

## **ORDINANCE NO 324-20**

### **AN ORDINANCE AMENDING ORDINANCE NO. 24 (ZONING ORDINANCE) ARTICLE 5 EXCEPTIONS SECTION 5.010 PROJECTIONS FROM BUILDINGS.**

WHEREAS, the Depoe Bay Planning Commission last amended Section 5.010 April 6, 2004, by Ordinance 256; and

Whereas, the Depoe Bay Planning Commission held public hearings on November 13, 2019, and December 11, 2019, to obtain public comment on proposed revisions to the zoning ordinance; and

Whereas, the Depoe Bay City Council held a public hearing on May 19, 2020, and has concluded deliberations on the recommended changes to the Zoning Code, including considering public testimony and staff recommendations.

NOW, THEREFORE, the City Council of the City of Depoe Bay ordains as follows:

1). Ordinance No. 24 Section 5.010 Exceptions is hereby amended as follows:

#### **Section 5.010 Projections from Building:**

1. Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, and flues shall not project more than twenty-four (24) inches into a required side yard setback or more than forty-eight (48) inches into a required front or rear yard setback, nor in any case more than 1/3 the distance into any required yard setback.
2. Building wall projections such as bay, bow, and garden windows, fireplaces, and stoves, that protrude into required yards setback shall not be longer than seven (7) feet in length, shall not protrude closer than five (5) feet to a side yard property line. There shall be no more than one wall projection per building side, except building sides exceeding a 30 (thirty) lineal foot length may have a maximum of two-bay, bow, or garden windows. Bay, bow, and garden windows shall have windows on all sides, and shall not protrude into any required parking space or area.
3. Uncovered decks may project no more than 1/3 the distance into any required yard setback, but covered areas such as porches are not permitted such exception.
4. An access landing no more than 3 feet by 3 feet (9 square feet) and attendant stairway, or ADA compliant ramp may project into a required side yard setback provided it is the minimum encroachment necessary to provide safe access and is no closer than 3 feet to the property line.
5. This section has no application to driveways or other such features that are not projections but are flush to the ground.

WHEREAS, the adoption of this ordinance is necessary to preserve the peace, health, safety,

and welfare of the citizens of the City of Depoe Bay. This ordinance shall be in full force and in effect thirty days upon its adoption by the City Council of the City of Depoe Bay.

Introduced and passed the first reading in a regular meeting of the City Council of the City of Depoe Bay on this 7<sup>th</sup> day of July, 2020.

Passed at the second reading, placed on final passage, and adopted by the City Council of the City of Depoe Bay on this 21<sup>st</sup> day of July, 2020.

Approved by the Mayor of the City of Depoe Bay this 21<sup>st</sup> day of July, 2020.

Attest:

Baker Guster  
City Recorder

City of Depoe Bay

R. G. Lund  
Mayor