

ORDINANCE NO. 811

**AN ORDINANCE RELATING TO LAND USE AND AMENDING MUNICIPAL CODE
CHAPTER 17.80 (DOWNTOWN OVERLAY)**

WHEREAS, the City of Scappoose adopted development standards for the Downtown Overlay area in 1999, and

WHEREAS, certain provisions in the Downtown Overlay that apply to site alterations have been found to act as a disincentive to redevelopment and should be updated to encourage economic development in the City's traditional center, and

WHEREAS, the proposed amendments would expand the boundaries of the Downtown Overlay; encourage higher density residential development in the downtown area to support local businesses; clarify architectural requirements for new development; and address other housekeeping items, and

WHEREAS, legal and public notices have been provided as required by law; and

WHEREAS, the Planning Commission held a hearing on the application on June 24, 2010 and the City Council held hearings on the application on July 6, 2010 and July 19, 2010; and

WHEREAS, City Council finds that the amendments are in the public interest; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. Chapter 17.80 of the Scappoose Municipal Code is hereby amended as indicated in Exhibit A, attached hereto and hereby incorporated by reference.

Section 2. In support of this ordinance, the City Council adopts the recommendation of the Scappoose Planning Commission and the findings of fact in the Staff Report dated July 1, 2010, attached hereto as Exhibit B.

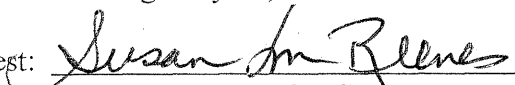
PASSED AND ADOPTED by the City Council this 19th day of July, 2010, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON



Scott Burge, Mayor

First Reading: July 6, 2010
Second Reading: July 19, 2010

Attest: 

Susan M. Reeves, CMC
City Recorder

Exhibit A of Ordinance No. 811 – Amendments to Scappoose Municipal Code Chapter 17.80

(Language to be omitted is ~~strikethrough~~, proposed language additions are double underlined)

Chapter 17.80

DOWNTOWN OVERLAY

Sections:

- 17.80.010 Purpose.
- 17.80.020 Applicability.
- 17.80.030 Uses.
- 17.80.040 Dimensional requirements.
- 17.80.050 Parking lots for commercial uses.
- 17.80.060 Lighting.
- 17.80.070 Service areas.
- 17.80.080 ~~Building orientation~~, 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.

17.80.020 Applicability.

A. ~~West of Highway 30, the~~ The downtown overlay shall apply to properties on the west side of Highway 30 beginning on the north side of E.M. Watts Road at ~~Otto Petersen School~~ 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, and to properties on the east side of Highway 30 beginning at East Columbia Avenue and extending north to Williams Street and including all properties with frontages on NE First Street, East Columbia Avenue extending east to Fourth Street/West Lane, or Highway 30, 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 ~~Exhibit A, attached to the ordinance codified in this chapter.~~

B. ~~Expansion or Redevelopment:~~ For developed properties which do not meet the requirements of these design standards, any building or site alterations on the property must be brought into compliance based on the following:

~~1. The proposed improvements exceed thirty percent of the assessed value as determined by the Columbia County assessor's office for all improvements on the property, including sites with multiple tenants; or~~

~~2. The proposed alterations exceed ten thousand dollars.~~

~~C. Limit of Required Improvements. The requirements of the downtown overlay must be met for the entire property. However, required improvements costing over ten percent of the value of the proposed alterations do not have to be made. It is the responsibility of the applicant to document that the value of the required improvements exceed ten percent of the value of the building and/or site alterations.~~

~~D. Required Standards. Alterations to developed properties shall be brought into compliance with these design standards. When all required improvements are not being made, they shall be provided in the following order of priority:~~

~~1. Parking perimeter screening and planting;~~

~~2. Design of parking;~~

~~3. Architectural character, where applicable;~~

~~4. Lighting.~~

~~E. Section 17.80.080, Building orientation, height and architectural character shall apply only to structures adjacent to East Columbia Avenue and/or Highway 30.~~

~~F.~~

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 and commercial construction. The Chapter shall also apply to major exterior modifications except for existing single-family residences.

D. Changes to existing commercial uses shall be subject to this Chapter if any of the following changes is proposed:

1. An increase in the height or width of the building(s) by more than twenty percent;

2. Demolition or replacement of more than 25% of the surface area of any exterior wall or roof;

3. A change that requires additional on-site parking in accordance with Chapter 17.106; or

4. 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.

17.80.030 Uses.

A. Where base zoning is commercial, permitted Permitted and conditional uses shall be as defined in underlying base zone.

B. Where base zoning is residential, permitted and conditional uses shall be as defined in the underlying base zone, plus the following additional permitted uses:

1. Bed and breakfast facilities;

2. Library services;

3. Professional offices where building footprint is four thousand square feet or less;

4. Dwelling units located on the second floor of professional offices where building footprint is four thousand square feet or less;

5. Single-family attached townhouses on individual lots three thousand (3,000) square feet or greater, not to exceed four units or eighty feet from end-wall to end-wall, whichever is less.

17.80.040 Dimensional requirements.

A. Base zoning dimensions are not applicable within the downtown overlay.

B. Lot area.

1. Where base zoning is commercial, no No-minimum lot area shall be required.

2. Where base zoning is residential and uses are commercial, the minimum lot size shall be six thousand (6,000) square feet.

3. Where base zoning is residential and uses are residential, the minimum lot area shall be:

a. Three thousand (3,000) square feet for a single-family detached residential dwelling unit sixteen feet or greater in height; or

b. Six thousand (6,000) square feet for a single-family detached residential dwelling unit less than sixteen feet in height; or

c. Six thousand (6,000) square feet for the first two attached units plus an additional three thousand (3,000) square feet for each additional dwelling unit; or

d. Three thousand (3,000) square feet for a single-family attached townhouse on an individual lot.

C. Lot width.

1. Where uses are commercial, no No-minimum lot width shall be required.

2. Where uses are residential, the minimum lot width shall be thirty feet for detached residences and twenty feet for single-family attached townhouses.

D. Setbacks. No minimum setbacks shall be required for buildings, except as

1. Where uses are commercial, no setback shall be permitted between the front of the building and the property line adjoining the street. The planner may authorize minor exceptions up to eight feet where necessary to maintain due to lot configuration, visual clearance 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 areas at unsignalized intersections.

2. Where uses are residential,

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;

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;

d. Side yard setbacks for attached 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;

e. Side yard setbacks for detached accessory buildings shall be a minimum of three feet each;

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.

E. No building shall exceed thirty-five feet in height.

17.80.050 Parking lots for commercial 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 shall reflect the general concepts and designs as are shown in the 1998 ODOT/DLDC Quick Response Project and/or the 2002 ODDA Resource Team Report.

B. Location of Parking.

1. New Offoff-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 Offoff-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. Trees shall be used extensively at the perimeter and in the interior of surface parking lots to break up large parking areas and provide shade. One tree which shall provide a canopy of at least three hundred square feet upon maturity shall be provided for each fifty lineal feet of street frontage or fraction thereof.~~

65. 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.

76. Surface parking lot vehicular accessways shall not exceed twenty feet in width, and shall not be located within twenty-five feet of a corner.

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

D. Parking Perimeter Screening and Planting. ~~When required by subsection (A)(1) of this section, parking~~ 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 accessways. 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.

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, ~~or Highway 30, or the connecting side streets.~~

b. Up to a ~~50-~~twenty-five (25) percent reduction capacity for properties in the area existing downtown overlay on the east side of Highway 30 beginning at East Columbia Avenue and extending north to Williams Street and including all properties with frontages on NE First Street, East Columbia Avenue extending east to Fourth Street/West Lane, or Highway 30 as shown on Exhibit A, attached to the ordinance codified in this chapter.

17.80.060 Lighting.

A. Illustrations of desirable lighting ~~shall reflect the general concepts and designs as 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 ~~arterials, major collectors, minor collectors and local streets~~East Columbia Avenue and along West First Street.

C. Pedestrian scale street lights shall be no taller than twenty feet along ~~arterials, major collectors, minor collectors and local streets~~ 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. A minimum average light level of 1.2 footcandles is required for urban spaces and sidewalks.~~

~~I. Maximum lighting levels shall not exceed 3.0 foot-candles at intersections or 1.5 footcandles in parking areas.~~

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

~~K.I.~~ Seasonal lighting is encouraged ~~on trees.~~

17.80.070 Service areas.

A. Illustrations of desirable service area screening shall reflect the general concepts and designs as 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 ~~must~~ 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.

17.80.080 Building orientation, height and architectural character.

~~A. Section 17.80.080, Building orientation, height and architectural character shall apply only to structures adjacent to East Columbia Avenue and/or Highway 30. Illustrations of desirable storefronts, design and architectural character shall reflect the general concepts and designs as shown in the 1998 ODOT/DLCD Quick Response Project and/or the 2002 ODDA Resource Team Report.~~

~~B. Building orientation. For corner lots with frontage on East Columbia Avenue or Highway 30, building orientation shall exist so as to include building frontages and entrances along each street, or so oriented as to include a corner entrance. Incorporation of a corner entrance will require significant building massing and frontage orientation along both street frontages.~~

A. Building Height for Commercial Uses.

~~C. Height.~~

~~1. The facade height of corner buildings shall be two to three stories and not more than thirty five feet high. Where possible corner buildings shall be the tallest structures in each block.~~

~~2. The facade height of buildings in the middle of the block shall be one to two stories and no more than twenty seven feet high.~~

~~3.~~

1. The minimum facade height for single-story buildings shall be twentysixteen 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 midpoint of roof slope.

~~4. There shall be no setback between buildings and the right-of-way.~~

D. 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 lightwindow).

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

~~a.~~ 2. Building Design, Exterior. The exterior walls of building facades along Columbia Avenue or Highway 30 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.

aa. 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 facing Columbia Avenue and Highway 30.

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

ed. Ground floor building facades along a Columbia Avenue or Highway 30 must on commercial buildings shall contain unobscured windows or glass doors for at least forty-five percent of the wall area and seventy-five percent of the wall length within the first ten 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.

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

e.f. New commercial buildings whose street frontage is more than forty-five feet wide shall be designed so they 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, recessed entrances, changes in materials, or other articulation so as such as columns or vertical architectural elements to provide pedestrian scale to the ground floor. Other articulation shall include: columns, pilasters or vertical architectural elements which serve to modulate the building facade.

17.80.090 Signs. A. Signs shall be in accordance with the requirements of Chapter 17.114, Signs.

17.80.100 Landscaping.

A. ~~Except as specifically required in Section 17.80.050, no additional landscaping shall be required within the downtown overlay. The landscaping requirements of Sections 17.100.090 (Buffering and screening requirements) and 17.100.100 (Screening--Special provisions) Chapter 17.100, Landscaping, 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 Street 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 ~~planning commission approval by the planner.~~

C. One street tree shall be required per 35 feet of linear street frontage or fraction thereof, except where planner approves alternative plantings due to visual clearance 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.

Exhibit A Figure 17.80.1

{Delete the existing diagram and replace with the following}

