

# Sumter City-County Planning Commission

October 23, 2024

## OA-24-07, Residential Accessory Structure Standards (City)

### I. THE REQUEST

**Applicant:** City of Sumter

**Request:** Request to amend the City of Sumter Zoning and Development Standards Ordinance, specifically, *Article 4.g.2. Residential Accessory Structures* to add provisions for site plan review in lieu of maximum residential accessory structure limitations as established in by *Article 4.g.2.b and Exhibit 4-1*. In addition to minor additions, deletions, corrections and clarifications in the accessory use list.

### II. BACKGROUND

Planning Staff was directed to review and make recommendations on changes to the residential accessory use standards to allow for more equitable use of residential lots for accessory and leisure structures in addition to the primary dwelling unit.

This ordinance text amendment proposal does not eliminate the established accessory structure process that does not require site plan review. As proposed, the amendment adds an alternative option allowing a property owner to exceed the established standards by voluntarily following a site plan review process.

Historically residential accessory structure standards have been tied to a finite number of structures and limitation on size based on a sliding scale associated with lot acreage. In all likelihood, the existing standard was established because the City of Sumter does not undertake residential plans review, and the standards allow for a balanced way to ensure total lot coverage does not exceed impervious surface limitations established for each zoning district, absent a site plan review process with supporting documentation.

### III. DRAFT ORDINANCE AMENDMENT

- See Exhibit 1 for full strike-through and additions/changes.

### IV. STAFF RECOMMENDATION

Staff recommends **approval**. The proposed changes address allow for more equitable use of residential property should an individual owner wish to pursue the site plan review process.

### V. PLANNING COMMISSION –OCTOBER 23, 2024

# **OA-24-07, Residential Accessory Structures**

**Strike-Thru**

**Amend Article 4.g.2 as follows:**

**4.g.2. Residential Accessory Structures:** Residential accessory structures shall comply with the following conditions:

**a. Conditions & Exceptions:**

1. No accessory building or structure shall be constructed on any residential lot prior to the time of construction of the principal building to which it is accessory.
2. Accessory buildings attached to the principal structure by a common roofline or breezeway shall be treated as part of the principal structure and shall meet all principal setbacks for the zoning district in which it is located.
3. Any accessory building 120 sq. ft. in size or smaller (i.e. play houses, well pump houses, and other similar uses) will not be counted as accessory structures however they must comply with accessory structure 5 ft. minimum setbacks and shall be limited to 2 per parcel.

**b. Development Standards without Site Plan Review:**

1. **Maximum Height** – No accessory structure shall exceed the height of 25 ft; the height is the vertical distance between the finished grade along the front of the structure to the highest point of the structure.
2. **Number** – No residential parcel shall have more than 2 accessory structures; the aggregate floor area of both structures added together shall not exceed the maximum size allowed under Exhibit 4-1.
3. **Location Requirements** – Detached garages shall only be located in the side or rear yard of a parcel and shall be located no further forward on the lot than the principal structure; storage shall be located in the rear yard only.

**4. Setbacks – setbacks shall be as follows**

**For all accessory structures <= 1200 sq. ft. in total area**

	<u>Interior lot</u>	<u>Corner Lot</u>
<u>Front</u>	<u>N/A</u>	<u>N/A</u>
<u>Side</u>	<u>5 ft.</u>	<u>5 ft.</u>
<u>Exterior Side</u>	<u>N/A</u>	<u>17.5 ft. (local/collector)</u> <u>22.5 ft. (arterial)</u>
<u>Rear</u>	<u>5 ft.</u>	<u>5 ft.</u>

**For all accessory structures >1200 sq. ft. in total area**

	<u>Interior lot</u>	<u>Corner Lot</u>
<u>Front</u>	<u>N/A</u>	<u>N/A</u>

<u>Side</u>	<u>10 ft.</u>	<u>10 ft.</u>
<u>Exterior Side</u>	<u>N/A</u>	<u>17.5 ft. (local/collector)</u> <u>22.5 ft. (arterial)</u>
<u>Rear</u>	<u>10 ft.</u>	<u>10 ft.</u>

~~—Note: accessory structures over 1,200 sq. ft. must be a minimum of 10 ft. from all side and rear property lines.~~

- ~~4.—~~
- ~~5. Interior Lots—Front—N/A~~
- ~~6. Side—5 ft.~~
- ~~7. Rear—5 ft.~~
- ~~8.—~~
- ~~9. Corner Lots—Front—N/A~~
- ~~10. Interior Side—5 ft.~~
- ~~11. Exterior Side—(local/collector street)—17.5 ft.~~
- ~~12. Exterior Side (arterial street)—22.5 ft.~~
- ~~13. Rear—5 ft.~~

14.5. **Maximum Size** – the maximum size of residential accessory structures shall be governed by Exhibit 4-1 and shall be based on the gross acreage of the parcel of land on which it is located.

#### EXHIBIT 4-1

Maximum square footage of residential accessory structures based on gross acreage

Acreage	0	0.1	0.2	0.3	0.4	0.5	0.6	0.7	0.8	0.9
<b>**&lt;0.5</b>	See note 1									
<b>0.5</b>	1100	1120	1140	1160	1180	-	-	-	-	-
<b>1.0</b>	1200	1225	1250	1275	1300	1325	1350	1375	1400	1425
<b>2.0</b>	1450	1475	1500	1525	1550	1575	1600	1625	1650	1675
<b>3.0</b>	1700	1725	1750	1775	1800	1825	1850	1875	1900	1925
<b>4.0</b>	1950	1975	2000	2025	2050	2075	2100	2125	2150	2175
<b>5.0</b>	2200	2225	2250	2275	2300	2325	2350	2375	2400	2425
<b>6.0</b>	2450	2475	2500	2525	2550	2575	2600	2625	2650	2675
<b>7.0</b>	2700	2725	2750	2775	2800	2825	2850	2875	2900	2925
<b>8.0</b>	2950	2975	3000	3025	3050	3075	3100	3125	3150	3175
<b>9.0</b>	3200	3225	3250	3275	3300	3325	3350	3375	3400	3425
<b>&gt;=10.05.0</b>	Exempt, see note 2									

#### NOTES:

- 1) Maximum size for accessory structures on all parcels less than 0.5 acres in size is 1,000 sq. ft.

2) All parcels ~~over 10 acres~~ 5 acres in size or greater ~~in size~~ are exempt from maximum square footage requirements, however, each zoned parcel shall not exceed the maximum impervious surface ratio for the ~~given~~ zoning district in which the parcel is located, and there shall not be more than two (2) detached residential accessory structures over 120 sq. ft. in area.

**c. Development Standards with Site Plan Review:**

1. **Maximum Height** – No accessory structure shall exceed the height of 25 ft; the height is the vertical distance between the finished grade along the front of the structure to the highest point of the structure.

2. **Setbacks** – setbacks shall be as follows.

**For all accessory structures <= 1200 sq. ft. in total area**

	<u>Interior lot</u>	<u>Corner Lot</u>
<u>Front</u>	<u>N/A</u>	<u>N/A</u>
<u>Side</u>	<u>5 ft.</u>	<u>5 ft.</u>
<u>Exterior Side</u>	<u>N/A</u>	<u>17.5 ft. (local/collector)</u> <u>22.5 ft. (arterial)</u>
<u>Rear</u>	<u>5 ft.</u>	<u>5 ft.</u>

**For all accessory structures >1200 sq. ft. in total area**

	<u>Interior lot</u>	<u>Corner Lot</u>
<u>Front</u>	<u>N/A</u>	<u>N/A</u>
<u>Side</u>	<u>10 ft.</u>	<u>10 ft.</u>
<u>Exterior Side</u>	<u>N/A</u>	<u>17.5 ft. (local/collector)</u> <u>22.5 ft. (arterial)</u>
<u>Rear</u>	<u>10 ft.</u>	<u>10 ft.</u>

3. **Number** –The number of structures shall not be limited, however; all structures shall be shown on a scaled site plan prepared by a design professional.

4. **Maximum Size** – there shall be no maximum size restriction for a residential accessory structure however all structures shall observe the required setback based on building size.

5. **Impervious Surface:** Under no circumstances shall a parcel be permitted to exceed the established impervious surface ratio based upon the zoning district impervious surface ratio standards established in *Article 3*.

6. **Site Plan Submission Requirements:** the site plan shall depict the following:

- i. Parcels boundary based upon a survey of record.
- ii. Scale and north arrow.
- iii. Floodplain Data.
- iv. Location of all existing and proposed buildings and structures, this shall include but not be limited to houses, storage structures, and recreational amenities (i.e. pools, basketball courts, tennis courts, outdoor kitchens, firepits, etc.).
- v. Location of all existing and proposed areas of concrete, asphalt, and any other impervious surface that prevents water from directly percolating into the ground. This shall include driveways, parking areas, concrete aprons, walkways, sidewalks, patios, etc.
- vi. Site data table showing:
  - 1. Zoning district designation
  - 2. Zoning District development standards including setbacks and impervious surface standards
  - 3. Principal structure existing building setbacks
  - 4. Accessory structure setbacks based on proposed building sizes in accordance with Section 4.g.2.c.2.
  - 5. Impervious surface calculations based on the existing and proposed conditions.

**e.d. Accessory Apartments:** Accessory apartments shall be treated as a permitted use on any parcel that's principal use is single-family detached residential regardless of zoning classification. Under no circumstances shall a parcel be permitted more than one (1) accessory apartment.

**ACCESSORY USE**

**CONDITIONS**

Off-street parking

May be located in required yards in all zoning districts. Off-street parking shall not be allowed in any required buffer yard ~~or within 3 ft. of any property line.~~

Signs

Must comply with the development standards established in *Article 8.h: Sign Regulations*

Accessory buildings, including Garages, carports, animal shelters, Storage sheds, etc.

See Article 4.g.2. Where the accessory use is a combined garage and living space (or office use), the second story of the accessory use, when used as a living space or office use, shall not count against the square gross floor area limit as established in Exhibit 4-

~~1. The number of accessory structures shall not exceed 2 in any zoning district. The maximum floor area established in Exhibit 8A is the total floor area of all accessory structures; this means that each residential parcel is entitled to a total of 2 non-exempt accessory structures with a combined total floor area not to exceed the square footage limitations established in Exhibit 8A. No accessory use shall be located in any required buffer yard.~~

Accessory apartments

Shall be developed in accordance with Article 4.g.2. and the following criteria – An accessory living unit (limit one per single-family detached residential lot) ~~cannot~~ shall not be larger than 1,000 sq. ft. nor smaller than 300 sq. ft. in area. Further, it cannot exceed 40% of the principal structure’s finished floor area, nor have more than 2 bedrooms. There must be at least 1 parking space per ~~unit~~ accessory apartment in addition to the required parking for the single-family dwelling. The accessory apartment must be a complete living space with a kitchen and bathroom facility entirely separated from the primary unit. ~~The building’s exterior should give every appearance that it is a single family house with the exterior finishes matching the exterior finishes of the principal structure.~~ Accessory units may be created as a second story within a detached garage provided that the height of the structure does not exceed ~~the height of the principal structure on the lot~~ 25 ft.

Portable on Demand Storage (PODS) units or other similar portable on demand storage containers such as sea vans

Permitted as a temporary use only, See Article 5.c.: Temporary Uses for guidelines.

**ACCESSORY USE**

~~Stockyards, Slaughterhouses, Commercial Poultry Houses and Kennels, and Livestock Auction Houses~~

**CONDITIONS**

~~These uses are subject to review and approval by the Sumter City County Board of Zoning Appeals as special exception uses. Referenced uses set forth herein, with NAICS Codes 112112, 1123, 11299, 3116, or 4245, shall not be located closer than 1,000 ft. to any adjacent residential use on a separately platted parcel of land under separate ownership. No incineration of animals or animal refuse shall be permitted on site.~~



Swimming pools, tennis courts and recreational uses

May be located in all side and rear yards, provided said uses shall be no closer than 10 ft. to the nearest property line, and shall not be located in any required buffer yard, and shall have all lighting shielded or directed away from adjoining residences.

Satellite dishes, ham radio towers, and ground supported TV antennas

May be located in required rear yards setbacks in all districts; provided such uses shall be located no closer than 10 ft. from all property lines, the foundation shall be approved by the Building Official, and said uses shall not be located in any required buffer yard. Furthermore, digital TV dishes shall be allowed on roofs and exterior walls of buildings within all districts.