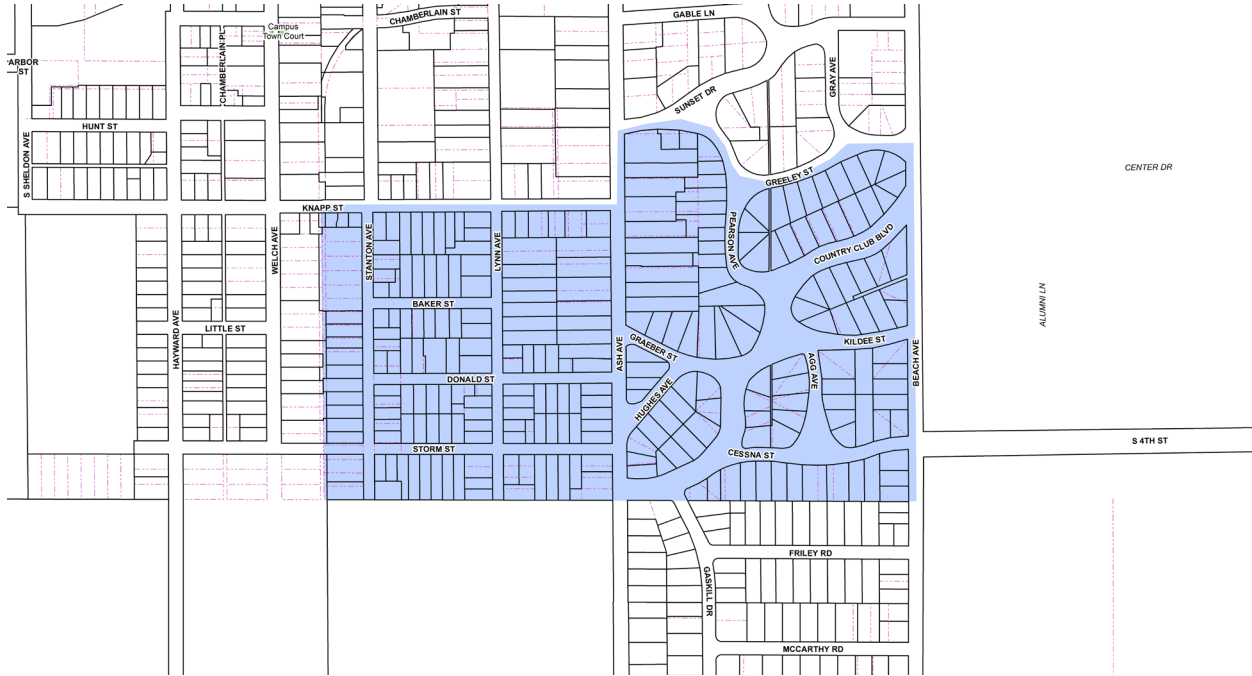
Legally nonconforming accessory structures are found throughout older parts of Ames. Staff did a visual survey of aerials in the areas highlighted below to estimate how many accessory structures that are not wholly behind primary structures are encroaching into side and rear setbacks.

The neighborhoods in and around Oldtown are zoned “UCRM” Urban Core Residential Medium Density and “RM” Residential Medium Density. The neighborhood south of the Iowa State campus is zoned mostly “RL” Residential Low Density with a few properties at the north end zoned “RH” Residential High Density. In all four zones (RL, RM, UCRM, and RH), the front setback is 25 feet, and the side setbacks are 6 feet for a one-story structure and 8 feet for a two-story structure. In RL and UCRM the rear setback is 20 feet; in RM and RH, the rear setback is 25 feet.

In the Oldtown area, out of a total 845 residential properties, 477 had structures which were not wholly behind the primary structure, and which encroached into the rear or side setbacks. The map below includes non-residential properties, which are not included in the 845 figure.



In the South Campus area, out of 263 residential properties, 139 had structures which were not wholly behind the primary structure, and which encroached into at least one of the setbacks. The old Crawford Elementary School on Stanton Avenue was excluded from the 263 figure.



Attachment E
Regulations for Accessory Structures of Selected Cities

Ankeny

Sec. 191.07(1) – One-family and two-family residence districts and use areas.

No accessory building in one-family and two-family residential zone districts and use areas shall be erected in any yard other than a rear yard, except as provided herein. **All accessory buildings including garages shall be set back a minimum of three feet (3) from side and rear lot lines of adjoining lots in any residential zone district and use area and accessory buildings** except for garages which front an alley shall be setback a minimum of five-feet from alley right-of-way lines. Garages which front an alley in any residential zone district or use area shall be set back either seven feet (7) or a minimum of 18-feet from the alley right-of-way. Accessory buildings and structures on corner lots shall conform to front yard setback regulations on both streets. (See Section [191.05](#).) Accessory buildings on one and two-family residential lots shall not occupy more than ten-percent (10%) of the total square footage of the lot. No single accessory building for one-family and two-family lots shall exceed 1010 square feet in size, and all conforming one-family and two-family residential lots shall be permitted up to 720 square feet of detached accessory building use.

Des Moines

Sec. 135-2(C) - Outbuilding and Detached Garage.

A fully enclosed building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated. Typical outbuildings include detached garages, pool houses, workshops, barns, or sheds.

1. **Side and Rear Setback. Minimum side and rear setback of an outbuilding shall be five feet.**
2. Alley. Where a garage is accessed off an alley with pavement narrower than 20 feet, the garage shall be set back from the alley lot line to allow 24 feet from the opposite edge of alley pavement to the garage door.
3. Height. The maximum height of the outbuilding may be generally no taller than one-half story less than the principal building; however, in the event that the principal building is one story in height, the outbuilding may not exceed the height of the principal building.
4. Residential Districts. The lot coverage of all accessory structures, including an outbuilding, shall not exceed 576 square feet or 25% of the rear yard, whichever is greater, on a lot zoned Neighborhood (N) or Neighborhood Mix (NX).
5. Character. The outbuilding shall be compatible in color and character with the primary structure on the lot.
6. Accessory Household Unit. If a permitted AHU is contained within an outbuilding, then the requirements of subsections 4, 5, and 8 of section 135-2.22.2.F of this article shall also apply.

West Des Moines

Sec. 9-7-4(9) Bulk Regulations, Minimum Setbacks And Building Separations For Accessory Buildings And Structures In Residential Districts:

- a. See chapter 14, "Accessory Structures", of this title for additional standards and construction requirements for accessory buildings and structures.
- b. Accessory buildings and structures that meet the minimum separation distance from the principal building are considered detached accessory structures. In such case, the detached accessory structure must meet the setback requirements as noted in [table 7.5](#) of this subsection C9.
- c. Accessory structures that do not meet the minimum separation from the principal structure are considered part of the principal structure, no matter if they are physically separate from the principal structure. In such case, the accessory structure must meet the setback requirements for a principal structure except as noted below.
 - (1) Accessory structures (other than fences and walls) that do not exceed thirty inches (30") in height as measured from grade to the highest element and any railing or trellis designed to be open fifty percent (50%) or more may follow the detached accessory structure setbacks, no matter their proximity to the principal structure.
 - (2) Accessory structures that are considered part of the principal structure and which exceed thirty inches (30") in height must be setback a minimum of twenty feet (20') from the rear property line(s) and must meet the pertinent side and front yard setback of the principal structure.
- d. Accessory structures cannot encroach into any buffer area or perimeter setback.
- e. In a footprint development, detached accessory structures and fences are not allowed within footprint lots and are only allowed for development use on common property.
- f. Accessory buildings over one thousand (1,000) square feet, which are only permitted in Residential Estate, Agricultural/Open Space zoning and for religious, institutional, or civic uses within residential districts, shall meet the minimum front yard setback of their respective zoning district and be set back a minimum of twenty feet (20') from the side and rear property lines.
- g. Accessory buildings over one thousand five hundred (1,500) square feet in multi-family Residential Districts must meet primary building setbacks and separations including setbacks adjusted for primary building height.

**TABLE 7.5
DETACHED ACCESSORY STRUCTURES
Single Family Zoning Districts**

Required Standards	OS	RE	RS		R-1	SF-CR	SF-VJ	MH ²	VJHB
			<8,000'	>8,000'					
Front yard setback ¹	50'	50'	30'	35'	30'	20'	20'	20'	20'
Rear and side yard setback	5'	5'	5'	5'	5'	5'	5'	5'	5'

Setback from alleys where the structure accesses the alley	20'	20'	20'	20'	20'	20'	20'	20'	20'
Minimum separation between accessory buildings or structures under 1,000 sq. ft. and all other buildings	10'	10'	10'	10'	10'	10'	10'	10'	10'

Sec. 9-14-6: ACCESSORY BUILDINGS:

- A. Accessory buildings shall be allowed only in conjunction with the principal structure, and primary use to which it relates under the same terms and conditions as the principal structure, and primary use in any zoning district unless otherwise noted in this chapter.
- B. **Setbacks for accessory buildings, in all zoning districts, which are not specifically spelled out below, shall meet the requirements set elsewhere in this title under setback and bulk density regulations.**
 - 1. **On corner lots unless noted otherwise, detached accessory buildings shall meet the front yard setback along each street frontage, as required for the principal structure.**
 - 2. **On detached accessory buildings, when the exterior wall parallel to the property line exceeds eight and one-half feet (8¹/₂') in height, including the foundation or retaining wall, or exceeds twenty four feet (24') in length, that wall shall be set back from the property line a distance equal to the total exterior wall height. This setback minimum shall not preclude other yard setback or easement requirements.**
 - 3. **When the vehicle entrance for a garage faces a street or alley, the setback from the alley shall be a minimum of twenty feet (20').**
- C. Accessory buildings, constructed as part of the principal building, or connected to the principal building by a breezeway or similar structure, or constructed within ten feet (10') or less of the principal structure, shall be considered an attached accessory building. Attached accessory buildings that include a roof (such as a covered porch, screen room, sunroom, garage and carport) will be considered part of the primary building and unless noted otherwise, must meet the primary building setbacks.
- D. Accessory buildings in residential zoning districts may occupy up to ten percent (10%) of the total lot area in which it is located. Except, in RS, R-1, SF-VJ, and SF-CR Zoning Districts and for religious, institutional, or civic uses within residential districts, the square footage for an accessory building, or the combined square footage of all detached accessory buildings on the property, shall not exceed one thousand (1,000) square feet.
- E. In RS, R-1, SF-VJ, and SF-CR Zoning Districts, the maximum roof peak height of detached accessory buildings shall not exceed twenty feet (20'). The height of retaining walls or the foundation shall be included in the height measurement.
- F. In RS, R-1, SF-VJ, and SF-CR Zoning Districts, exterior walls of detached accessory buildings shall not exceed twelve feet (12') in height. The wall height shall be measured from existing grade, and the height of retaining walls or the foundation shall be included in the height measurement.

- G. Existing detached garages with a side or rear yard setback of at least three feet (3'), which meet all of the other provisions of this section, may be repaired or reconstructed with the same setback requirements. However any additions must meet the current setback requirements.
- H. The design of accessory buildings shall be in keeping with the character of the zoning district they are located in, with comparable architectural design, materials and details to the principal structure, including roof slope, overhangs, etc. Any metal cladding shall be prefinished and have the appearance of the materials used on the primary building. Galvanized metal is prohibited as the exterior finish material in residential zoning districts.
- I. A carport cannot exceed one story in height and must be entirely open on two (2) or more sides except for structural supports. There can be no enclosed use above a carport. No other items other than a motor vehicle may be kept in the carport unless those items are kept in an enclosed section of the carport and are not visible. A carport is considered an accessory building and shall meet the requirements for accessory structures set elsewhere in this title. Carports are not considered enclosed garage space for residential uses. The design of a carport shall be in keeping with the character of the zoning district they are located in, with comparable architectural design, materials and details to the principal structure, including roof slope, overhangs, etc. Exposed metal structure is prohibited. Any metal cladding shall be prefinished and have the appearance of the materials used on the primary building. Galvanized metal is prohibited as the exterior finish material in residential zoning districts.
- J. All light fixtures mounted on, or in proximity to, accessory buildings shall be downcast or shielded and located to eliminate glare and spillover lighting beyond the property line.
- K. Driveway and parking areas that lead to accessory buildings, which are utilized by motorized vehicles licensed for use on public roadways, shall be concrete, asphalt, or a similar paved surface. New gravel driveways and parking areas are prohibited.
- L. Dog runs, dog pens and housing, play sheds, play structures, swing sets, and similar, shall abide by the setback and height provisions for accessory buildings.

Iowa City

Sec. 14-4C-3(B)(2)(c)(1)(A):

Along street-side lot lines, accessory buildings must comply with the front, principal building setback requirement. **Along side or rear lot lines that are not street-side lot lines, accessory buildings must be set back at least five feet (5') from the side or rear lot line. This five foot (5') setback requirement may be reduced if an accessory building is set back at least sixty feet (60') from the edge of the street pavement. In such cases, the building may be located within three feet (3') of a side or rear property line.** However, garages and carports entered directly from an alley must be set back at least five feet (5') from the alley right-of-way line, regardless of how far back the structure is from the street.