

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-114
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-114 Accessory Buildings shall be amended as shown:

- (a) *In residential districts, except portable restroom facilities, which are further restricted in this section.* Accessory buildings in residential districts may be built in a rear yard, but such accessory buildings shall not occupy more than thirty (30) percent of the required rear yard and shall not be less than five (5) feet from any interior side or rear lot line. Detached garages in townhouse developments are excluded from these requirements (per section 10-3-113). No accessory buildings or garages may be placed within the limits of a recorded easement or required fire lane.
- (b) *In business and industrial districts and the MX-U district, except portable restroom facilities, which are further restricted in this section.* Accessory shall be held to the same setbacks required of principal buildings. No accessory buildings may be placed within the limits of a recorded easement or required fire lane.
- (c) *Principal building or use required.* No accessory building shall be constructed on property which has not been improved with a principal building or use and no accessory building shall be used unless the principal use is active.
- (d) *Location in setbacks in residential districts prohibited.* No accessory building in a residential district shall be located within the existing setback between a principal building and public street.
- (e) *Responsibility of owners to confirm covenants.* It is the responsibility of the owner to confirm if any covenants exist on their property which regulate accessory buildings.

- (f) Bus shelters, as defined, are exempt from all regulations within this section except that no shelter shall be located within the limits of a recorded easement or required fire lane.
- (g) Portable restroom facilities in residential districts. Portable restroom facilities are not permitted as accessory to residential uses. Portable restroom facilities accessory to uses other than residential in residential districts must be setback at least thirty (30) feet from all property lines, shall be screened from general public view, and shall not be placed within the limits of a recorded easement or required fire lane.
- (h) *Portable restroom facilities in business and industrial districts and the MX-U district.* Portable restroom facilities in the B-2 and M-1 zoning districts shall be held to the same setbacks required of principal buildings. Portable restroom facilities in the B-1 and MX-U districts shall be held to the same setbacks required of principal buildings, except they shall be located at least thirty (30) feet from public street right-of-way lines and thirty (30) feet from all side and rear property lines when such lines abut residentially zoned property. Portable restroom facilities in all districts shall be screened from general public view and shall not be located within the limits of a recorded easement or required fire lane.
- (i) Portable restroom facilities used for active construction sites, emergencies, or temporary events or festivals, are exempt from all regulations within this section.

The remainder of Section 10-3-114 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the 27th day of November, 2012.

Adopted and approved this 27th day of November, 2012.



 MAYOR

ATTESTE:


 CLERK OF THE COUNCIL