



DEVELOPMENT SERVICES

TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN # 590**
Enforcement of Setback Regulations for Non-Structures

DATE: 5/21/2026

CREATED BY: Land Development Division

Purpose:

As a customer service initiative, the Development Services Department (DSD) created this Information Bulletin (*IB*) to clarify for our customers when setback regulation may apply to products other than structures, as defined in the Unified Development Code (UDC).

Scope:

The *IB* applies citywide and clarifies when setbacks regulations are applicable to installations that are not defined as a structure.

Appendix A of the UDC defines structures and accessory structures as:

Structure. A walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a manufactured home.

Accessory structure. A building, structure or use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or use. Examples include garages or tool sheds. See also section 35-370(b).

Setback regulations enacted by Article III: Zoning of the UDC apply to buildings, and clear regulations exist for both primary and accessory setbacks for structures.

Recently, the department has been asked if other installations, such as AC units, pool equipment, above-ground storage tanks, fixed generator systems, and other similar elements must also meet setback requirements.

As “gas or liquid storage tanks” are specifically included in the definition of a “structure,” the setbacks regulations would apply. AC compressors, fixed generator backup systems, and pool equipment are not included in the definition of either a structure or an accessory structure, nor are they “walled and roofed buildings.” As such, these elements, or similar elements, would not have to comply with setback regulations.

Summary:

This IB is for informational purposes only.

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