



## MEMORANDUM

---

**TO:** Lake Oswego Planning Commission

**FROM:** Andy Gulizia, Associate Planner

**SUBJECT:** Breezeways (LU 08-0054)

**DATE:** March 30, 2012

---

During review of Ordinance 2526 (LU 08-0054), the Planning Commission reached a consensus to require a three-foot separation, eave to eave, from buildings in order to consider them detached. This would prevent two buildings from being detached technically, and therefore benefitting from accessory structure setbacks for one of them, while appearing visually as a single mass because they are only inches apart. The Commission discussed exempting breezeways and mechanical equipment (such as air conditioners) from the three-foot minimum separation requirement.

Staff had discussed taking this amendment further to put new height or size limits on breezeways that would be exempt from the three-foot minimum separation requirement. After further discussion, staff no longer proposes new height or size limits for breezeways. The intent of the three-foot separation requirement is to require meaningful *visual* separation between two buildings if one of them is to benefit from accessory structure setbacks. Since a breezeway by definition has no walls, staff proposes that a breezeway of any size will not cause the structures it connects to appear visually as a single mass, especially if the eaves of the two buildings the breezeway connects would have to be at least three feet apart.

Worst case scenarios might be an uncommonly tall breezeway, or a breezeway that's so wide that it's essentially a patio cover rather than a breezeway. However, patio covers within lot coverage limitations are already permitted under current code and are not necessarily undesirable. With regards to height, staff proposes that an extremely tall breezeway, while already permitted subject to height limitations of the zone, is unlikely to be built because extreme height would seem to provide less effective weather protection.

Finally, if the code is amended such that two buildings physically connected by a breezeway are considered detached from each other, there are implications the Commission may want to consider further. While some applicants have detached structures from each other in order to take advantage of smaller accessory structure setbacks, others have attached structures with breezeways specifically designed to avoid the

**EXHIBIT F-5**  
**LU 08-0054**

accessory structure size limitations in the R-6, R-7.5, R-10, and R-15 zones, even though the attachment currently triggers primary structure setbacks for the entire building. If two buildings physically attached by a breezeway are to be considered detached from each other, then one of them must be considered the primary structure and the other an accessory structure. In the R-6, R-7.5, R-10, and R-15 zones, accessory structures are limited to 600 or 800 square feet of floor area, depending on the height. Under current code, the only way an applicant could propose, for example, a two-car garage with a one-bedroom apartment above it, is if the garage building is attached to the house *at least with a breezeway* so that it can be considered part of the primary structure. (Primary structure setbacks would then apply to the garage, as would secondary dwelling unit requirements in this example.) If the garage in this example had to be considered detached, then it would be considered an accessory structure limited to 600 or 800 square feet in floor area, including the garage space, making a two-car garage with an apartment above very difficult to build.