

Chapter 17.80DOWNTOWN OVERLAYSections:

- 17.80.010 Purpose.
- 17.80.020 Applicability.
- 17.80.030 Uses.
- 17.80.040 Dimensional requirements.
- 17.80.050 Parking lots for commercial, mixed-use, and multifamily uses.
- 17.80.060 Lighting.
- 17.80.070 Service areas.
- 17.80.080 Building height and architectural character.
- 17.80.090 Signs.
- 17.80.100 Landscaping.

17.80.010 Purpose. The purpose of the downtown overlay is to encourage the preservation, improvement and renewal of the existing business district of the city maintaining a center of commercial and civic activity for the community; encourage pedestrian traffic; encourage higher density residential development in support of commerce; require design features that reduce conflicts with vehicular traffic flow; and improve the general appearance, safety and convenience of the downtown area by requiring greater attention to the design of buildings, parking, landscaping, lighting and traffic circulation. (Ord. 868, 2018; Ord. 811, 2010; Ord. 682, §4 (part), 1999)

17.80.020 Applicability.

A. West of Highway 30, the downtown overlay shall apply to properties beginning on the north side of E.M. Watts Road and extending north to Scappoose-Vernonia Highway and including all properties with frontages on either side of West First Street or Highway 30 or the connecting side streets, excepting the residential properties north of E.J. Smith Road and west of NW 1st Street. East of Highway 30, the downtown overlay shall apply to properties from Williams Street south to East Columbia Avenue with frontages on NE First Street; properties from East Columbia Avenue south to Santosh Street with frontages on SE First Street or SE Second Street; properties with frontages on East Columbia Avenue extending east from Highway 30 to West Lane Road; and properties with frontages on both West Lane Road and East Columbia Avenue, as shown on Figure 17.80.1.

B. The design standards of this Chapter are not applicable to exterior maintenance or repair of existing structures or improvements.

C. The provisions of this Chapter shall apply to all new Residential, mixed-use, and commercial construction. The Chapter shall also apply to major exterior modifications except for existing single-family residences.

D. Changes to existing commercial, mixed-uses and multifamily residential uses shall be subject to this Chapter if any of the following changes are proposed:

1. An increase of ten percent or more in dwelling unit density, or lot coverage for residential development;
2. A change in the ratio or number of different types of dwelling units;
3. An increase in the height or width of the building(s) by more than twenty percent;
4. Demolition or replacement of more than twenty-five percent of the surface area of any exterior wall or roof;
5. A change that requires additional on-site parking in accordance with Chapter 17.106; or
6. A change in the type and location of access ways and parking areas where off-site traffic would be affected.

E. Except as specifically exempted in this chapter, all other requirements of Title 17 shall apply within the downtown overlay. (Ord. 868, 2018; Ord. 811, 2010; Ord. 738 §1 (part), 2003; Ord. 682 §4 (part), 1999)

17.80.030 Uses.

Use	
Where base zoning is commercial, permitted and conditional uses shall be as defined in the underlying base zone.	See the uses permitted in the base zone
<p>Where base zoning is residential, permitted and conditional uses shall be as defined in the underlying base zone, plus the following additional permitted uses:</p> <ol style="list-style-type: none"> 1. Bed and breakfast facilities; 2. Library services; 3. Professional offices where building footprint is four thousand square feet or less; 4. Mixed-use building where building footprint is four thousand square feet or less; 	See the uses permitted in the base zone

5. Townhouses on individual lots three thousand (3,000) square feet or greater, not to exceed four units.	
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(Ord. 868, 2018)

17.80.040 Dimensional requirements.

Dimensional Requirements	Requirement ¹
Minimum lot size Commercial base zoning	No minimum lot area shall be required.
Minimum lot size Residential base zoning with commercial uses	Six thousand (6,000) square feet.
Minimum lot size Residential base zoning with residential uses Single-family detached two stories in height Single-family detached one story in height Townhouse Duplex Triplex	Three thousand (3,000) square feet Forty-five hundred (4,500) square feet or Three thousand (3,000) square feet per townhouse Six thousand (6,000) square feet per duplex Six thousand (6,000) square feet for the first two attached units plus an additional two thousand (2,000) square feet for each additional dwelling unit

Quad-plex	Six thousand (6,000) square feet for the first two attached units plus an additional two thousand (2,000) square feet for each additional dwelling unit
Lot Width	<p>Where uses are commercial or mixed use, no minimum lot width shall be required.</p> <p>Where uses are residential, the minimum lot width shall be thirty feet for detached residences and twenty feet for townhouses.</p>
Setbacks	<p>Where uses are commercial or mixed use,</p> <ul style="list-style-type: none"> a) No setback shall be permitted between the front of the building and the property line adjoining the street, with the exception of an outdoor patio used for seating. The planner may authorize minor exceptions up to eight feet where necessary due to lot configuration, visual clearance area requirements, or the need to accommodate overhanging elements such as awnings, signage, or architectural features. Such setback exceptions shall be limited to the minimum necessary. b) Side yard setbacks shall be a minimum of three feet each with any street side setback no less than ten feet. c) Rear yard setbacks for mixed-use buildings shall be a minimum of twenty feet. <p>Where uses are residential,</p> <ul style="list-style-type: none"> a) The front yard setback shall be a minimum of ten feet; b) The front of garages or carports shall be located a minimum of twenty feet from the property line where access occurs;

	<p>c) Side yard setbacks for detached residential dwelling units shall be a minimum of three feet each with any street side setback no less than ten feet;</p> <p>d) Side yard setbacks for townhouses on individual lots shall be zero at the common property line and shall be a minimum of three feet at side yards for end units with any street side setback no less than ten feet;</p> <p>e) Side yard setbacks for detached accessory buildings shall be a minimum of three feet each;</p> <p>f) The rear yard setback shall be a minimum of twenty feet, except the minimum rear yard setback for an accessory building shall be five feet.</p>
Maximum height	No building shall exceed thirty-five feet in height, except a mixed use building with commercial or professional office space on the first floor with residential units above shall not exceed forty-five feet in height.

¹Base zoning dimensions are not applicable within the downtown overlay. (Ord. 868, 2018)

17.80.050 Parking lots for commercial, mixed-use, and multifamily uses.

A. Parking lots shall be in accordance with Chapter 17.106, Off Street Parking and Loading Requirements, except as specifically defined in this section. Illustrations of desirable parking lot designs are shown in the 1998 ODOT/DLCD Quick Response Project and/or the 2002 ODDA Resource Team Report.

B. Location of Parking.

1. New off-street surface parking lots shall be located to the side or rear of buildings. Parking at midblock or behind buildings is preferred. When parking cannot be located at midblock or behind buildings, perimeter screening and planting shall be required, complying with design standards for parking perimeter screening and planting, subsection D of this section.

2. New off-street surface parking lots shall not be located between a front facade of a building adjacent to a public street, and the public street.

3. New parking lots and garages shall not be located within twenty feet of a street corner.

C. Design of Parking Lots.

1. Off-street surface parking areas shall be designed to be as unobtrusive, and as attractive in appearance, as possible.

2. Angled or perpendicular parking spaces shall provide, where needed, extruded curbs (tire stops) or widened curbs to prevent bumper overhang into landscape areas or walkways.

3. Landscaping around and within surface parking areas shall equal ten percent of the total parking area.

4. Landscaping shall be installed within planting bays, and in any other area where parking stalls, circulation aisles, driveways and pedestrian movements shall not be precluded by the landscaping.

5. Pedestrian accessways through surface parking lots shall be clearly identifiable through use of different paving materials, pavement markings, grade separation, or landscaping, well-lighted, and as short as practicable.

6. Surface parking lot vehicular accessways shall not be located within twenty-five feet of a corner.

7. New parking areas shall be designed to the extent practicable to connect with existing parking areas on adjacent sites to minimize usage of the street for parallel movements.

D. Parking Perimeter Screening and Planting. Parking areas adjacent to public streets shall provide landscaping which meets one of the following standards:

1. A five-foot-wide planting strip between the right-of-way or back of sidewalk and the parking area. The planting strip may be pierced by pedestrian accessible and vehicular access-ways. Planting strips shall be planted with an evergreen hedge. Hedges shall be no less than thirty-six inches or more than forty-two inches in height at maturity. Materials shall achieve a balance between low-lying and vertical shrubbery and trees. Hedges and other landscaping shall be planted and maintained to afford adequate sight distance for vehicles exiting the parking lot; or

2. A solid decorative wall or fence thirty-six inches in height parallel to and not nearer than one foot from the right-of-way line. The area between the wall or fence and the street line shall be landscaped. Materials shall achieve a balance between low-lying and vertical shrubbery and trees. The required wall or fence and landscaping shall be designed to allow for access to the site and sidewalk by pedestrians and shall be constructed and maintained to afford adequate sight distance for vehicles exiting the parking lot; or

3. A transparent screen or grille forty-eight inches to seventy-two inches in height parallel to the right-of-way line. A one foot minimum planting strip shall be located either inside the screen, or between the screen and the right-of-way. The plant strip shall be planted with a hedge or other landscaping. Materials shall achieve a balance between low-lying and vertical shrubbery and trees. The required screen or grill and landscaping shall be designed to allow for access to the site and sidewalk by pedestrians and shall be constructed and maintained to afford adequate sight distance for vehicles exiting the parking lot.

E. Reduced Off-Street Parking Requirements for commercial uses.

1. For any structure meeting the applicability provisions of Chapter 17.120 (Site Development Review) or Chapter 17.130 (Conditional Use), the Planning Commission may grant reduced off-street parking standards within the following parameters:

a. Up to a 100-percent reduction capacity for the area existing between NW Laurel Street and NW Casey Street/J.P. West Road for properties having frontages on either side of West First Street, Highway 30, or the connecting side streets.

b. Up to a twenty-five (25) percent reduction capacity for properties in the downtown overlay on the east side of Highway 30.

c. Reduced off-street parking requirements do not apply to mixed-use or multifamily buildings. (Ord. 868, 2018; Ord. 811, 2010; Ord. 738 §1 (part), 2003; Ord. 682 § 4 (part), 1999)

17.80.060 Lighting.

A. Illustrations of desirable lighting are shown in the 1998 ODOT/DLCD Quick Response Project and/or the 2002 ODDA Resource Team Report.

B. Pedestrian scale street lighting shall be provided along East Columbia Avenue and along West First Street.

C. Pedestrian scale street lights shall be no taller than twenty feet and shall be a design approved by the planner. Lamps shall be metal halide bulbs or other white light source.

D. Additional pedestrian-oriented site lighting (i.e., path lighting including step lights, well lights and bollards) is encouraged.

E. Fixture height and lighting levels shall be commensurate with their intended use and function and shall assure compatibility with neighboring land uses. Baffles shall be incorporated to minimize glare and to focus lighting to its intended area.

F. Minimum lighting levels shall be provided for public safety in all urban spaces open to public circulation.

G. No lighting standard shall exceed twenty-five feet in height.

H. Accent lighting on architectural focal points and landscape features is encouraged.

I. Seasonal lighting is encouraged. (Ord. 868, 2018; Ord. 811, 2010; Ord. 738 §1 (part), 2003; Ord. 682 § 4 (part), 1999)

17.80.070 Service areas.

A. Illustrations of desirable service area screening are shown in the 1998 ODOT/DLCD Quick Response Project and/or the 2002 ODDA Resource Team Report.

B. Except for single-family dwelling units, all on-site service areas, loading zones and outdoor storage areas, waste storage, disposal facilities, transformer and utility vaults and similar activities shall be located in an area not visible from a street or urban space. If this is not possible, then the service area, loading zone or storage area shall be fully screened from public view. Prohibited screening includes chain-link fencing with or without slats. Acceptable screening includes a stone, masonry or wood enclosure which may be freestanding or incorporated into a building wall. (Ord. 868, 2018; Ord. 811, 2010; Ord. 738 §1 (part), 2003; Ord. 682 § 4 (part), 1999)

17.80.080 Building height and architectural character.

A. Building Height for Commercial Uses.

1. The minimum facade height for single-story buildings shall be sixteen feet for buildings with unbroken rooflines, but may be as short as fourteen feet for buildings providing architectural diversity to roof profiles. Building height shall be measured from the highest grade point of the building frontage from ground to top of cornice or highest point of roof slope.

B. Architectural Character.

1. Awnings on building containing commercial uses.

a. Awnings at the ground level of commercial buildings are encouraged.

b. Awnings shall not obscure or distract from significant architectural features and should fit within the window bays (either above the main glass or the transom window).

c. The color of the awning shall be compatible with its attached building.

2. Building Exterior. The exterior walls of building facades shall be of suitable durable building materials including the following: stucco, stone, terra-cotta, tile, cedar shakes and shingles, beveled or shiplap or other narrow-course horizontal boards or siding, vertical board and batten siding, articulated architectural concrete masonry units (CMU), or similar materials which are low maintenance, weather resistant, abrasion resistant, and easy to clean. Prohibited building materials include the following: plain concrete, plain concrete block, corrugated metal, unarticulated board siding (e.g., T1-11 siding, plain plywood, sheet press board) and similar quality, nondurable materials.

3. Building Fronts.

a. All residential structures shall utilize at least two of the following design features to provide visual relief along the street frontage:

1. Dormers;
2. Recessed entries;
3. Cupolas;
4. Bay or bow windows;
5. Gables;
6. Covered porch entries;
7. Pillars or posts;
8. Eaves (minimum eighteen inch projection); or
9. Off-sets on building face or roof (minimum sixteen inches).

b. Ground floor windows shall be provided on commercial building facades.

c. Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows of commercial buildings.

d. Ground floor building facades on commercial buildings shall contain unobscured windows or glass doors for at least forty-five percent of the wall area and fifty percent of the wall length within the first nine feet of wall height. Lower window sills shall not be more than three feet above grade except where interior floor levels prohibit such placement, in which case the lower window sill shall not be more than a maximum of four feet above the finished exterior grade.

e. On the ground floor, commercial buildings shall incorporate large display windows with transom windows above.

f. New commercial buildings whose street frontage is more than forty-five feet wide shall be designed to convey a sense of division through the use of either pilasters, window and door openings, recessed entries, off-sets or other architectural details and shall break any flat, monolithic facade by including architectural elements

such as bay windows, changes in materials, or other articulation such as columns or vertical architectural elements to provide pedestrian scale to the ground floor. (Ord. 868, 2018; Ord. 811, 2010; Ord. 738 §1 (part), 2003; Ord. 682)

17.80.090 Signs. A. Signs shall be in accordance with the requirements of Chapter 17.114, Signs. (Ord. 868, 2018; Ord. 682 §4 (part), 1999)

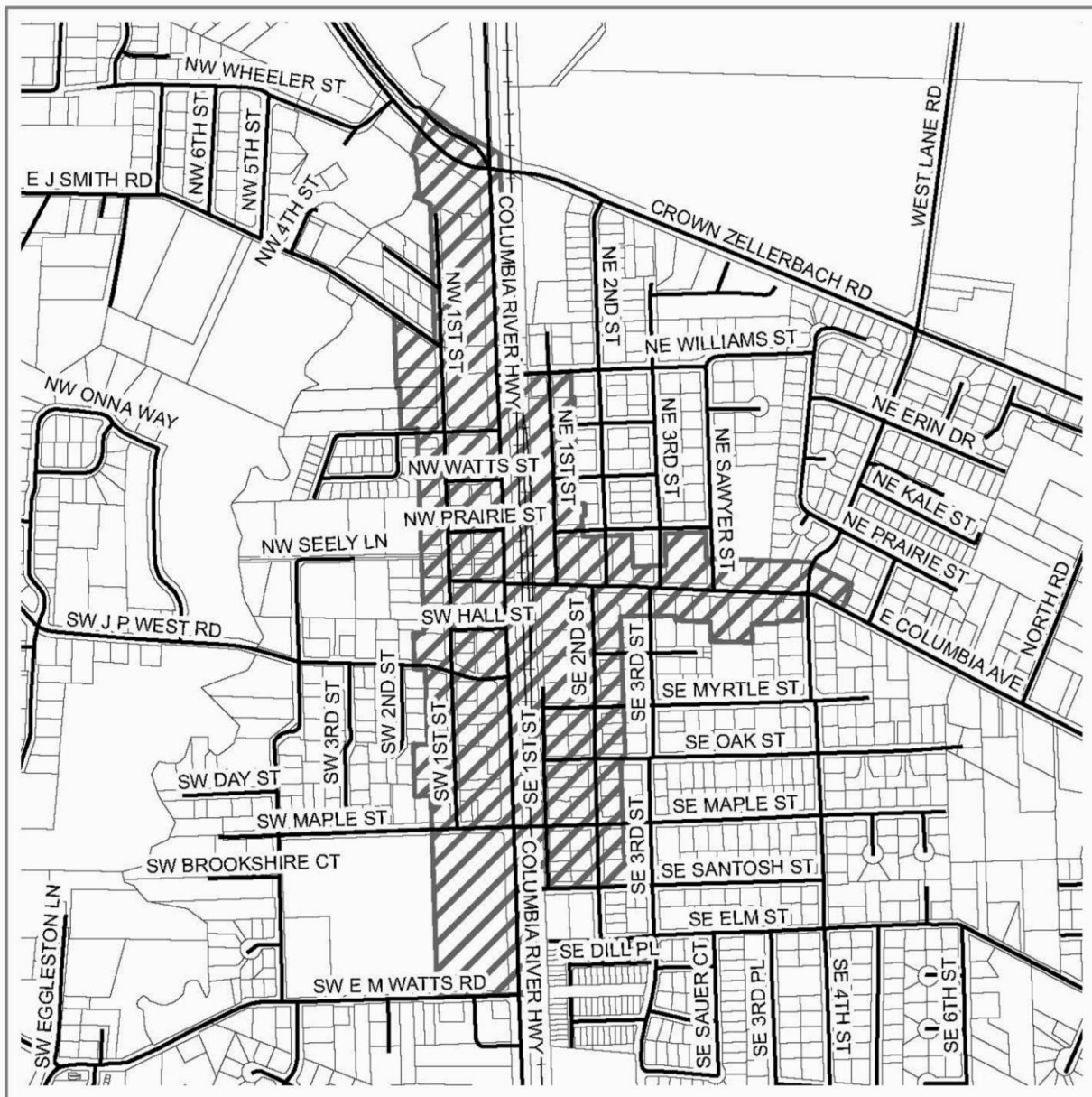
17.80.100 Landscaping.

A. The landscaping requirements of Sections 17.100.090 (Buffering and screening requirements) and 17.100.100 (Screening-Special provisions) shall not apply within the downtown overlay.

B. Pedestrian scale lighting and hanging floral baskets may be substituted for street trees for frontages on the west side of Highway 30 from the northwest corner of JP West Road north to the southwest corner of Watts Street. Such substitutions shall be in accordance with the standards in Section 17.80.060. The design of the fixture shall be subject to approval by the planner.

C. One street tree shall be required per 35 feet of linear street frontage or fraction thereof, except where the planner approves alternative plantings due to visual clearance area requirements, awnings, street lights, doors or other conflicts. Species of street trees shall be subject to approval by the planner and may vary from the approved street tree list where a smaller stature of tree is necessary to resolve conflicts. (Ord. 868, 2018; Ord. 820 §5, 2012; Ord. 811, 2010; Ord. 682 §4 (part), 1999) (Ord. 820 §3, 2012)

Scappoose Downtown Overlay



Legend

- Streets
- Taxlots Boundary
- Downtown Overlay



0 375 750 1,500 Feet