

ORDINANCE NO. 531-0

AN ORDINANCE AMENDING ORDINANCE NO. 491-0 DELETING SECTION 5.911 AND ADDING REPLACEMENT SECTION 5.911 RELATING TO PROJECTIONS INTO REQUIRED YARDS, DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

WHEREAS, The City of Troutdale may adopt zoning regulations which are in the public interest and which promote the general welfare, and

WHEREAS, The Planning Commission has considered the proposed amendment at a public hearing and prepared the following findings of fact in support this amendment:

1. In a number of cases, it is impossible for stairs from a split level house to reach grade in five feet and still comply with the code requirements for landings and reach and rise of stairs.
2. A survey by City staff of homes found that many split entry homes have stairs which are less than 30 inches in height extending beyond the five foot projecting building feature restriction.
3. The proposed amendment will allow homeowners to legally replace their entry with a new structure at the distance originally constructed without a reference to "grandfathered" uses.
4. Due to existing lot sizes, sizes of dwellings, and minimum rear yard setbacks of 25' in most single-family districts it is difficult to design a split-entry dwelling without some encroachment into a required front yard.
5. The proposed amendment would provide safe entrances, comply with the Uniform Building code and prevent unnecessary hardship to homeowners when modifying a dwelling.

and,

WHEREAS, The Planning Commission recommends this amendment permitting stairs necessary for entry to a dwelling within a required yard, and

WHEREAS, The City Council has conducted a public hearing to consider this amendment and finds this amendment to be in the public interest,

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

1. Section 5.911 is hereby repealed.

2. New Section 5.911, attached as Exhibit A, is hereby adopted.

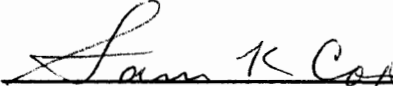
3. This amendment becomes effective the date below signed.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 14th
DAY OF NOVEMBER, 1989.

YEAS 6

NAYS 0

ABSTAINED 0



Sam K. Cox, Mayor
Date Signed: November 16, 1989

ATTEST:



Valerie J. Raglione
City Recorder

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EXHIBIT A

5.911 Projections Into Required Yards

5.912 Projecting Building Features.

The following building features may project into the required front yard by no more than five (5) feet and into the required side yard by no more than two and one-half feet (2-1/2); but in no case shall any projection encroach onto a recorded easement.

- a. Architectural appendages, including but not limited to bay windows, planters, awnings, eaves or other similar features;
- b. Paved terraces, provided these do not violate other requirements of this ordinance;
- c. Unroofed landings and stairs may project into required front and rear yards only;
- d. Open fire escapes, provided that these do not violate other requirements of this ordinance;

5.913 The following building feature may project into any required yard no more than thirty (30 inches).

- a. Chimneys

EXCEPTION: Unroofed stairs less than thirty (30) inches in height, as defined in the Uniform Building Code and necessary for entering and exiting a dwelling, may extend an additional five feet into a required front yard, but in no case, shall not be located closer than ten feet to the front property line.

TO BE REPEALED

5.910

(continued)

ACCESSORY STRUCTURES

4. No accessory structure shall be attached to the main building unless constructed in accordance with the Building Code. An accessory structure is considered attached if it is less than six (6) feet to the main building.
5. No accessory structure built within a required yard shall exceed four hundred and fifty (450) square feet in area, nor shall such an accessory structure exceed one (1) story in height.
6. An attached accessory structure used for outdoor patio type living, solar activity, plant growth, etc., shall have a minimum rear yard setback of twelve (12) feet.

5.911

Projections Into Required Yards.

- A. Projecting building features: The following building features may project into the required front yard no more than five (5) feet and into the required side or rear yards no more than two and one-half (2 1/2) feet; but in no case shall any projection encroach on to a recorded easement:
- B. Architectural appendages, including but not limited to bay windows, planters, awnings, eaves or other similar features;
- C. Paved terraces, provided that these do not violate other requirements of this ordinance;
- D. Unroofed landings and stairs may project into required front and rear yards only;
- E. Open fire escapes, provided that these do not violate other requirements of this ordinance;
- F. Chimneys shall not project more than thirty inches into any required yard;

5.912

Other Projections. Except as provided in the LF district, projections extending vertically from permitted building and used, such as penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights,