

CHAPTER 18.44: SETBACK, LOT AND HEIGHT EXCEPTIONS

18.44.010 Purpose and function.

- A. It is the intent of this title to provide standards sufficient to afford continuing protection to property and yet be adaptable enough to avoid unnecessary hardship or interference with growth and natural change. Accordingly, supplementary provisions are necessary to govern specific deviations from general rules.
- B. The provisions contained in this chapter are of both general application to the several zoning districts and supplementary application to the provisions established by this title for specific districts.

18.44.020 Reduction of size of setback or other open space prohibited.

- A. No lot area, setback, or other open space or required off-street parking or loading area existing on or after the effective date of the ordinance codified in this title shall be reduced below the minimum required by this title.
- B. No lot area, setback, or other open space or off-street parking or loading area which is required by this title for one use shall be used as the lot area, setback, or other open space or off-street parking or loading area for another use, except as provided in this title.

18.44.030 General exception to lot size requirements.

- A. If, at the time of passage of the ordinance codified in this title, a lot has an area or dimension which does not conform with the density provisions of the zoning district in which it is located, the lot may be occupied by any use permitted outright in the district, subject to the other requirements of the district.
- B. Documentary proof of the fact that the lot existed by title, or was being purchased by contract, at the time of passage of the ordinance codified in this title shall be submitted by the person claiming benefits under this section.

18.44.040 General exception to building height limitations.

- A. The following type of structures or structural parts are not subject to the building height limitations of this title: tanks, church spires, belfries, domes, monuments, fire and hose towers, observation towers, transmission towers, chimneys, flagpoles, radio and television towers, masts, aerials, cooling towers, and other similar structures or facilities.
- B. Such structures or structural parts may be subject to other requirements of this title.

18.44.050 General setback exceptions.

- A. Cornices, eaves, chimneys, belt courses, leaders, sills, pilasters, or other similar architectural or ornamental features, not including bay windows or vertical projections, may extend or project into a required setback not more than two (2) feet.
- B. Open balconies, or unenclosed fire escapes or stairways, not covered by a roof or canopy, may extend or project into a required front setback not more than four (4) feet, or into a required side or rear setback not more than three (3) feet.
- C. Open, unenclosed patios, terraces, roadways, courtyards, or similar surfaced areas, not covered by a roof or canopy may occupy, extend, or project into a required setback, provided that such areas are not used for required off street parking or other purposes not in conformance with the requirements of this title.

18.44.060 Vision clearance area.

- A. Vision clearance areas, as defined in section 16.06.020, are established in all districts.
- B. The distance establishing the size of a vision clearance area shall be a minimum of twenty (20) feet, except that the distance may be reduced to ten (10) feet at intersections including an alley, and eight (8) feet in that portion of the C1 district defined in Section 18.28.020 (B).
- C. When the angle of intersections between streets is less than thirty degrees (30°), the distance shall be increased by an additional ten (10) feet.
- D. A vision clearance area shall contain no plantings, walls, structures, or other sight obstructions exceeding a height of forty-two (42) inches measured from the established grade.