

March 14, 2017

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: Exceptions to Building Heights

The Planning Commission identified the need to review regulations pertaining to “exceptions to building heights”. The exceptions to building heights are allowed for “projections” such as chimneys and domes. Currently, there are no provisions regulating the maximum size of projections.

Yachats Municipal Code Section 9.52.170 General exceptions to building height limitations currently states the following:

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and other similar objects not used for human occupancy are not subject to the building height limitations of this title.

I discussed building projections with Al Eames, Lincoln County Building Official. Al said the building code does not regulate maximum height and width of projections. The building code regulates how the projections are constructed. The Lincoln County Development Code has similar language to the Yachats Code with one additional regulation that states “Such projections shall have a lateral projection no greater than eight (8) feet.”

The City of Newport allows building height exceptions for similar types of projections with regulations. Projections are allowed “as long as the square footage of said structure or structural part is no greater than 5% of the main building foot print as shown on the site plan, or 200 square feet, whichever is less.” Maximum height of projections are not allowed to exceed the maximum allowable height by more than 25% unless approved by the Planning Commission.

Additional Newport regulations are identified for stand-alone structures such as antennas, cell towers, and transmission towers. Maximum allowed height ranges from 50 to 150 feet depending on the zoning district.

Two examples where questions about ‘projections’ have been raised include a chimney and a dome. One projection was a chimney that some people thought was excessively large. The chimney chase is triangular shaped with dimensions of 7’x7’x 9.9’ (24.5 sq. ft.). The chimney chase has a 6’ height. The chase is 1’ above the peak of the roof and the flume is 2’-10” above the peak of the roof.

Another example is the proposed south city water storage tank. The tank is proposed to have a 43’ height. It was determined that the storage tank meets the general exception for building height because it is a dome structure not used for human occupancy. An alternative to this interpretation is determine that the dome is not a “projection” and therefore a variance would be required to exceed the maximum 30’ height limit.