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# Residential Accessory Structures

This handout summarizes the regulations for accessory structures for residential properties in the City of Milwaukie. Please refer to Milwaukie Municipal Code (MMC) Section 19.502 Accessory Structures and Section 19.503 Accessory Uses. For accessory uses (home occupations, etc.) see MMC Section 19.503.

Accessory structures are incidental and secondary to the main use of a property and are located on the same lot as the main use. Anything over 18 inches high is typically considered a structure. Typical structures include detached garages/carports, sheds, playhouses, fences, flagpoles, arbors and trellises, gazebos and pergolas, wind energy systems, swimming pools, and free-standing solar structures.

## Where Accessory Structures are Allowed

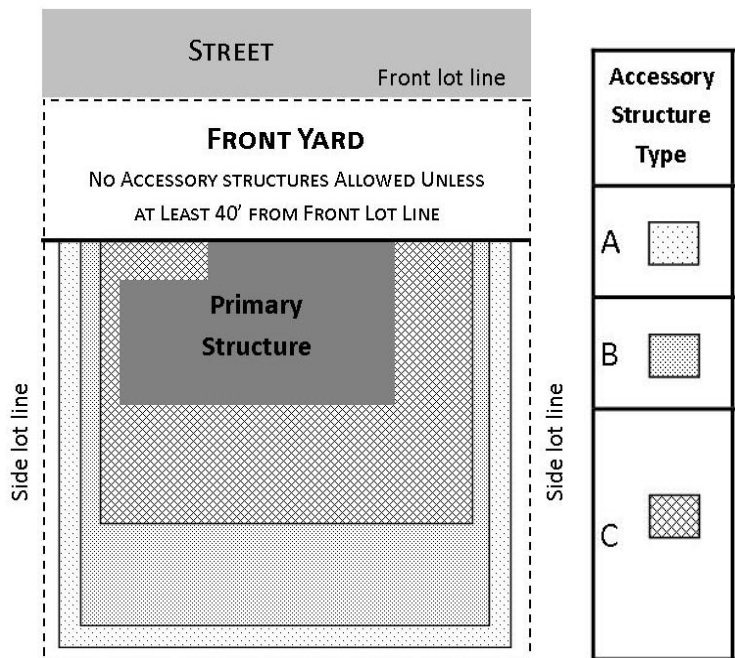
1. Fences, flagpoles, pergolas, arbors, and trellises are allowed in front yards. See MMC Section 19.201 Definitions for the definition of a front yard.
2. No other accessory structures, including garages and carports, are allowed in the front yard unless the structure is at least 40 ft away from the front lot line. See your property's specific zone regulations for front yard requirements.

## Standards for all Accessory Structures

1. Lot coverage and minimum vegetation requirements of the property's base zone must be maintained.
2. A covered walkway or breezeway is allowed between a primary structure and an accessory structure, but the accessory structure must meet all relevant standards.

## Types of Accessory Structures

The City has three categories of accessory structures based on the height and size of the structure. Smaller structures are allowed closer to property lines than larger structures. Larger structures have additional design requirements as outlined in Table 1.



**TABLE 1. ACCESSORY STRUCTURE REQUIREMENTS**

	Standard	Type A	Type B	Type C
		Structures up to 200 sq ft <b>AND</b> up to 10' tall <sup>1</sup>	Structures larger than 200 sq ft and up to 600 sq ft <b>OR</b> up to 15' tall	Structures larger than 600 sq ft <b>OR</b> greater than 15' tall
<b>GENERAL</b>	<b>Maximum lot coverage and minimum landscaped area</b>	<b>Zone</b>	<b>Maximum Lot Coverage</b>	<b>Minimum Landscaped Area</b>
		R-MD lot 2,999 sq ft or less	45%	35%
		R-MD lot 3,000 – 6,999 sq ft	35%	30%
		R-MD lot 7,000 sq ft and up	30%	25%
		R-HD (any size lot)	50%	15%
<b>SETBACKS</b>	<b>Setbacks from front property lines</b> (excluding fences, pergolas, arbors, or trellises)	40' minimum (if structure is in front yard)		
	<b>Setbacks from street side property lines</b> (excluding fences, pergolas, arbors, or trellises)	15'-20' (per base zone)		
	<b>Setbacks from rear and side property lines</b>	3' minimum	5' minimum	Per base zone
	<b>Building setbacks from other structures</b>	5' minimum		
<b>SIZE</b>	<b>Structure height<sup>2</sup></b>	Up to 10' tall See note 1	Up to 15'	25' <b>OR</b> height of primary structure (allowed at least 15 ft)
	<b>Maximum size for lots less than 10,000 sq ft</b>	200 sq ft max	600 sq ft max	75% of main dwelling sq ft <b>OR</b> 1,500 sq ft (whichever is less)
	<b>Maximum size for lots 10,000 sq ft or greater</b>	200 sq ft max	600 sq ft max	75% of main dwelling sq ft <b>AND</b> at least 850 sq ft allowed (max. 800 sq ft if any portion in front yard and lot less than 1 acre)
<b>DESIGN</b>	<b>Minimum roof pitch for accessory structures<sup>3</sup></b>	No requirement	4-in rise for every 12 in of run	4-in rise for every 12 in of run
	<b>Siding and roofing materials—other property locations</b>	Metal siding allowed	Metal siding allowed	Metal siding prohibited unless matches primary structure

1. 10' average roof height.

2. See the applicable Zoning Worksheet for instructions on how to measure height.

3. Flat roofs and shed roofs are prohibited on accessory structures that have a floor-to-ceiling height greater than 10 ft.

**TABLE 2. ACCESSORY STRUCTURE WORKSHEET (refer to Table 1)**

		<b>Allowed</b>	<b>Proposed</b>	<b>Comments Staff Use Only</b>
<b>GENERAL</b>	<b>Maximum lot coverage (all buildings on site)<sup>4</sup></b>	Per base zone: _____		
	<b>Minimum landscaped area<sup>4</sup></b>	Per base zone: _____		
<b>SETBACKS</b>	<b>Setbacks from front and street side property lines</b> (excluding fences, pergolas, arbors, or trellises)	15'-20' (40' minimum if in front yard)		
	<b>Setbacks from rear and side property lines</b>	3'-20' minimum, based on accessory structure type		
	<b>Building setbacks from other structures</b>	5' min.		
<b>SIZE</b>	<b>Structure height<sup>3</sup></b>	Based on accessory structure type		
	<b>Structure size</b>	75% of main dwelling sq ft <b>OR</b> 1,500 sq ft (whichever is less)		
	<b>Maximum size for lots greater than 10,000 sq ft</b>	Based on accessory structure type		
<b>DESIGN</b>	<b>Minimum roof pitch for accessory structures<sup>3</sup></b>	Based on accessory structure type		
	<b>Siding and roofing materials—other property locations</b>	Based on accessory structure type		

4. On a separate sheet, show how area was calculated. (See "Lot Coverage" handout for detailed instructions. Also see the applicable Zoning Worksheets for more detailed information on zone requirements.)

**Design Standards—Fences**

Although permits are not required for fences, your fence must meet the provisions of the City's code. There are two main concerns in residential areas: (1) maximum height in front yards is lower than rear yards, and (2) clear vision areas must be maintained around driveways, streets, and corners. See Clear Vision Areas and Fences handout for specific requirements.

- Fences in residential zones are limited to 42 in (3½ ft) tall in front yards, and 6 ft in side yards, street side yards, and rear yards.
- Razor wire, barbed, and electrified fences are prohibited in residential areas throughout the City.

**Yard Exceptions**

The following may extend into the front yard:

- Fences, arbors, pergolas may be located in a front yard.

- Architectural features—such as cornices, eaves, canopies, sunshades, gutters, and steps—may project up to 24 in. into a required side yard or 36 in. into a required front or rear yard. If on an accessory structure, these same features must be at least 3 ft from a property line.

### **Sustainability-Related Accessory Structures**

Sustainability-related structures—such as solar panels, wind energy systems, and rainwater cisterns—are allowed as accessory structures and uses in accordance with MMC Section 19.503.3.

### **Other City Requirements**

Type A accessory structures are exempt from the City's building code. Type B and C accessory structures must meet building code requirements. Please contact the City's Building Division with questions at 503-786-7613.