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Staff Report to the Plan Commission

Land Development Code Amendment – Allow Outdoor Fireplaces in all Zoning Districts

Case Number: 2025-0746

Prepared: 9/12/2025

AMENDMENT SUMMARY

- Allow Outdoor Fireplaces in all zoning districts, which are currently prohibited in the BIZ General Business and VCD Village Center Zoning Districts.
- Update the Detached Accessory Structure tabled updated to reflect this change.

AMENDMENT EXPLANATION

Outdoor fireplaces are not permitted in the BIZ or VCD Districts in the Land Development Code despite being located at many restaurant patios and residential common areas or courtyards.

This amendment would permit outdoor fireplaces as accessory structures in all zoning districts, subject to being located in the rear yard, except as otherwise permitted for restaurant patios. In addition to complying with location, setback, and safety standards, all outdoor fireplaces are still subject to the International Building Code and International Fire Code regulations.

Non-single-family properties must obtain Appearance Review approval before applying for permits and installing any outdoor fireplace.

PROPOSED AMENDMENT TEXT

SECTION 6-302.C.23 – ACCESSORY STRUCTURES AND USES

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23. **Outdoor Fireplaces:** May be permitted in rear setbacks at least ~~five (5) feet~~ **5'** from the lot line in all districts, ~~except the BIZ General Business District, Village Center District and~~ except as otherwise permitted for outdoor eating areas in commercial districts.

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TABLE 6-302.B.1 – DETACHED ACCESSORY STRUCTURES AND USES

Permitted Structures P = Permitted PC = Permitted with Conditions NP = Not permitted	Residential Zoning Districts					Mixed Use Zoning Districts						Non-Residential Zoning Districts			Setbacks Permitted	Specific Standards
	E-1	R-1	R-2 & R-2A	R-3 & R-3A	R-4	LSPD	OOH	COR	ORI	VCD	RSB	BIZ	MFG	OS	F = Front S = Side R = Rear * = specific limits	See Section:
Outdoor Fireplaces	P	P	P	P	P	P	P	P	P	N P	P	N P	P	P	R*	6- 302.C.23

STAFF RECOMMENDED ACTION

Staff recommends to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated September 12, 2025

And

Staff Recommends that the Plan Commission approve the Land Development Code Amendment as presented in the Staff Report dated September 12, 2025.

STAFF RECOMMENDED MOTION

Regarding Case Number 2025-0746, also known as Land Development Code Amendment - Allow Outdoor Fireplaces in all Zoning Districts, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.