

GENERAL INFORMATION

Subject

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| Request | - | Text amendment modifying TMC§1105 Accessory Uses to add design standards |
| Applicant | - | Toledo City Plan Commission
One Government Center, Suite 1620
Toledo, OH 43604 |

STAFF ANALYSIS

The Plan Commission has initiated a study of accessory structures and possible text amendment to TMC§1105 Accessory Uses. Zoning ordinances have generally permitted landowners to establish principal uses permitted in the designated zoning district, additionally they are able to add on accessory uses. TMC§1116.0102 defines accessory structure or building as “a subordinate structure located on the same lot as the principal building, the use of which is naturally and normally incidental to the principal use of the principal building or land”. The Zoning Code requires an accessory structure to not exceed 10,000 square feet in total floor area for all Zoning Districts. This study is intended to establish design standards specifically for detached accessory buildings. TMC1105.0200 provides general standards such as setbacks, height, number of structures, rear yard coverage for accessory structures in all Zoning districts. Some Overlay Districts like Summit Street corridor UNO District, Monroe Street Corridor and Main Starr Front require all detached accessory building to be architecturally compatible with the principal structure.

Accessory buildings are intended to allow the property to be utilized to their maximum potential, however, such structures have become a challenge to regulate and a nuisance to the community. The health department receives multiple complaints from the residents concerning the visual appearance of accessory structures particularly in residential Zoning Districts. Such complaints are addressed through citations which inherently acts as a band aid to the underlying problem of design standards. The Zoning Code has no provisions regarding the design and appearance of proposed accessory buildings. The Director of Building Inspections requires permits for accessory structures greater than 200 square feet but does not review the design of the building. Building permits under 200 square feet do not require plan review but reviewed as a Certificate of Zoning Compliance by the Plan Commission. In instances where building plans are required, the design or building materials are not reviewed neither does the Certificate of Zoning Compliance application.

STAFF ANALYSIS (cont'd)

The proposed text amendment is intended to establish design standards for accessory structures in all Zoning Districts. The proposed regulation will require all accessory structures to be aesthetically consistent with the principal building on the site. Accessory buildings shall be required to be finished with materials and colors that complement the primary structure(s) on the site. This is to prevent the use of dilapidated materials in accessory building construction and to maintain the general appearance of the neighborhood. In situations, where a hardship exists and arduous to obtain materials consistent with the primary building, the Planning Director shall make a decision on appropriate substitute materials and color.

Research from neighboring cities revealed a similar scenario. The City of Columbus, and City of Akron do not have specific design regulations for accessory structures. However, some cities similar to the City of Toledo have design standards for accessory structures in special Zoning Districts. Cleveland requires all accessory structures in designated Design Review Districts to be compatible in design with adjoining buildings and with the most valued aspects of an area's character. The Cities of Wixom MI, Dublin OH and New Port Richey FL require all accessory structures in all residential zoning districts to be consistent with the character of the principal building including facade materials and color or as determined by the Planning Commission or the Building Official.

In conclusion, Zoning and nuisance regulations collaborate to maintain the safety and wellbeing of the City. Zoning regulations establish how land can be used whereas nuisance laws address activities that disrupt the peace and enjoyment of property. Establishing design standards for accessory structures will help address the root problem and reduce nuisance complaints.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of M-22-24, a text amendment modifying TMC§1105 Accessory Uses to add design standards for the following reason:

1. The proposed text amendment is in alignment with the stated purpose of the Zoning Code and ensures safety of Toledo resident.

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-22-24
DATE: July 3, 2025
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE OF
CITY COUNCIL
DATE: August 13, 2025
TIME: 4:00 P.M.

ET
Two (2) Exhibits

Exhibit “A”
Existing

1105.0205 Business Use

No business may be conducted from an accessory building in a Residential District.

**Exhibit “B”
Modifications**

(Additions in italic highlight. Deletions in bold strikethrough.)

1105.0205 Business Use *Appearance.*

~~No business may be conducted from an accessory building in a Residential District.~~

- A. The design and building materials of any accessory building shall generally be consistent with the character of the principal building on the property (e.g., material, color), as approved by the Planning Director.*
- B. No accessory structure shall be constructed of used or discarded materials in a state of disrepair including but not limited to: pallets, doors, tires, corrugated metal, or other similar materials*

1105.0206 Business Use

No business may be conducted from an accessory building in a Residential District.