### **SECTION 5: ACCESSORY USES**

# A. In Any District

Subject to the restrictions of the Zoning Resolution, a use, equipment or item customarily incidental to an existing permitted use on a lot shall also be permitted when located on the same lot as the existing permitted use. (orig. 6-6-50; am. 5-20-08)

- 1. The letting of rooms and the providing of table board for not more than 5 persons in any private dwelling. (orig. 6-6-50)
- 2. Dwellings for farm or ranch employees employed on the premises or for farm or ranch tenants on any farm or ranch. Any other building or structure incidental to the operation of any ordinary farm or ranch, irrespective of size. (orig. 6-6-50; am. 12-26-63)
- 3. A communal dining room or other services customary to an assisted living facility. (orig. 6-6-50; am. 12-17-02)
- 4. Buildings housing technical offices, laboratories, medical offices, pharmacies, radiological facilities, medical and surgical suppliers, housing for personnel employed on the premises, and other similar uses may be located on the grounds of any hospital or sanitarium. (orig. 12-26-62)
- 5. Private satellite dish antennas over 18 inches in diameter in compliance with applicable setbacks and easements and constructed of open wire-mesh and/or painted subdued or earth tone colors compatible with the visual background. (orig. 6-14-88; am. 12-17-02)

# B. Agricultural And Residential Districts

- Swimming pools, play sets over 8 feet in height, tennis courts, gazebos, hot tubs, decks over 12 inches above grade, and other similar outside private recreational facilities shall conform to the setback requirements for a dwelling or accessory building (whichever is less) in the applicable district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height and must meet setback requirements, subject to appropriate permits. (orig. 6-14-88; am. 12-17-02)
- 2. No more than 1 mini-structure per lot shall be used for storage purposes in residential zones with the exception of the Agricultural-One, Agricultural-Two and Agricultural Thirty-Five Districts. Mini-structures shall meet the minimum separation requirements as specified in the Building Code. Mini-structures which house livestock shall meet all setback requirements. All mini-structures which do not meet side or rear setback requirements shall be screened from neighbors' view by a minimum 5 foot high closed fence or equivalent vegetation. (orig. 6-14-88; am. 12-17-02)
- 3. Accessory uses in all residential zone districts cannot exceed the square footage of the primary use (residence) to which they are subordinate (excluding barns in the agricultural zone districts). (orig. 12-17-02; am. 5-20-08)
- 4. Non-commercial type vehicles shall be considered accessory to residential uses. However, such vehicles must be licensed and operable or stored within a structure. (orig. 12-17-02; am. 4-4-06)

# C. Urban Agriculture

#### Chickens

To provide for the keeping of chickens on single family detached, Two-family dwelling or duplex residential lots. The maximum total number which may be kept shall be 6. Roosters are not permitted. (orig. 3-26-13)

### Conditions and Requirements

- (1) A Miscellaneous Permit must be obtained from Planning and Zoning for the keeping of chickens. For this use, the miscellaneous permit shall only be applicable to the current owner or lessee and does not run with the property. (orig. 3-26-13)
  - (a) Chicken coop enclosures must be predator resistant. (orig. 3-26-13)
  - (b) Coops and runs may not be located within the front yard. (orig. 3-26-13)
  - (c) Chickens are to be kept for personal use. (orig. 3-26-13)
  - (d) Adjacent lots and any registered HOA shall be notified in writing of the use. (orig. 3-26-13)
  - (e) If the request is from a lessee, the property owner shall give permission in writing prior to the application and must sign the permit application. (orig. 3-26-13)
- (2) Applications shall be referred to Jefferson County Animal Control for comment. (orig. 3-26-13)
- (3) The County may revoke the Miscellaneous Permit at any time for failure to comply with the provisions of this Zoning Resolution concerning the keeping of chickens and/or confirmed violation(s) of any federal, state, or local law, ordinance, or regulation. (orig. 3-26-13)
- (4) Some districts already allow chickens and other poultry, in those districts, these standards may be followed for the keeping of chickens only. If expanded uses are desired as allowed by zoning, i.e. keeping turkeys, the standards in the underlying district will apply. (orig. 3-26-13)

#### b. Lot and Building Standards

- (1) Coops and runs shall meet all setback requirements, unless they meet the following conditions:
  - (a) No openings of the coop structure shall be allowed that exceed the height of the screening on sides of the coop which are adjacent to other property boundaries; and (orig. 3-26-13)
  - (b) The coops and enclosure are screened from neighbors' view by a minimum 5 foot high solid, closed fence. (orig. 3-26-13)

Standards					
Chickens	Height of structure	Minimum lot size	Maximum Size of Enclosure	Minimum Sq ft per animal inside the coop	Minimum Sq ft per animal outside the coop
	14 ft	4000 sf	200 sf	2 sf	6 sf

#### c. Specific Exclusions and Limitations

- (1) Exclusions In no event shall any of the following be kept:
  - (a) Roosters. (orig. 3-26-13)
  - (b) Other types of fowl or birds, such as turkeys, geese, ducks, pigeons, etc. (orig. 3-26-13)
- (2) On-site Slaughtering of the chickens is prohibited. (orig. 3-26-13)

### 2. Honey Bees

To provide for the keeping of bees on single family detached, Two-family dwelling or duplex residential lots. (orig. 3-26-13)

# a. Conditions and Requirements

- (1) A Miscellaneous Permit must be obtained from Planning and Zoning for the keeping of bees. For this use, the miscellaneous permit shall only be applicable to the current owner or lessee and does not run with the property. (orig. 3-26-13)
  - (a) Size and location of hive meeting applicable setbacks of zone district. (orig. 3-26-13)
  - (b) Hives may not be located within the front yard. (orig. 3-26-13)
  - (c) Bees are to be kept for personal use. (orig. 3-26-13)
  - (d) Adjacent lots and any registered HOA shall be notified in writing of the use. (orig. 3-26-13)
  - (e) If the request is from a lessee, permission from the property owner must be obtained in writing prior to the application. (orig. 3-26-13)
- (2) The County may revoke the Miscellaneous Permit at any time for failure to comply with the provisions of this Zoning Resolution concerning the keeping of bees and/or confirmed violation(s) of any federal, state, or local law, ordinance, or regulation. (orig. 3-26-13)
- (3) Some agricultural districts already allow bees, in those districts, these standards may be followed for the keeping of bees. If expanded uses are desired as allowed by zoning, the standards in the underlying district will apply. (orig. 3-26-13)

# b. Lot and Building Standards

- (1) Hives shall meet all setback requirements, unless they are screened from neighbors' view by a minimum 5 foot high closed fence. (orig. 3-26-13)
- (2) Two hives shall be permitted on lots with a minimum of 4,000 square feet. One additional hive shall be permitted for each 4,000 square feet of lot area exceeding 4,000 square feet. (orig. 3-26-13)

#### D. Commercial And Industrial Districts

In a commercial or industrial district, a use accessory to an authorized use shall be permitted. The parking of vehicles for clients, patients, patrons or customers within a front, side or rear yard of a building within Commercial-One, Commercial-Two, Restricted Commercial-One, Restricted Commercial, Industrial-One, Industrial-Two District, Industrial-Three, or Industrial-Four Zone Districts, with or without charge, and in connection with any use permitted in such, shall be deemed an accessory use. A use specified as an Industrial-Two Zone District use shall not be permitted as an accessory use in Industrial-One, Industrial-Three, nor Industrial-Four Zone Districts. (orig. 5-6-46; am. 6-6-50; am. 6-2-58; am. 11-15-65; am. 12-17-02)

# E. Above Ground Storage of Flammable Liquids And Gases

No above ground storage of flammable liquids or gases in excess of 1,000 gallons shall be permitted in any district other than the Industrial-One District or the Industrial-Two District, unless approved by the Board of Adjustment or approved in conjunction with oil and gas operations as a Special Use or under the provisions of **the Drilling and Production of Oil and Gas section** of this Zoning Resolution. (orig. 5-6-46; am. 11-14-55; am. 10-17-83; am. 12-17-02)

### F. Temporary Construction/Sales Facilities

Upon written request from the property owner or his/her representative, submission of a plot plan and proof of ownership, the Zoning Administrator or his/her appointed designee may permit temporary use of construction/sales facilities, trailers, modular structures and/or accompanying security fences for a period not to exceed 2 years on any one request, providing the developer complies with the following: (orig. 7-12-05)

- 1. The temporary structure must be located within a recorded Final Plat, Exemption from Plat or Site Development Plan. If the temporary structure is to be moved, a new request must be submitted to the Zoning Administrator or his/her appointed designee, prior to its relocation. (orig. 7-12-05)
- Temporary security fencing around the construction yard for protection of materials being used during development shall not exceed 6 feet in height and may have an additional 3 strands of barbed wire on top, not to exceed a total height of 8 feet. (orig. 7-12-05)
- Provisions for water and sanitation must be acceptable to Public Health and written confirmation submitted to the Zoning Administrator or his/her appointed designee prior to any use of the temporary facility. (orig. 7-12-05; am. 12-21-10)
- 4. The temporary construction/sales facility may not be used as living quarters and may be used only during normal business hours. (orig. 7-12-05)
- 5. The temporary construction/sales facility and/or accompanying security fence must be removed from the area upon completion of the construction/sales phases of the project or prior to the expiration of the temporary use permit. (orig. 7-12-05)
- 6. The temporary structure shall be located on the subject property to which it is accessory. If the temporary structure is to be moved, a new request must be submitted to the Zoning Administrator or his/her appointed designee, prior to its relocation. (orig. 7-12-05)