

City Council Agenda Item Memo

From: Ryan Miller, City Planner

Council Meeting: September 24, 2024 / October 8, 2024

Subject: Ordinance 24-034: Amendments to Chapter 94, Article VI, Division 3, pertaining to Section 94-395 Porches, decks and platforms within required yard areas.

Person(s) Responsible: Ryan Miller, City Planner

Summary:

Staff is proposing amendments to the City's zoning ordinances located in Chapter 94, Article VI, Division 3, pertaining to Section 94-395 related to the regulations of porches, decks and platforms within required yard areas. The Development Review Team recommends approval. The Planning Commission voted 6-0 to recommend approval.

Item Details:

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 which 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.

Based on this, there seems to be a desire among the community for more allowance in the projection of decks and porches in the front yard. Staff supports allowing a greater encroachment including allowing decks in closer proximity to the sidewalk in order to help support a greater sense of place at the pedestrian level.

With this in mind, staff has prepared draft amendments to Section 94-395 in an attempt to add flexibility for deck construction, primarily in the front and rear yards. This was a collaborative effort between building and zoning staff.

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 10 feet and in no case may be closer than 10 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 six feet and in no case may be closer than 14 feet from the front lot line.

(3) Attached porches, decks and platforms may project into the side yard setback no more than four feet. Detached porches, decks and platforms may not encroach into the side yard setback.

(4) Attached porches, decks and platforms may encroach into the rear yard setback a distance not greater than 20 percent of the minimum required setback. Detached porches, decks and platforms may not encroach into the rear yard setback.

(5) Stairs and ramps leading to an approved porch, deck or platform may exceed the allowable projections described in Section 94-395(a).

Legal Consideration:

None.

Strategic Plan Consideration:

Economic Growth – The City of Brookings will support effective diversified community investment and equitable opportunities for prosperity.

Financial Consideration:

None.

Supporting Documentation:

Memo

Ordinance – clean

Ordinance – marked

Hearing Notice – City Council

Hearing Notice – Planning Commission

Planning Commission Minutes