



ACCESSORY STRUCTURES (RESIDENTIAL)

WHAT IS AN ACCESSORY STRUCTURE?

An accessory structure is any detached structure that is subordinate to the main building and is consistent with the buildings and uses allowed in the zone. Examples include (but are not limited to) detached garages, carports, accessory dwelling units, chicken coops, play structures, trellis structures, outdoor fireplaces, above-ground pools, AC units and pool equipment. To be considered “detached”, a horizontal separation of three feet or more between structures (measured eave to eave) is required. For details, see LOC 50.10.003.2 “Detached.”

WHAT PERMITS ARE REQUIRED FOR AN ACCESSORY STRUCTURE?

A building permit is not required for certain accessory structures that are 200* sq. ft. or less in size, AND 15 feet or less in height. (For building permit purposes, height is measured from the grade plain to the average roof height). However, such structures do need to meet all applicable setbacks, and may require electrical, plumbing, or mechanical permits. Please check with the Building Division regarding permits.

*Where the structure is located on a lot 2 acres or greater in size and setback a minimum of 20 feet from all property lines, the floor area can be 400 sq. ft. or less.

DO ACCESSORY STRUCTURES COUNT TOWARD LOT COVERAGE?

Yes, all structures greater than 30-inches above grade, whether enclosed or not, count toward lot coverage, unless the code specifically exempts all or a portion of the structure from lot coverage calculations (e.g., boathouses, portions of side- or rear-loading garages, mechanical units, and certain trellises). Patio or deck cover structures are also counted in lot coverage, even if the roof is louvered or retractable. In low density residential zoning districts, maximum lot coverage ranges from 25% to 35% of the lot, but some higher density districts allow more lot coverage. Please contact the Planning Department for help in determining applicable lot coverage standards.

DO ACCESSORY STRUCTURES COUNT TOWARD MAXIMUM FLOOR AREA?

Yes, with some exceptions. In the R-0, R-2, and R-3 zones, detached garages and carports are exempt from the floor area calculation. Additionally, habitable areas of detached accessory structures in all residential zones are exempt from the floor area calculations as follows:

- 200 sq. ft. exemption for lot sizes up to 10,000 sq. ft.
- 400 sq. ft. exemption for lot sizes greater than 10,000 sq. ft.

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WHAT ARE THE SETBACKS FOR ACCESSORY STRUCTURES (EXCEPT NOISE-PRODUCING MECHANICAL UNITS)?

Setbacks typically depend on the zone and sometimes the height of the accessory structure (for setback purposes, height is measured from grade to peak of roof). **In general**, setbacks are as follows:

ZONE	FRONT	SIDE (INTERIOR)	SIDE (STREET)	REAR
R-DD (Old Town)	10'	10'	10'	10'
R-0	10'	10'	10'	10'
R-2	10'	10'	10'	10'
R-3	10'	10'	10'	10'
R-5	10'	10'	10'	10'
R-6, < 600 sf with walls \leq 10' below eaves	20'	5'	7.5'/20' (1)	5'
R-6, 600 sf or more with walls > 10' below eaves	20'	7.5'	7.5'/20' (1)	15'
R-6, additions to accessory structures \leq 18' in height and built before July 1, 2010	20'	5'	7.5'/20' (1)	5' or 10' (2)
R-6, additions to accessory structures > 18' in height and built before July 1, 2010	20'	5' minimum, total combined 15' (3)	7.5'/20' (1)	5' or 10' (2)
R-7.5, \leq 18' in height	25'	5'	15'/20' (1)	10'
R-7.5, > 18' in height	25'	5'	15'/20' (1)	15'
R-10	25'	10'	15'/20' (1)	15'
R-15	25'	10'	15'/20' (1)	15'
PDs approved before Aug 2003	Same as primary structure setbacks.			
PDs approved after Aug 2003	Same as above setbacks			

- (1) The smaller street side setback applies adjacent to a local street; the larger setback applies adjacent to an arterial or collector.
- (2) 5 foot rear setback if accessory structure is less than 600 sq. ft. in size and walls are < 10 feet below eaves; otherwise, 10 feet.
- (3) A multi-story structure may have a smaller side yard setback than required where the ground floor is set back a minimum of 5 feet and the remainder of the structure is stepped back from the building line by at least 4 feet on each side.

WHAT ARE THE SETBACKS FOR NOISE-PRODUCING MECHANICAL UNITS (LOC 50.03.004.2.a.iv)

(RESIDENTIAL HEAT PUMPS, GENERATORS, AIR CONDITIONERS, POOL MOTORS* OR SIMILAR)

FRONT	SIDE (INTERIOR)	SIDE, STREET (LOCAL)	SIDE, STREET (ALL OTHER)	REAR
Depends on Zone or PD	5'	10'	15'	10'
Depends on Zone or PD	Side, street side, and/or rear setbacks of zone or PD, if less than above			

* Pool equipment must be located within an enclosed structure.

EXCEPTIONS TO THE REQUIRED SETBACKS FOR ACCESSORY STRUCTURES (LOC 50.03.004.2.b)

The side setback may be reduced to 5 feet and the rear setback may be reduced to 3 feet (6 feet for flag lots) for accessory structures in all residential zones **except R-6**, including PDs, provided the following conditions are met:

1. The accessory structure is located more than 40 feet from any street (for the purposes of this exception, an alley is not considered a street). The side and rear setbacks for a detached garage obtaining access from an alley may be reduced to three feet or to the degree the garage maintains access that provides an outside front wheel turning radius of at least 25 feet, whichever is greater.
2. For an accessory structure greater than four feet in height, the accessory structure is detached from other buildings by three feet or more;
3. The accessory structure does not exceed a height of 10 feet nor an area of 600 sq. ft.
4. The accessory structure is **not noise producing** (i.e., AC unit, heat pump, generator, pool equipment, etc.).

WHAT ARE THE DESIGN STANDARDS FOR ACCESSORY STRUCTURES?

In all residential zones listed above except for R-DD (Old Town), the Street Front Setback Plane and the Side Yard Setback Plane standards apply to all accessory structures (see LOC 50.06.001.2).

In the Evergreen Overlay District, the roof pitch on new accessory structures exceeding 100 sq. ft. in size must match the roof pitch of the primary structure (see LOC 50.05.002).

WHAT ARE THE SIZE LIMITATIONS FOR ACCESSORY STRUCTURES?

HEIGHT: In the R-0, R-2, R-3, R-5, R-6, R-7.5, R-10 and R-15 zones, accessory structure height is limited to the lesser of 24 feet or the height of the primary structure. In the R-DD zone, maximum height is 28 feet.

FLOOR AREA: In the R-6, R-7.5, R-10 and R-15 zones, accessory structures that are \leq 18 feet in height have a maximum floor area of 800 sq. ft., while accessory structures $>$ 18 feet in height are limited to 600 sq. ft. in floor area; however, the floor area of the accessory structure cannot exceed that of the primary structure.

This publication summarizes portions of the Lake Oswego Community Development Code and is intended to be used solely as an informal discussion document. As such, it should not be relied on as a guarantee that a particular development request could be approved or denied. Please contact the Community Development Department of the City of Lake Oswego for more information.