

### **TDC 5.010 Residential Accessory Structures.**

A residential accessory structure is an accessory structure as defined in section 1.020 of this code and includes frame-covered accessory structures. For purposes of these regulations, portable swimming pools less than 24 inches in depth are not considered accessory structures and are not subject to the provisions of this section. Solariums, greenhouses, garages, or other enclosed areas which are attached to the residential structure shall not be considered accessory and shall be subject to the regulatory requirements of the underlying zoning district. The provisions of this section apply only to residential accessory structures.

A. Building Permit – When Required. A building permit is required for any accessory structure over 200 square feet in floor area or over ten feet in height as the term “height” is defined in the Building Code. The building permit application will be evaluated for compliance with the regulatory requirements of this section.

B. Development Permit – When Required. An accessory structure not requiring a building permit shall be required to have a development permit, except as follows:

1. The accessory structure is 120 square feet or smaller in floor area and is eight feet or less in height as measured from the average adjacent grade to the highest point of the wall of the structure and is ten feet or less in height as measured from the average adjacent grade to the highest point of the roof of the structure.
2. The accessory structure is a frame-covered

structure that is 200 square feet or smaller in floor area and is eight feet or less in height as measured from the average adjacent grade to the highest point of the wall of the structure and is ten feet or less in height as measured from the average adjacent grade to the highest point of the roof of the structure.

3. The accessory structure is a patio cover that is 200 square feet or smaller in floor area.
4. The accessory structure is an arbor that is ten feet or less in height.
5. The regulatory requirements of subsection C apply even when a development permit is not required.

C. Regulatory Requirements. No accessory structure shall be erected or maintained, and no existing accessory structure shall be structurally altered, converted, enlarged, moved, or maintained unless such accessory structure is located on the lot in conformance with the following:

1. Cargo shipping containers are not permitted as accessory structures on residential lots.
2. No single accessory structure may exceed 1,000 square feet in floor area.
3. The cumulative area of detached accessory structures shall not exceed 25% of the gross lot area, nor 50% of the area of the required rear yard.
4. The maximum height of a detached accessory structure shall be 20 feet, provided the accessory structure meets the side and rear yard setbacks of the underlying zoning district.
5. A detached accessory structure which does not meet the underlying side and rear yard

setbacks shall not exceed ten feet in height as measured from the average adjacent grade to the highest point of the roof of the building.

6. Accessory structures shall comply with the setback requirements for the main building except where specifically modified by this section. For purposes of this subsection C, the measurement shall be applied to projecting building features, if any, such as eaves, rain gutters, or other similar features.
7. No accessory structure shall be located in a required front yard setback or between the street and front building plane of the dwelling.
8. No accessory structure shall encroach on an active easement of record. An active easement is an easement containing one or more public utilities.
9. Rear Yard Setback. An accessory structure that is ten feet or less in height as measured from the average adjacent grade to the highest point of the roof of the structure may be constructed as close as three feet to a rear property line, provided that it does not encroach on an active easement.
10. Side Yard Setback. An accessory structure of 120 square feet or smaller in floor area and ten feet or less in height as measured from the average adjacent grade to the highest point of the roof of the structure may be constructed as close as three feet to a side property line provided that it does not encroach on an active easement. An accessory structure greater than 120 square feet in floor area or greater than ten feet in

height must comply with the setback of the underlying zoning district.

11. Street Side Yard Setback. An accessory structure on a corner lot shall meet a minimum street side yard setback of ten feet except for private vehicle storage. Accessory structures for private vehicle storage which have an entrance from the street side yard shall have a minimum street side yard setback of 18 feet. Vehicle access from the side street must be approved by the Public Works Director and constructed to City standards.

**TDC 5.050 Fences and Windscreens.** A. Fences Residential. *No development permit required.*

1. Fences on corner lots. Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersection streets, shall not exceed three feet in height within the clear vision area.
2. Fences in a required front yard. The height of a fence or retaining wall in a required front yard shall not exceed 3½ feet.
3. Fences side and rear yards. The height of a fence or retaining wall, or the combined height of both when a fence is placed upon a retaining wall in a required side street, side or rear yard, shall not exceed six feet.
4. Sight-obscuring hedges. Trees or shrubs that form a sight-obscuring hedge shall comply with the same height requirement as a fence within the clear vision area. Trees separated by at least 15 feet apart may grow to any height.
5. Front yard fences for existing dwellings on major arterials. The height of a fence in a

required front yard for an existing dwelling (constructed prior to 6/9/87) facing a major arterial shall not exceed a height of six feet outside the clear vision area.

6. Front yard fences for existing dwellings on Crown Point Scenic Highway east of the Sandy River Bridge. The height of a fence in a required front yard for an existing dwelling facing Crown Point Scenic Highway (constructed prior to 6/9/87) shall not exceed a height of six feet outside the clear vision area.

**TDC 5.050E. Fence Regulations for Swimming Pool/Hot Tub Areas.** A swimming pool, hot tub, or other manmade outside body of water, which has a depth greater than 24 inches shall be enclosed with a fence not less than four feet, and not more than six feet in height. The fence shall not have any openings, holes, or gaps larger than three inches square, except for doors or gates. The fence gates shall be equipped with a self-closing, self-latching device. A dwelling unit and/or accessory building may form part of the enclosure.

**TDC 5.060 Decks.** A. Decks 12-30 inches in height require a **Development Permit** to ensure that no encroachment onto easements of record, violation of required setbacks, or violation of other provisions of this code occur. B. Decks greater than 30 inches in height require a **building permit** for structural review and development review to ensure that no encroachment onto easements of record, violation of required setbacks, or violations of other provisions of this code occur.



**CITY OF TROUTDALE  
DEVELOPMENT STANDARDS  
for RESIDENTIAL ACCESSORY  
STRUCTURES  
Troutdale Development Code (TDC)  
Chapter 5 Other Issues And Procedures**

***Pertaining to:***  
**Detached Garages, Sheds, Shops,  
Swimming Pools, Hot Tubs, Patio Covers,  
Play Structures, Gazebos, Arbors, Boat/RV  
Frame-Covered Structures, Decks, Fences  
& Other Similar Uses**

Development Permits are required for some accessory structures. When a Development Permit is required, submit the application to the Planning Division with the filing fee and two copies of a map of the property showing the location of the accessory structure and its size (height, width, and depth) and distance from the property lines. Call the Planning Division at 503-674-7228 if you have questions.