

Chapter 17.96

LOTS--EXCEPTIONS AND ADDITIONAL SETBACKS

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17.96.010 Purpose. The purpose of this chapter is to permit or afford better light, air and vision clearance on more heavily traveled streets and on streets of substandard width, to make the location of structures compatible with the need for the eventual widening of streets by providing for additional yard setback distances. (Ord. 634 §1 Exh. A (part), 1995)

17.96.020 Additional setback from centerline required. A. Structures in any zoning district which abut certain arterial and collector streets shall be set back a minimum distance from the centerline of the right-of-way.

B. Where the street is not improved, the measurement shall be made at right angles from the centerline or general extension of the street right-of-way. The required setback distance for buildings on the following collector streets is the setback distance required by the zoning district plus twenty-eight feet measured from the centerline of the right-of-way.

Columbia Avenue from West Lane to Columbia River Hwy
Elm Street (east from 3rd street)
E.M. Watts Road
East Fourth Street
J.P. West
West First Street
Dutch Canyon Road

C. The minimum yard requirement shall be increased in the event a yard abuts a street having a right-of-way width less than required by its functional classification in the city's transportation plan and, in such case, the setback shall be not less than the setback required by the zone plus one-half of the projected road width as shown in the transportation plan.

D. In addition to the standards for access and egress included in the public works design standards, and due to the potential traffic hazards along Highway 30, the planning commission may require single access ways, frontage roads, joint parking or additional setbacks for lots that the commission determines are strategically important for reducing potential hazards. (Ord. 634 §1 Exh. A (part), 1995)

17.96.030 Visual clearance requirements. All development shall conform to the visual clearance area requirements of Scappoose Municipal Code Chapter 12.10. (Ord. 820 §13, 2012)

17.96.040 Lots--General exceptions. A. When two lots are under single ownership and only one principal building will be constructed

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on the two lots, the owner may build across the lot lines without going through the variance or property line adjustment procedures.

B. When a legal lot of record created prior to 4/4/83 (the date of adoption of Ordinance 466) is located in a residential zone and does not meet the minimum square footage of the zone, a single-family detached residence shall be allowed to be constructed on the lot, subject to approval by the planner. All other requirements of this title shall be met. When such lots are located in a zone other than residential and fail to meet the minimum standards of the zone, the lot may be occupied by a use permitted in the zone subject to all other requirements of the zone and this title. (Ord. 795 §1, 2008; Ord. 634 §1 Exh. A (part), 1995)

17.96.060 Exceptions to yard requirements. A. If there are dwellings on both abutting lots with yard depths less than the required depth for the zone, the depth of the yard for the intervening lot need not exceed the average depth of the yards of the abutting lots.

B. If there is a dwelling on one abutting lot with a yard of less depth than the required depth for the zone, the yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required yard depth. (Ord. 634 §1 Exh. A (part), 1995)

17.96.080 Projections into required yards. A. Cornices, eaves, belt courses, sills, canopies or similar architectural features may extend or project into a required yard not more than thirty-six inches provided the width of such yard is not reduced to less than three feet.

B. Fireplace chimneys may project into a required yard not more than three feet provided the width of such yard is not reduced to less than three feet.

C. Open porches, decks or balconies not more than thirty-six inches in height and not covered by a roof or canopy, may extend or project into a required rear or side yard provided such natural yard area is not reduced to less than three feet

and the deck is screened from abutting properties and may extend into a required front yard not more than five feet. (Ord. 634 §1 Exh. A (part), 1995)

17.96.090 Lot area for flag lots. A. The lot area for a flag lot shall comply with the lot area requirements of the applicable zoning district.

B. The lot area shall be provided entirely within the building site area exclusive of any accessway (see figure following).

Ord. 634 §1 Exh. A (part), 1995)

