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2.15.100 Purpose of Special Provisions

This Chapter supplements the standards contained in this ordinance. It also provides standards for certain land uses to ensure compatibility of those uses within all the zoning Districts.

2.15.200 Applicability

The regulations in this Section shall apply in all zoning districts. Where conflict between regulations occurs, the regulations in this Section shall apply.

2.15.300 Accessory Dwelling Unit (ADU)

Accessory dwellings are subject to a Type I review and are subject to the development standards of the underlying land use district. In addition accessory dwellings shall comply with all of the following:

- A. Oregon Structural Specialty Code. The ADU complies with the Oregon Structural Specialty Code.

- B. Owner-occupied. The primary residence or ADU shall be owner-occupied or by a member of the family.
- C. Number of units. A maximum of one (1) ADU is allowed per lot.
- D. Floor area. The maximum living area of the second residential unit shall not exceed fifty (50%) percent of the gross floor space of the primary unit, provided that in no case shall the gross floor area of the second unit exceed eight hundred (800) square feet.
- E. The ADU may be a detached unit, a unit attached to a garage, or a converted portion of the primary dwelling unit.
- F. Setbacks, Height and lot coverage. All ADUs shall meet the minimum setbacks, height requirements and lot coverage standards of the underlying land use district.
- G. Parking. One additional parking space for the ADU shall be provided on-site, and shall meet all applicable parking standards.
- H. Compatibility standards for ADUs. The exterior finish materials, roof pitch, trim, window proportion and orientation, and eaves for the accessory dwelling must be the same or visually match in type, size and placement, the exterior details of the primary dwelling on the lot.
- I. Lighted Entrance. The entrance of an ADU shall be constructed with an exterior light that complies with the Dark Skies standards.
- J. Addressing. Each ADU shall be identified with house numbers which shall be located in such a manner as to be visible from the street.
- K. Each property containing an ADU shall have at least one water and sewer lateral from the city main line to the property line which can be split to accommodate the additional meter and sewer service for the ADU if the existing service line size is adequate. If the size (diameter) of the existing water or sewer lateral line is determined by the developer's Engineer to not be adequate for the proposed use, then it shall be the property owner's responsibility to install an additional or larger service line from the city main line to the property line.

2.15.400 Accessory Structures

All accessory structures shall comply with the following special use standards.

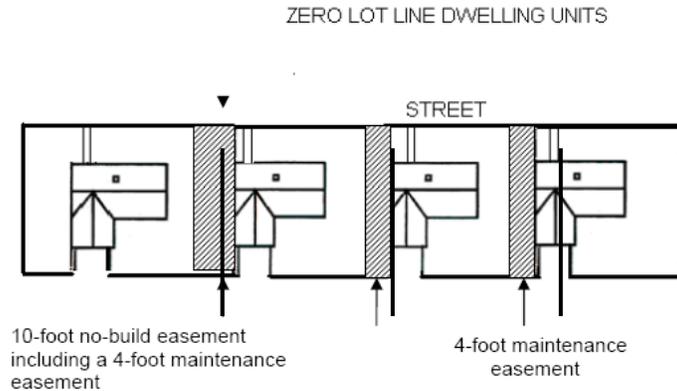
- A. Primary use required. An accessory structure shall not be allowed without another primary structure on the lot.
- B. Floor area. The maximum gross floor area of an accessory structure in the Residential Districts shall not exceed 1200 square feet.

- C. Setbacks, Height and lot coverage. All accessory structures shall meet the minimum setbacks, height requirements and, lot coverage standards of the underlying land use district, unless specified otherwise in this Development Code.
- D. Compatibility standards for accessory structures. Except for yurts, green houses, swimming pools, tree houses and structures under 200 square feet, the exterior finish materials, roof pitch, trim, window proportion and orientation, and eaves for the accessory structure must be the same or visually match in type, size and placement, the exterior details of the primary structure on the lot.

2.15.500 Bed and Breakfast Inn

A bed and breakfast inn shall comply with all of the following special use standards in addition to the standards of the underlying zone:

- A. Accessory use. The bed and breakfast inn must be a use that is accessory to a household already occupying the structure as a residence.
- B. Maximum size. The bed and breakfast inn is limited to a maximum of four (4) bedrooms for guests within the R District; and eight (8) bedrooms for guests within the RMF and Commercial Districts.
- C. Food service. Food services may be provided only to overnight guests of the bed and breakfast inn.
- D. Owner or operator-occupied. The bed and breakfast inn shall be owner or operator-occupied and shall maintain the exterior physical characteristics of a single-family dwelling. No separate structures shall be allowed (except for customary residential accessory buildings such as sheds, or detached garages).
- E. Signs. See Signs, Chapter 3.4.
- F. Parking. See Vehicle and Bicycle Parking, Chapter 3.3.
- G. Spacing. Bed & breakfast inns must be spaced a minimum of 1320 feet from any other bed and breakfast inn within the residential districts.
- H. All inns shall comply with the provisions of the City's Transient Room Tax Ordinance, where applicable.

2.15.600 Zero Lot Line Dwellings

A zero lot-line detached single-family dwelling on an individual lot may deviate from the required side yard building setback by being located on one side property line. Such a dwelling shall be permitted only when conforming with the following requirements:

- A. The adjoining lot abutting the zero side yard setback shall be, at the time of initial construction, under the same ownership; or the zero lot-line dwelling shall be within a land division specifically developed for zero lot-line dwellings, thereby ensuring that the zero setback will not adversely impact adjoining property owners.
- B. A 10-foot no build easement including a 4-foot maintenance easement shall be recorded on the adjoining lot to the zero side yard setback if the adjoining lot will not be developed as a zero lot line dwelling unit.
- C. Buffering. The building placement, landscaping, and/or design of windows shall provide a buffer for the occupants of abutting “zero lot line” lots. For example, this standard is met by placing ground-floor windows (along the zero setback) where views are directed into adjacent yards, or by directing views away from yards or by using frosted glass or other window covering that obscures any view to the interior but allows light into the interior. This standard does not apply to adjoining non-zero lot line lots.
- D. A maintenance easement at least four feet in width shall be recorded on the adjoining lot abutting the zero side yard setback.
- E. The side yard building setback from the lot-line located opposite of the zero lot-line shall be 10 feet. Zero lot-line dwellings shall conform with all other site development standards specified herein.

2.15.700 Home Occupations

A home occupation is a legal, nonresidential income-producing use or activity that is a secondary use of a residence. The purpose of this section is to allow professional and commercial ventures that are appropriate in terms of scale and impact to operate from

a dwelling. Home occupations are subject to a Type I review and are subject to the development standards of the underlying land use district. A home occupation shall require continual compliance with the following:

- A. All businesses conducted within the City limits and from a dwelling shall comply with the licensing requirements for businesses in the City.
- B. Prior to receipt of a business license to conduct a business in and from a dwelling, a Home Occupation Permit shall be obtained from the Community Development Department.
- C. Application for a Home Occupation Permit shall be submitted to the Community Development Department and include a Filing Fee as established by the City Council.
- D. The Community Development Department shall review the Home Occupation Permit application and determine whether or not the proposed home occupation complies with to the regulations of this Section. The applicant may appeal any decision of the Department as provided in Chapter 4.
- E. If the Community Development Director certifies that the proposed home occupation complies with the standards and criteria listed herein, the Home Occupation Permit shall be issued subject to the following requirements:
 1. The person conducting the business shall reside on the premises on a regular full-time basis and the business shall be clearly incidental and secondary to the residential use.
 2. The residential appearance of the premises shall not be altered through remodeling or new construction so as to give the appearance of other than normal residential premises or to call attention to the premises.
 3. There shall be no more than three commercial vehicle deliveries to or from the home occupation site daily. Commercial vehicle deliveries are allowed during the hours of 8 a.m. to 5 p.m. weekdays, excluding holidays.
 4. Other than family members residing within the dwelling located on the home occupation site, there shall be no more than one full time equivalent employee at the home occupation site at any given time. As used in this section, the term "home occupation site" means the lot on which the home occupation is conducted.
 5. There shall be no more than two client or customer vehicles at any one time and no more than eight per day at the home occupation site or in the right-of-way abutting the site.
 6. Business Hours - There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation site only from 8 a.m. to 7 p.m. daily.

7. The business shall be conducted entirely within buildings designed and built for normal residential use; not more than twenty-five (25) percent of all buildings on the property shall be devoted to the home occupation; and there shall be no outside activity, storage or display.
 8. Required Off-Street Parking shall be maintained for vehicle parking purposes and shall not be converted for Home Occupation use.
 9. No trucks or construction equipment shall be parked or stored on or near the premises.
 10. One non-illuminated wall or window home occupation sign not exceeding two (2) square feet in area, and indicating only the name and occupation of the resident. Sign shall be located on the first floor.
 11. The conduct of the home occupation business shall not create a disturbance or nuisance by reason of noise, odor, fumes, dust, vibration, smoke, electrical interference or other causes which are not commonly associated with typical residential activities. The conduct of the home occupation shall comply with the City of Sisters Noise Element in the Municipal Code.
 12. Vehicle painting, repair and/or body and fender work shall be prohibited.
 13. By affixing a signature to the Home Occupation Permit, the applicant acknowledges the Home Occupation Permit requirements, certifies compliance to those requirements, and expresses the understanding that the Home Occupation Permit may be revoked for non-compliance with any of the requirements.
- F. Enforcement - The Community Development Director or designee, with reasonable notice and during normal business hours, may periodically visit and inspect the site of the home occupation in accordance with this section to ensure compliance with all applicable regulations. Code violations shall be processed in accordance with Chapter 1.4 – Enforcement.

2.15.800 Affordable Housing

- A. Purpose. The purpose of this Section is to encourage the development of affordable housing for low-income residents, as defined in this section.
- B. Definitions. Affordable housing is defined as housing in which low income residents spend no more than 30 percent of their gross household incomes on housing-related expenses. Households are considered “cost-burdened” if they pay more than 30 percent of total household income on housing costs. Housing-related expenses are defined by HUD as follows:
 - For homebuyers, housing-related expenses include mortgage principle and interest, taxes, property insurance, mortgage insurance, and essential utilities;
 - For renters, housing-related expenses include rent and utilities.

- C. Applicability. Except where explicitly stated otherwise in this Section, Affordable Housing must comply with the standards of this Code as they apply to all other residential development.
- D. Eligibility.
1. Residential portions of proposals using this bonus shall include one of the following:
 - a. At least 10 percent of units must be affordable to those earning no more than 30 percent of the area median family income;
 - b. At least 20 percent of units must be affordable to those earning no more than 60 percent of the area median family income; or
 - c. At least 40 percent of units must be affordable to those earning no more than 80 percent of the area median family income.
 2. In addition, the bonus provisions of this Section are exclusively available for development that meets one of the three following criteria:
 - a. The development will use funding or loans from State or Federal agencies designated for the purpose of developing low-income affordable housing. As determined by the City Community Development Director, developers utilizing the provisions of this Section may be required to enter into covenants stating that they have or will enter into Use and Regulatory Agreements with one of the following entities: Oregon Department of Housing and Community Services, Federal Department of Housing and Urban Development (HUD), and/or the USDA Rural Development Project.
 - b. The development will create low-income affordable housing and the developer agrees to enter into a covenant with the City, that must be reviewed by the City Attorney, approved by the City Community Development Director, and ratified by the planning commission. The covenant shall do all of the following as a minimum condition of approval with the exception of income monitoring for home ownership programs such as Habitat for Humanity:
 1. State the percentage of the housing units that will be rented or sold at a rate that is affordable to low-income residents.
 2. Delineate a system that enables the City to easily monitor the specified percentage of units is in the fact rented affordably to low-income residents, who qualify under Section 8 HUD guidelines.
 3. Guarantee that the developer or any successor will maintain rent/payments and income controls for a period of 20 years.
 4. Stipulate that if the developer or any successors do not charge affordable rents as provided for in the covenant or do not make a good faith effort to monitor the income level of residents to ensure that they meet the definition of low income at the start of their occupancy, the City is entitled to significant recompense. The amount of recompense

shall be specifically stated in the covenant and determined jointly by the developer and the City.

- c. The development will be built by a recognized non-profit organization (such as Habitat for Humanity) whose mission is to provide affordable housing. The organization will be required to provide the following documentation:
 1. 501c3 Status
 2. Mission Statement
 3. Family Selection Criteria (including family income less than 60% of area median income).
 4. Trust Deed or Sales document used by the organization which ensures long-term affordability (such as a shared appreciation agreement or other deed restriction).
- E. Density Bonus. Housing developments that meet the eligibility requirements of this section may be up to 125% as dense as is otherwise allowed within the applicable district. This density bonus may be translated into the creation of new lots that are no smaller than 80% of the permissible lot size in any residential zone.
- F. Height Bonus. Housing developments that meet the eligibility requirements of this section may be up to 5 feet taller and multi-family housing may be up to 7 feet taller than is normally allowed within the applicable district.

2.15.900 Manufactured Dwellings on Individual Lots

Manufactured dwellings are permitted on individual lots, subject to all of the following special use standards, and consistent with ORS 197.307(5). However, the following standards do not apply to manufactured dwellings placed on individual lots within the City prior to the effective date of this Code.

- A. The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.
- B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade.
- C. The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
- D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.
- E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.
- F. The manufactured home shall have a garage or carport constructed of like materials. An attached or detached garage in lieu of a carport shall be required

where such is consistent with the predominant construction of immediately surrounding dwellings

2.15.1000 Manufactured Dwelling Parks

A manufactured dwelling park shall be developed to state standards in effect at the time of construction and the following special use standards:

- A. Evidence of certificate of sanitation. The applicant shall provide evidence that the manufactured dwelling park will be eligible for a certificate of sanitation as required by state law.
- B. Water, electrical and sewerage connections. Each space within the manufactured dwelling park shall be provided with piped potable water, electrical and sewerage connections.
- C. Density. The maximum number of manufactured dwellings allowed within a manufactured dwelling park shall not exceed 12 units per acre of the total acres within the manufactured dwelling park. The hearings body may authorize density bonuses for the following amenities:
1. If dedicated open space equals 50% or more of the total area of the manufactured dwelling park, a 10% density bonus may be granted.
 2. If playground equipment such as swings, slides, etc. is provided in the required recreational area (see I below), a 5% density bonus may be granted.
 3. If an approved recreation/community building is provided, a 10% density bonus may be granted.

The maximum total density bonus available is 25%, or a maximum of 15 manufactured dwellings per acre.

- D. Setbacks. Placement of manufactured dwellings on individual spaces shall maintain the following setbacks:
1. No manufactured dwelling pad or other building or structure shall be located within 10 feet of a public street property boundary or 10 feet of another property boundary. No garage shall be located within 20 feet from the public street property boundary or of another property boundary.
 2. No manufactured dwelling pad in the park shall be located closer than 15 feet from another manufactured dwelling pad or from a general use building in the park.
 3. No manufactured dwelling accessory building shall be closer than 10 feet from a manufactured dwelling accessory building on another manufactured dwelling-space.

- E. Storage. Facilities shall be provided to assure that there will be no outdoor storage of furniture, tools, equipment, building materials or other supplies belonging to the manufactured dwelling owners or management of the park.
- F. Screening. The manufactured dwelling park shall be surrounded, except at entry and exit points, by a sight-obscuring fence or hedge not less than six feet in height.
- G. Street signs. If the manufactured dwelling park provides spaces for 50 or more units, each vehicular way in the park shall be named and marked with signs that are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the fire department.
- H. Fire hydrants. The manufactured dwelling park shall have water supply mains designed to serve fire hydrants and shall meet Public Works standards.
- I. Recreational area. A minimum of at least 2,500 square feet plus 100 square feet per manufactured dwelling space shall be provided for recreational play area, group or community activities. The hearings body may require that this area be protected from streets and parking areas by a fence at least 30 inches in height. Recreation areas shall be improved with grass, plantings, surfacing or buildings suitable for recreational use. No recreation facility created within a manufactured dwelling park to satisfy the requirements of this section shall be open to the general public.
- J. Parking. Two parking spaces shall be provided for each manufactured dwelling space on the site. Additional guest parking spaces shall be provided in every manufactured dwelling park within 200 feet of the spaces served, at a ratio of one guest parking space for each four manufactured dwelling spaces. Parking spaces shall have durable surfaces adequately maintained for all-weather use and shall be properly drained.
- K. Access. All manufactured dwelling parks shall have access to a public street. Secondary access to the manufactured dwelling park shall connect to the public street system at least 150 feet from the primary access.
- L. Internal streets. Roadways within the manufactured dwelling park shall conform to City of Sisters Public Works pavement standards. The minimum surfaced width of internal manufactured dwelling park streets shall be 20 feet if there is no parking allowed and 30 feet if parking is allowed on both sides.
- M. Traffic safety. In instances where a manufactured dwelling park is sited on a parcel larger than 10 acres, access via a collector street may be required, and additional requirements for traffic safety may be imposed. These elements will be addressed during Site Design Review or Development Review.
- N. Improvement standards. The improvement of driveways, walkways, streets, drainage and other utilities shall conform to adopted State standards for such or shall conform to the City's standards specifications manual, whichever is more restrictive.

2.15.1100 Residential Care Homes and Facilities

Residential care homes and facilities as defined shall comply with the following special use standards, consistent with ORS.

- A. **Licensing.** All residential care homes and facilities shall be duly licensed by the State of Oregon.
- B. **Site Design Review.** Site Design Review shall be required for new structures or conversion of existing structures to be used for residential care facilities, to ensure compliance with the licensing, parking and other requirements of this Code. Residential care homes are exempt from this requirement.

2.15.1200 Residential Uses in Commercial Districts

Except as may be modified by Master Plan, all non stand-alone residential uses in commercial districts (DC and HC) shall comply with the standards listed below, in addition to the development and design standards in the base land use district. The Western Frontier Architectural Design Theme standards are applicable to residential dwellings in mixed-use development and to stand-alone residential uses located in the Downtown Commercial District.

- A. **Mixed-use development standards.** Both vertical mixed use (dwellings above the ground floor), and horizontal mixed use (dwellings on the ground floor) developments are allowed, subject to the following limitations:
 - 1. **Limitation on street-level dwellings on mixed use buildings.**
 - a. One-hundred (100) percent of the first floor street frontage shall be commercial.
 - b. A minimum of 50 percent of the ground floor shall be commercial uses.
 - c. Ground floor entrances or breezeways are permitted for dwellings located above or behind a non-residential storefront use.
 - 2. **Density.** There is no minimum or maximum residential density standard.
 - 3. **Parking, Garages and Driveways.** All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas behind or to the side of the building; except that side yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances shall be oriented to a side street (i.e., away from the main street) when access cannot be provided from an alley.
 - 4. **Common areas.** All common areas shall be maintained through a legally enforceable maintenance agreement approved by the Community Development Director.

2.15.1300 Attached Dwelling (Townhome)

Single-family attached dwellings (townhome units on individual lots) shall comply with the standards listed below.

- A. Building mass supplemental standard. Within the Residential District (R), the number of consecutively attached townhomes (i.e., with attached walls at the property line) shall not exceed 2 units. In the Residential Multi-Family District (RMF), the number of consecutively attached townhome units shall not exceed 4 units.
- B. Alley access. Townhome dwellings shall receive vehicle access from a rear alley where an alley is available or can be extended. Alleys should be created at the time of land division approval.
- C. Street access. Where alley access is not feasible or practical because of existing development patterns or topography, townhomes receiving access directly from the street shall comply with the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for improved stormwater management.
1. When garages access the street, they shall comply with the following standards.
 - a. Garages shall be recessed behind the front building elevation (enclosed habitable area) by a minimum of 10 feet when the dwelling is built to the minimum front yard setback of the underlying zone district.
 - b. Garages may be built flush with or recessed behind the front building elevation when the dwelling is setback a minimum of 20 feet.
 2. The maximum combined garage width per unit is 50 percent of the total building width.
 3. Two adjacent townhomes may share one driveway with a maximum width of 20 feet when individual driveways would otherwise be separated by less than 20 feet. When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.
- D. Common areas. Where applicable common areas shall be maintained by a homeowners association or other legal entity.

2.15.1400 Adult Business / Adult Entertainment

The purpose of this section is to establish parameters by which an adult business/adult entertainment use may locate within the City of Sisters. An adult business/adult entertainment use is permitted in the Commercial Districts in the City of Sisters, subject to compliance with the following special use standards.

- A. Spacing. A use defined as an adult business/adult entertainment use must be at least the minimum distance away from all of the following pre-existing uses (as measured in a straight line):
1. 1,500 feet from a public or private school;
 2. 1,500 feet from a church, synagogue or other place of worship;
 3. 1,500 feet from a public park, library or recreational facility;
 4. 1,500 feet from an Residential District; and
 5. 1,500 feet from an established adult business/adult entertainment use.
- B. Permit required. A permit shall be required from the Bureau of Licenses for any proposed adult business prior to the establishment of the use or business. It shall be a violation of this Code for any person or persons to engage in, conduct or carry on or to permit to be engaged in or upon any premises within the City of Sisters the operation of any adult business or use unless a permit has first been obtained from the Bureau of Licenses. At no time shall a person or persons be employed by such a use prior to permit issuance by the Bureau of Licenses.
- C. Application requirements. An applicant for an adult business or use shall provide the following:
1. Written proof that the applicant is at least 18 years of age.
 2. Business occupation or employment information for the 3 years immediately preceding the date of the application.
 3. Business license and permit history of the person operating a business identical to or similar to those regulated by this Code section.
 4. Whether such person previously operating such business in this or any other city or state under any license or permit, has had such license or permit revoked or suspended. Reasons for any permit suspension or revocation shall be provided, and the business activity or occupation of the person subsequent to such action or suspension or revocation shall be provided.
 5. The name, address, telephone number, birth date, and principal occupation of the applicant and managing agent.
 6. The name, address, telephone number of the proposed business or use, and a written description of the exact nature of the business to be operated.
 7. The names, addresses, telephone number, birth dates of all partners in the business or use. Included shall be the principal occupation of each of the partners, whether general, limited or silent, and the respective

share of the business held by each partner. If a corporation, the corporate name, a copy of the Articles of Incorporation, and the names, addresses, birth dates, telephone numbers and principal occupations of every officer, director and shareholder (having more than 5% of the outstanding shares) and the number of shares held by each.

8. Any criminal convictions or arrests relating to theft, controlled substances, gambling, prostitution, obscenity, racketeering, fraud, or tax evasion as defined in Chapter 166 of Oregon Revised Statutes, of each applicant and natural person enumerated in section 1-7 herein.
 9. All residence addresses of all persons described in section 1-7 herein within the last 3 years.
 10. A personal financial statement of each natural person enumerated in section 1-7 herein, including the location of all bank accounts, the amounts respectively deposited therein, and a complete listing of all outstanding debts and loans.
 11. Each applicant and person described within section 1-7 shall appear in person before the Deschutes County Sheriff, or his designee, for fingerprinting and the taking of photographs.
- D. Confidentiality. The application form required pursuant to this section, which contains personal and business information, shall remain confidential to the maximum extent permitted by law.

2.15.1500 Service Stations

The following special use standards shall apply to vehicle service stations with pump islands.

- A. Minimum lot size. The minimum lot size for a service station shall be 12,000 square feet with a minimum street frontage of 100 feet on a street corner and 120 feet on an interior lot.
- B. Required front yard setback. A 10-foot landscaped front yard (and side yard when facing a street) setback from the property line is required. Landscaping shall be a minimum of three (3) feet in height within the 10 foot setback area. Only access driveways constructed with the minimum width necessary for the use may encroach into this required setback.
- C. Lighting. Lighting fixtures installed within the fueling island canopy shall not extend below the canopy ceiling.
- D. Other provisions.
 - A. No storage of inoperable automobiles or parts thereof shall be permitted except in enclosed structures.

- B. Landscape planters shall be used when practical as fuel island bollards to protect gas pumps.
- C. Pedestrian sidewalk or pathway connection(s) linking the vehicle service station to the street are not required.
- D. Vehicle service stations shall comply with standards for Drive-Through Facilities in Section 2.15.1600, unless specifically exempted.

2.15.1600 Drive-Through Facilities

It is the City of Sisters intent and policy to promote and encourage pedestrian use of the city. Many events are held within the City of Sisters that are predominately pedestrian based. It is the City's intent to support these events, future events, the 1880's theme, and resident use of the city by promoting pedestrian safety. To that end, the standards for drive-through facilities are intended to:

- Promote safer and more efficient on-site vehicular and pedestrian circulation
 - Reduce conflicts between vehicles and pedestrians on adjacent streets.
 - Reduce conflicts between queued vehicles and traffic circulation on adjacent streets
 - Reduce noise, lighting, vehicular traffic and visual impacts on abutting uses.
- A. Vehicular access. All driveway entrances, including stacking lane entrances, must meet vehicular access and circulation standards in Chapter 3.1, the Transportation System Plan, and the Public Works Standards, as applicable.
 - B. Stacking lane standards. The stacking lane is the space occupied by vehicles queuing for the service to be provided.
 1. A minimum of four (4) stacking spaces for one lane, two (2) stacking spaces per lane for multiple stacking lanes is required (20-feet per stacking space). A stacking lane is measured from the back of sidewalk to the service area.
 2. Stacking lanes must be designed so they do not interfere with on-site pedestrian, parking and vehicle circulation.
 3. Pedestrians must be able to enter the establishment from the sidewalk or on-site parking lot without crossing the stacking lane(s).
 4. All stacking lanes must be clearly identified, through the use of means such as striping, landscaping, or directional signs.
 5. Drive-through elements (e.g., stacking lanes, queuing lanes, order windows, pick-up windows) shall not be oriented to a street or corner and shall be primarily oriented to the rear or the side of a lot. On a corner lot, drive-through elements may be oriented to the lower class side street. This standard is not applicable to service stations.

- C. Setbacks and landscaping. All drive-through facilities must provide the setbacks and landscaping stated below.
1. Service areas and stacking lanes must be set back a minimum of 15 feet from all lot lines which abut Residential Districts. The 15-foot setback area must be landscaped with a combination of 5 shade trees per 100 lineal feet (deciduous trees capable of at least 25 feet in height and spread at maturity); and 50 evergreen shrubs per 100 lineal feet (capable of at least 8 feet in height at maturity); with the balance of the buffer area devoted to ground cover. Additionally, a minimum 6-foot masonry sound wall shall be placed along the property line.
 2. Service areas and stacking lanes must be set back a minimum of 10 feet from all lot lines which abut non-Residential Districts. The 10-foot setback area must be landscaped with 40 evergreen shrubs per 100 lineal feet, with the balance of the buffer area devoted to ground cover. A wall or fence may also be required as a condition of site design review for screening or noise protection.
 3. Service areas and stacking lanes must be set back a minimum of 20 feet and buffered from adjacent streets. Properties in the Highway Commercial District which abut a state highway shall refer to Table 2.5.2 for buffer setbacks.
 4. A minimum 10-foot wide landscape area shall be provided along all street frontages.
- D. Compliance with design standards required. Drive-through facilities must comply with all of the development and design standards of the base zone. At a minimum, the following design elements are required:
1. A main entry to the drive-through building, if provided, must be oriented to the public street, with a direct pedestrian connection from the public street sidewalk to the main entry. The pedestrian connection shall be separate from and not crossed by driveway or stacking lanes. This standard is not applicable to service stations and other drive-through businesses that do not also serve pedestrians (e.g., car washes, lube services, etc.).
 2. Building massing and roofs shall be designed with multiple features that break down the box, with a primary emphasis on windows, colors, textures, and broken roof lines. Windows shall be provided on all sides of the building that are visible from a public street or sidewalk. Building areas that are not conducive to windows can be fitted with "false windows." There shall be a minimum of one dormer or roof offset for every 40 feet of ridgeline when a pitched roof style is chosen. This standard is not applicable to service stations.

2.15.1700 Recreational Vehicle (RV) Parks/ Campgrounds

A recreational vehicle (RV) park shall conform to state standards in effect at the time of construction and the following special use standards:

- A. RV pad surface. The space provided for an RV shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide for the control of runoff or surface water. The part of the space which is not occupied by the recreational vehicle and not intended as an access way to the recreational vehicle or part of an outdoor patio need not be paved or covered with gravel, provided the area is landscaped or otherwise treated to prevent dust or mud.
- B. Roadways. Internal RV park roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway. Roadways shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreational vehicle space.
- C. Entrance driveways. Entrance driveways to an RV park shall be located no closer than 150 feet from the intersection of public streets.
- D. Trash receptacles. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park, screened with solid, durable and attractive walls/fences, a minimum of six (6) feet in height, with solid doors, and located in such number and of such capacity that there is no uncovered accumulation of trash at any time.
- E. Parking. The total number of parking spaces in the park, except for the parking provided for the exclusive use of the manager or employees of the park, shall be equal to one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.
- F. Restrooms. The park shall provide toilets, lavatories and showers for each sex as required by the State Building Agency Administrative Rules, Chapter 918. Such facilities shall be lighted at all times of night and day, shall be ventilated, and shall be provided with adequate floor drains to permit easy cleaning.
- G. Screening. The recreational vehicle park shall be enclosed by a fence, wall, landscape screening, berms, or by other designs approved by the Hearings Body which will complement the landscape and assure compatibility with the adjacent environment.
- H. Perimeter strip. The recreational vehicle park shall set aside along the perimeter of the park a minimum ten foot strip which shall be sight obscuring landscaping and used for no other purpose. Additional area for landscaping may be required through the Site Design Review process.
- I. Accessory uses. Management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, and other uses and

structures customarily incidental to operation of a RV park and campground are permitted as accessory uses to the park.

2.15.1800 Communication Facilities

The following special use standards are applicable to all telecommunication facilities including radio, television tower, and cellular communication facilities.

- A. Equipment storage. In residential districts, all equipment storage on the site may be required to be within an enclosed building.
- B. Fencing and landscaping. The review authority may require fencing and landscaping of the facility.
- C. Minimum lot size. The minimum lot size for a public utility facility may be waived on finding that the waiver will not result in noise or other detrimental effect to adjacent property.
- D. Height. Transmission towers are limited to the maximum height limit of the base land use district with the exception of the following; (1) 120 feet maximum on Public Facilities District properties T15 R10 S05 900, T15 R10 S06 103 and T15 R10 09 1002 within the city limits of Sisters, and (2) 50 feet maximum, as measured above grade in the Downtown Commercial and Highway Commercial districts. Posts, overhead wires, pumping stations, and similar facilities shall be located, designed and installed to minimize conflicts with scenic values.
- D. Stealth or camouflage. All telecommunication facilities shall be either stealth or camouflage design. Stealth is defined as installations that are indistinguishable from existing structures. Camouflage installations are designed to blend into existing building structures and landscapes. All telecommunication facilities are reviewed through a Type III quasi-judicial procedure, except for co-location, which shall be a Type II.
- E. The applicant shall remove the tower and equipment within 60 days of expiration of the lease or within one year of abandonment of the use.
- F. The applicant shall post a performance bond in a sufficient amount to cover the costs of restoring the leased area to its original condition after the lease expires or the use ceases, in the event the applicant fails to do so.

2.15.1900 Temporary Uses

- A. **Purpose**
Approval may be granted for structures or uses which are temporary in nature provided such uses are consistent with the intent of the underlying zoning district and comply with all provisions of this Code.
- B. **Application and Fee**
The applicant shall pay the required fee as established by the City Council. The applicant is responsible for submitting a complete application which addresses

all review criteria. Temporary use permits, except reviews for Temporary Sales Office, Model Home or Construction Building and Trailers, and seasonal sales as defined herein, shall be subject to a TYPE II review process.

C. Permit Approval

1. Approval Criteria

A temporary use permit (TUP) may be authorized by the Community Development Director or his/her designee provided that the applicant demonstrates that the proposed use:

- a. Meets all applicable City and County health and sanitation requirements.
- b. Meets all applicable Building Code requirements and zoning setbacks and will obtain permits for any proposed construction, electrical service or plumbing required to serve the temporary use.
- c. Is not being located in the public right-of-way or impeding the safety or movement of pedestrians.
- d. Is located in such a manner that they will not impede the normal use of driveways or circulation aisles, nor be located in a manner that encourages customers to stop in the street, driveway or circulation aisle to obtain vendor service.
- e. Is restricted to the immediate confines of the temporary stand or structure, or area approved as part of the permit.

2. Time Limits

Time Limits. Unless otherwise noted, the temporary use shall cease and any approved structure removed upon expiration of the temporary use permit, unless renewed by the Community Development Director or his/her designee. In no case shall a temporary use permit be issued for a period exceeding 180 days in any 365 day period.

3. Additional Conditions

In issuing a temporary use permit, the Community Development Director or his/her designee may impose reasonable conditions as necessary to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to the following: increased yard dimensions; fencing, screening or landscaping to protect adjacent or nearby property; limiting the number, size, location or lighting of signs; restricting certain activities to specific times of day; refuse containers; and providing sanitary lavatory facilities or have a written agreement for use of lavatory facilities by operators and patrons within 200 feet of the vehicle's location.

4. Revocation

Any departure from approved plans not authorized by the Community Development Director or his/her designee shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of TUP approval are not or cannot be satisfied, the TUP approval, or building and occupancy permits, shall be revoked.

- D. Signs.** All signs shall comply with Chapter 3.4.
- E. Seasonal sales.** The applicant shall pay the required fee as established by the City Council. The applicant is responsible for submitting a complete application which addresses all review criteria. Seasonal sales shall be subject to a Type I review procedure unless otherwise noted herein. The following standards shall apply to seasonal sales which are limited to:
- 1. Fireworks Sales**
Fireworks sales shall be consistent with the Municipal Code.
 - 2. Christmas Tree Sales**
 - a. The annual season for Christmas tree sales shall commence no sooner than the day after Thanksgiving and shall continue no longer than December 27.
 - b. A business license shall be required pursuant to the Municipal Code.
 - 3. Pumpkin Patch Sales**
 - A. The annual season for pumpkin sales shall commence no sooner than September 25 and continue no longer than November 5.
 - B. A business license shall be required pursuant to the Municipal Code.
 - 4. Signs.** All signs for seasonal sales shall comply with Chapter 3.4 and shall be removed no later than the day after the holiday.
 - 5. Non-profit fundraiser sales.** Temporary non-profit seasonal sales are permitted up to 30 consecutive days per calendar year and are not subject to City review. However, temporary non-profit seasonal sales that operate for more than 30 consecutive days per calendar year shall pay the required fee and shall undergo the Type I review process established in Chapter 4.1. Verification of the non-profit status shall be required prior to waiving the City review.
- F. Temporary Sales Office, Model Home or Construction Building and Trailers.**
- 1. Temporary sales office and Model Homes.** The use of any real property within the City as a temporary sales office, offices for the purpose of facilitating the sale of real property, or model home in any subdivision or tract of land within the City, but for no other purpose, shall require a Type I review. The City may approve, approve with conditions or deny an application for a temporary sales office or model home, based on the following criteria:
 - a. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is to be sold; and
 - b. The property to be used for a temporary sales office shall not be permanently improved for that purpose.

- c. Use of an off-street enclosed parking space (i.e., garage) as a temporary office shall be terminated upon occupancy of the residence and the garage returned to its original use for vehicle parking.
 - d. The temporary sales office shall be removed at the end of construction, or once all lots and/or dwelling units are sold, rented, or leased
2. Temporary construction buildings or trailers at a building site are permitted and shall be removed at the end of construction or once all lots and/or dwelling units are sold, rented, or leased.

2.15.2000 Major Retail Development Standards.

- A. A Major Retail Development shall require a Master Plan.
- B. Major Retail Development Standards. The following development standards apply to all Major Retail Development. The goal of these development standards is to affirm the City's objective that Major Retail Development create or impart a sense of place and/or streetscape at a scale appropriate to the character of Sisters with its small town atmosphere, its exceptional unique architectural characteristics and rural western community heritage, as well as preserving the diversity and vitality of Sisters' commercial districts and the quality of life of Sisters residents. It is generally noted that the typical or classic "big box" type of commercial building and development pattern does not meet these community development objectives. In addition to the development standards prescribed elsewhere in this Chapter and the Development Code, all Major Retail Development shall comply with the following development standards:
 - 1. All development shall comply with the 1880's Western Frontier Design Theme.
 - 2. Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; 1880s theme wall lighting; and similar features.
 - 3. The design of service areas, including outdoor storage, trash collection, loading, etc., shall be incorporated into the primary building design and shall be of materials of comparable quality and appearance as that of the primary building.
 - 4. When the service areas (loading docks, refuse storage and enclosures, etc.) are adjacent to or across the street from residential neighborhoods, all delivery trucks, garbage trucks, and other large vehicles servicing the commercial development shall access the service areas via internal driveways and not from the residential street.
 - 5. Any equipment, whether on the roof, side of building, or ground, shall be screened. The method of screening should be architecturally integrated with the building design in terms of materials, color, shape and size. Screening shall be applicable to all fire codes and height requirements.

6. Parking and security lights shall not be taller than the buildings within the development, or a maximum of twenty (20) feet above grade, whichever is less and shall comply with the Dark Skies Standards in Special Provisions.
 7. All ground mounted and monuments signs permitted by the Sign Ordinance for the applicable zoning district shall be located in a landscaped area that is equal in size or larger than the total sign area for that freestanding sign.
 8. Maximum size of interior shall not exceed 50,000 square feet
- C. Major Retail Development - Abandoned Building Surety Bond. As may be required by the City, all Major Retail Development as defined herein, shall obtain, provide evidence to the City, and carry in full force and effect throughout the duration of the life of the building, or time period as may be stipulated by a development agreement, a performance/surety bond providing for demolition of the primary building or buildings as identified by the City. Said performance/surety bond shall be an amount 120 % of an estimate of the funds to cover the cost of complete building demolition and maintenance of the vacant building site if the primary building is ever vacated or abandoned, and remains vacant or abandoned for a period of more than 24 consecutive months following primary business closure. The cost estimate must be submitted to and accepted by the City prior to bonding.

2.15.2100 Portable Carports

The following regulations shall apply to all portable carports:

A building permit may be required prior to the installation of any portable carport to be consistent with Fire and Building Codes, including proper placement and anchoring. Portable carports shall not be located within twenty (20) feet of the front property line in a Residential Districts, and in no case shall these carports be permitted to encroach beyond the front elevation of the residence.

Portable carports shall meet the minimum setback standards of the underlying land use district except as stated in 2.15.2100.

2.15.2200 Public Art

All sculpture and visual art shall incorporate themes related to Sisters' western heritage, culture, recreation, natural surroundings, wildlife, history and educational opportunities. These themes can be interpreted by a wide range of artistic styles, ranging from traditional to contemporary. Such displays shall be subject to Planning Commission approval.

2.15.2300 Vision Clearance.

Vision clearance is defined by a triangle created as follows: starting at the intersection of the projections along the edge of the pavement or along curb lines into the intersection of two vehicular ways, measure out from this point along each way for the specified distance to create two legs of a triangle and connect these two legs across the corner of the intersection (as shown in Figure 2.15.2300.A.). The clear vision space is defined by this triangle between 3' and 8' in height from the ground; within this space, the line of sight must remain unobstructed.

The legs of the triangles shall be determined as follows:

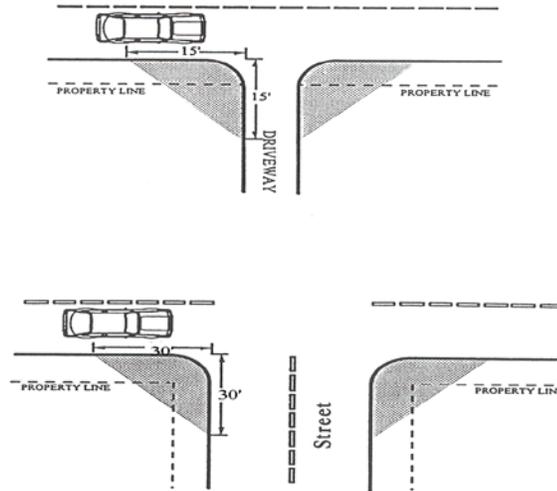
1. At the intersection of a street (public or private) and a driveway, alley, lane, or other vehicle way that is not a street, the minimum distance along each vehicular way as defined above shall be 15'.
2. At an intersection of two streets (public or private) having 90 degree angles at the intersection, the minimum distance along each vehicular way as defined above shall be 30 feet.
3. At traffic circles, acute or obtuse angles, and other non-conventional intersections of two streets, the vision clearance area may be determined by the Public Works Director. However, the every attempt shall be made to ensure that the minimum distance measured along each vehicular way as defined above is 30 feet.

Except as exempted below, no signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas," as shown in Figure 2.15.2300 A. This standard applies to the following types of roadways: streets, alleyways and railways. The minimum vision clearance area may be increased by the City Engineer upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.).

The clear vision area provisions do not apply to the following;

1. Any sign, post, pole or similar structure installed and maintained by a public entity; or,
2. Any private post or pole eight inches or less in diameter (width or length).

Figure 2.15.2300 A - Vision Clearance Area



2.15.2400 Dark Skies Standards.

- A. Requirements for installation. Except as exempted by provisions of this ordinance, as of the date of adoption, the installation of outdoor lighting fixtures shall be subject to the provisions of this ordinance and with the provisions of the applicable building Code and electrical Code, and with the Sign Chapter 3.4
- B. Shielding. All nonexempt outdoor lighting fixtures shall have light directed luminaires or shielding so as to prevent direct light from the fixture shining beyond the property limits where the fixture is installed. This means that a person standing at the adjacent property line would not see the light emitting source. Shielding by design or external application directs light downward and limits direct line-of-sight of a fixture's lamp to the property upon which the fixture is installed and light directed upward is prohibited.
- C. Permitted.
1. Maximum Lamp Wattage and Required Luminaire or Lamp Shielding:

All lighting installations shall be designed and installed to be fully shielded (full cutoff), except as in exceptions below, and shall have a maximum lamp wattage of 250 watts High Intensity Discharge (HID) or lumen equivalent for commercial lighting and 100 watts incandescent, and 26 watts compact fluorescent lighting or lumen equivalent for residential lighting (or approximately 1,600 lumens).
 2. Landscape and Deck lighting. Low voltage landscape lighting, but such lighting shall be shielded in such a way as to eliminate glare and light trespass. Luminaries shall be mounted in or at grade (but not more than 3 feet above grade) and shall be used solely for landscape rather than any area lighting.
- D. Prohibitions.
1. Laser Source Light. The use of laser source light or any similar high intensity light when projected beyond property lines is prohibited.
 2. Searchlights. The operation of searchlights for purposes other than public safety or emergencies is prohibited.
- E. Exemptions.
1. Existing.
 - A. Outdoor light fixtures lawfully installed prior to and operable prior on the effective date of the requirements codified in this ordinance (May 13, 2010) are exempt from all such requirements except as follows:

1. All replacement of outdoor lighting fixtures, as of the date of adoption, shall be subject to the provision of this ordinance.
2. Until a date five years after the date of the adoption of this ordinance.
2. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from the requirements of this ordinance.
3. Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration are exempt from these provisions. All other airport outdoor lighting must conform with this ordinance.
4. Decorative Lighting
 - a. All non-residential districts multicolored lights of less than 15 watts used for holiday decorations for no more than the period between the day after Thanksgiving and the second week of January are exempt from the requirements of this ordinance.
 - b. Decorative low wattage lights in residential districts.
 - c. Low wattage clear or white decorative lights.
5. Special events that require the use of temporary outdoor lighting fixtures are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
6. Lighting for U.S. flags properly displayed.
7. Temporary exemptions to the requirements of this ordinance for up to five consecutive days per calendar year.
8. Construction lighting necessary for an allowed use are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
9. Individual light fixtures with lamps of less than 40 watts or lumen equivalent.
10. Athletic field lighting; steps should be taken to minimize glare and light trespass, and utilize sensible curfews. Light directed upward is prohibited.

2.15.2500 Solar Access Standards

Building Setbacks for the Protection of Solar Access.

- A. Purpose. The purpose of this Section is to provide as much solar access as feasible during the winter solar heating hours to existing or potential buildings by requiring all new structures to be constructed as far south on their lots as is necessary and feasible.

B. Standards.

1. All new structure or addition to existing residential structures shall meet the following standards except those mentioned in (C) (2) below:
 - a. South Wall Protection Standard. The south wall protection standard is established in Figure 2.15.2500.A, and all new structures or additions shall meet this standard if feasible. If it is not feasible due to physical constraints of the lot, including but not limited to rock outcroppings, septic systems, existing legal restrictions, or lot dimensions as determined by the Community Development Director, then the structure or addition must be located as far to the south on the lot as feasible and must meet the standards set forth in (b) below.
 - b. South Roof Protection Standard. All new structures or additions to existing structures shall meet the standard for south roof protection set forth in Figure 2.15.2500.B.
 - c. Exceptions. The south roof protection standard shall not apply only if the applicant establishes:
 1. that the structure cannot be located on the lot without violating the requirements contained in Figure 2.15.2500.B; and
 2. that the structure is built with its highest point as far to the south as feasible; and
 3. that the structure is a single family residence with its highest point less than or equal to 16 feet in heights; or, if not a single family residence;
 4. that it is a permitted use for the lot.
 - d. Exemptions:
 1. Property which is zoned commercial or industrial shall be exempt from meeting the solar setback. That portion of residential property abutting commercial or industrial property shall be exempt from meeting the solar setback requirements.
 2. All new residential lots, when approved through the subdivision, Master Plan or partition process, shall be exempt except when along the northern property line of the fully phased master plan.
 3. The governing body may exempt from the provisions of this Section any area in which it determines that solar uses are not feasible because the area is already substantially shaded due to heavy vegetation, steep north facing slopes, and any area or zone in which taller buildings are planned.
 4. The Community Development Director shall exempt a structure from the provisions of this Section if the structure will shade only a protected area in which solar uses are not feasible because the protected area is already substantially shaded at the time a request for exemption is made and approved by the Community Development Director. Notice of the proposed exemption shall be sent to the affected property owner(s). Any exemption may be appealed by the affected property owner(s) in accordance with Chapter 4.1

Figure B

ESTIMATED SOLAR SETBACKS

SOUTH WALL PROTECTION

8-Foot Fence

	SLOPE	HIGHEST SHADE PRODUCING POINT							
		16'	18'	20'	22'	24'	26'	28'	30'
North Facing	15°	42.2	52.8	63.4	73.9	84.5	95.0	105.6	116.2
	10°	34.6	43.3	51.9	60.6	69.3	77.9	86.6	95.2
	5°	29.5	36.9	44.3	51.6	59.0	66.4	73.8	81.1
Level	0°	25.8	32.3	38.7	45.2	51.7	58.1	64.6	71.0
South Facing	5°	23.1	28.8	34.6	40.4	46.1	51.9	57.6	63.4
	10°	20.9	26.1	31.3	36.6	41.8	47.0	52.2	57.4
	15°	19.1	23.9	28.7	33.5	38.3	43.1	47.9	52.7

NOTE: These are solar setback lines, calculated 39° east (and west) of north for a lot with no slope gradient (0°) or a slope gradient towards the north (north facing) or south (south facing). Solar setbacks will vary if the property slopes in any other direction. The building setback line, measured perpendicular from the north property line to the structure, will normally be less than the solar setback distance indicated in the table above.

2.15.2600 Western Frontier Architectural Design Theme

- A. Purpose. The purpose of the 1880's Western Frontier architectural design theme is to improve the City's image and visual appearance. It has also been developed with the desire to establish City identity and interest and to attract visitors and tourists in support of a significant community economy.
- B. Applicability. The Western Frontier Architectural Design Theme applies to all new, reconstructed or remodeled uses in all Commercial Districts. Each proposed development is required to complete land use review process subject to the following standards. All designs must comply with all applicable Building and Fire Codes.
 - 1. Architectural Compatibility. Architectural styles may vary from building to building, or from block to block. This variety helps to generate architectural interest in the commercial districts. At the same time it is important to recognize that the existing architectural styles are an influence to new designs.

Applications for development subject to the Western Design Theme shall indicate how the proposed building will relate to existing architecture on the block or within the area if no buildings are present on the block.

Rhythm of spacing of buildings on streets. Moving past a series of buildings generates a rhythm of recurrent building masses. An irregular and disjointed spacing can detract from the streetscape. Spacing within a block or a building group shall be organized to create a vertically harmonious transition of building facades; this may be achieved by 'stepping up' the heights of the horizontal center portions of taller buildings that abut shorter / single storied buildings.

Proportion of buildings' front facades. The relationship between the width to height of the front elevation of a building must be in proportion to those of the immediately adjacent neighboring buildings where feasible.

2. Architectural Design Themes. The 1880's were a lively and diverse architectural period. The Comprehensive Plan lists 4 buildings that are on the Inventory of Historic Sites. These buildings include:

- Leithauser Store, Commercial, 120 E. Cascade ("The Sisters Bakery")
- Aitken Drugstore, Commercial, 158 W. Cascade ("The Palace")
- Hotel Sisters, Commercial, 105 W. Cascade ("Bronco Billy's Ranch Grill & Saloon")
- Hardy Allen House, Commercial, 310 E. Main ("Nettie's")

In addition to the four buildings listed on the Inventory of Historic Sites, there are other examples of architectural themes for structures that are consistent with the 1880's Western Design Theme. At the discretion of the City, architectural themes of buildings seen in photos constructed east of the Cascades within the Pacific Northwest may be mimicked.

The following photos depict historic themes that are acceptable within the City of Sisters.



Hotel Sisters / Bronco Billy's – 105 W. Cascade Avenue

The Sisters Hotel (Bronco Billy's) is characterized by horizontal lap siding, flat roof, wood-clad windows that are approximately twice as tall as they are wide; an awning over the storefront windows, and white trim. Note the false second floor balcony used to enhance the separation between floors.



Aitken Drug Store / The Palace building – 158 W. Cascade Avenue

The Aitken Drug Store (Palace) is an historic building whose appearance is characterized by horizontal lap siding and upper-floor windows that are roughly twice as tall as they are wide. This building has a false front façade with corbels on the top / front of the false facade, a pitched roof, and covered pedestrian walkway.



South Valley Bank building – 610 N. Arrowleaf Trail

This style is represented by round arches over narrow windows and/or entryways; thick, cavernous entryways and window openings; thick masonry walls. This style may incorporate facades that are asymmetrical, variable stone and brick facades, and may incorporate wrought-iron trim and details.



First American Title building – 392 E. Main Avenue

Popular features of this style of building included lower floor masonry arches over windows and doors and masonry belt courses. The upper floor windows are tall and narrow, and all windows and doors use wood cladding and trim. This building also used false facades on the sides of the building. This style was quite popular for courthouses and university campuses in the late nineteenth and early twentieth century.



Antique Mall Building – 261 W. Cascade Avenue

This architectural style is characterized by the use of board and batten siding; wood-clad windows, false façade, and muted earth-tone colors. Covered pedestrian overhangs are commonly found with this architectural style.



Sisters Coffee Company – 273 W. Hood Street

The Sisters Coffee Company building is characterized by treated natural board and batten wood siding, a covered pedestrian walkway with wood supports, wood-clad windows, and a false façade. The height of the building generally matches the width to give a sense of balance to the building.



Three Creek Professional Building – 220 SW Ash Street

Log structures are found throughout Sisters and replicate a style of construction found east of the Cascades in the 1880's. It represents a simple log structure style, incorporating horizontal log usage on the lower floor, vertical logs on the upper floor, a

moderate to steeply-pitched roof, a small covered pedestrian area, wood-clad windows, and an exterior stairway leading to the upper floor.

3. Guidelines for building designs. The following construction materials are recommended for use in the 1880's Western Design Theme construction. Durable synthetic or manufactured building materials that simulate wood, stone or masonry are permitted. Certain siding is prohibited as stated below.

- a. Roofs. Coverings shall be non-reflective metal, tile, asphalt, and other appropriate materials. All roofing shall meet all applicable Fire and Building Codes.
- b. Exterior Finishes. Typical materials are varieties of actual or simulated horizontal wood siding, vertical board and batten (rough sawn or surfaced four sides) and cedar shingles, with the latter particularly applicable to ornamental patterns on residential structures. Brick or stone masonry provides additional choices of material. Any T-111 (grooved) plywood siding is prohibited. Smooth plywood shall not be used as an exterior finish material. Logs or rough-sawn plywood may be used as exterior finish material. Board and batten applications with battens shall have no less than nominal 1 x 2 dimension, placed on centers not exceeding 12 inches when plywood is used, and all vertical plywood joints and seams shall be covered by battens, and no plywood edges shall be left exposed.

During the period, there was a lack of high gloss finishes, therefore color applications were generally flat in nature. To duplicate this character, flat or low gloss products currently on the market should be utilized. Where the exterior is not painted the exterior is to be oiled and/or stained to protect the surface materials. This is practical with the use of cedar or redwood which both contain natural oils that protect the wood. As a practical matter for extended protection of any board and batten surface, the use of sealer or oil base of solid color stain is warranted. The same is true of vertical surfaces finished with cedar shingles.

Horizontal wood drop siding was normally finished with paint, however, in many instances no finish was applied. Here a sealer or stain would be appropriate in lieu of a painted surface.

- c. Windows. Wood sash windows are typical, to include double hung, casement, horizontal sliding and fixed sash. Simulated wood is acceptable in commercial construction provided that it replicates the appearance of wood. This is particularly true for large expanses of glass which are permitted in commercial storefronts and will undoubtedly require special foundation.
- d. Doors. Combination glass and wood panel doors are typical and are available in certain standard types, in single and divided glass lights. Synthetic or simulated wood is acceptable as it provides durability, but must have the appearance of authentic 1880's western design.

- e. Colors. Rough sawn or milled boards and batten, particularly cedar and redwood, may be left unfinished and which may ultimately weather to silver gray in color.

Applied surface colors were predominately flat white for most buildings. Large area surface colors other than white were primarily flat earthy ochres, yellows, browns and reds. Trim was found at the cornices, vertical corner trim of a building, windows and doors, porch and balustrade.

Color samples are available at the Sisters City Hall.

C. Benches.

Benches should be provided in both buildable and private pedestrian areas and walkways.

D. Trash Enclosures.

Trash enclosures shall be carefully located and treated to integrate with the appearance of the site/building design. Trash enclosures shall incorporate construction materials which are consistent with the western frontier theme and the style of the adjacent buildings. All trash enclosures shall meet all applicable Fire and Building codes for placement and materials used. Placement of the enclosures shall be combined with neighboring properties where reasonably possible.

E. Lighting.

Lighting shall be low intensity, shaded or shielded and subject to review and shall be compatible with the western frontier theme. Exterior lighting shall comply with Section 3.4.200 m., Dark Skies Standards.

F. Building Entrances.

Entrances to the building shall be recessed from the sidewalk to provide for an entryway not in conflict with the pedestrian circulation on the sidewalk.

G. Roof, mechanical equipment and satellite dishes.

Such equipment shall be screened in a method consistent and integral with the overall architectural appearance of the structure.

H. Architectural details.

Attention to detail is of significant importance. Lighting fixtures, gates, exterior window treatments, use of material and color must be considered relative to the western frontier period for authenticity and detail.

I. Awnings, canopies, porches.

Awnings, porches, canopies or other additions to a structure shall be reviewed and approved by the city, and shall be compatible with the western frontier theme. Such additions on corner buildings shall be continuous around the corner.

J. Fences and Gates.

Fences and gates shall be constructed of wood and may contain ornamental iron details. Fence designs shall be consistent with the overall architectural style of the development, and shall meet all applicable clear vision, Fire and Building Code requirements.

2.15.2700 Vacation Rental Housing Units

A. **Type I Process.** Establishing a vacation rental housing unit in a Residential Zone and in the Urban Area Reserve zone is a Type I review process, however the approval of a vacation rental unit has a neighbor notice requirement that is not found in other Type I processes. Notice and process requirements are established in Chapter 4.1, 'Type I process', except as described herein:

1. *Neighbor notice.* A written notice shall be mailed to all neighboring properties within 100 feet of the subject site at least 14 days before the decision is issued. Any neighboring property owner who requests, shall receive notice of the decision. They may appeal the decision to the Planning Commission. Contents of the notice shall:
 - a. Provide a 14 calendar day period for submitting written comments before a decision is made on the permit, and shall list the relevant approval criteria by name and code section number;
 - b. State the place, date and time the comments are due, and the person to whom the comments should be addressed;
 - c. Include the name and telephone number of a contact staff person regarding the action;
 - d. Identify the specific request;
 - e. Describe the street address or other easily understandable reference to the location of the site;
 - f. State that if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence;
 - g. State that all evidence relied upon by the Community Development Director or designee to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the City;
 - h. State that after the comment period closes, the Community Development Director or designee shall issue a Type I Administrative Decision. The decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice;

- i. Contain the following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Sisters Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."
- B. **Approval Criteria.** A vacation rental application review shall meet the following standards and criteria.
1. *Business license and Transient Room Tax.* The owner of the vacation rental unit shall annually renew a business license with the City, and shall coordinate with the City's Finance Department to pay the associated Transient Room Tax as is required by the City.
 2. *Prohibited uses.* No recreational vehicle, travel trailer or other temporary shelter shall be inhabited in conjunction with vacation home rental.
 3. *Pets.* Pets shall comply with the City's Municipal Code.
 4. *Trash and Recycling Facilities.* Recycling and refuse storage bins shall not be stored within public view as established within the City's Development Code and Municipal Code except for the vacation rental units that are identified in Section E.
 5. *Noise Limits.* All activities associated with the vacation rental shall meet the Noise Standards contained within the City's Municipal Code.
 6. *Conditions.* For those vacation rental housing units subject to special provisions, the City shall require such conditions as it deems appropriate to minimize any impacts on the surrounding neighbors.
- C. **Inspection.** Before operating as a vacation rental housing unit, the City's Building Official may require the unit to be inspected for verification that the unit is in compliance with all applicable Building codes.
- D. **Permit Revocation.** Complaints to the City regarding the use of the vacation rental housing unit will be reviewed by the Community Development Department. The City shall notify the property owner in writing of any necessary corrective action. The property owner shall correct the identified problem within 30 days of the date of the City's letter. In the event the City receives three or more complaints within any twelve month period, the Community Development Department may recommend to the Planning Commission that the permit for use of the property as a vacation rental housing unit be revoked or that additional special provisions as determined to be appropriate by the Planning Commission be added to the permit. The owner of the unit may appeal this decision to the City Council. The determination of the City Council shall be final.
- E. **Existing Vacation Rentals.** Any vacation rental located in a Residential or Urban Area Reserve District shall not be required to undergo a Type I review as specified in subsection A of this provision, or to obtain an inspection under subsection C of this provision as a condition to obtaining a vacation rental housing unit permit if the Community Development Director or designee determines that the vacation rental was in existence and operating for more than one year prior to the effective date of this ordinance. The owner of the vacation rental shall have the burden to prove that the vacation rental meets the qualifications of this subsection E. Proof of existence and operation shall

include payment of any transient room tax, if applicable, and any other evidence required by the City which demonstrates the existence and operation of the vacation rental. Any expansion of the vacation rental unit shall require an inspection. Existing vacation rentals must comply with and maintain compliance with all of the approval criteria contained in subsection B, except for Section B.4, and are subject to the provisions of subsection D and the enforcement provisions of this code section.