

Planning Commission Agenda Memo

From: Ryan Miller, City Planner

Meeting: August 6, 2024

Subject: Amendments to Chapter 94, Article V1, Division 3, pertaining to Sec. 94-395 related to the regulations on porches, decks and platforms within required yard areas.

Person(s) Responsible: Ryan Miller, City Planner

Summary:

The City of Brookings is proposing amendments to the City's zoning ordinances located in Chapter 94, Article VI, Division 3, pertaining to Sec. 94-395 related to the regulations on porches, decks and platforms within required yard areas.

Background:

Staff has been considering amendments to the allowable encroachment of decks within required yard areas. Many recent projects have successfully sought variances for the encroachment of decks, mainly within front yards. Since 2021, four variances have been granted for entry level decks that project further than allowed into front yard setbacks. At least two variances have been granted for decks projecting further than allowed into rear yards for single family homes. Two recent variances were granted for the projection of apartment balconies within the required front yard area.

With those cases in mind, staff has prepared draft amendments to Sec. 94-395 in an attempt to add flexibility for deck construction, primarily in the front and rear yards.

Item Details:

The new ordinance will read:

- (a) Open, unenclosed porches, decks and platforms may project into a required yard area as follows:
 - (1) Ground and entry level porches, decks and platforms may project into the front yard no more than ten feet and in no case may be closer than ten feet from the front lot line.
 - (2) Porches decks and platforms leading to the second story and above may project into the front yard no more than 6 feet and in no case may be closer than fourteen feet from the front lot line.
 - (3) Porches, decks and platforms may project into the side yard no more than four feet.
 - (4) Porches, decks and platforms may encroach into the rear yard setback a distance not greater than 20 percent of the minimum required setback.

Options and Recommendation:

The Planning Commission has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Table until a future meeting

The Development Review Team recommends approval.

Supporting Documentation:

Memo

Hearing Notice

Ordinance – Clean

Ordinance - Marked