

Chapter 2.4 — Downtown Commercial (DC) District

Sections:

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2.4.100 Purpose

The purpose of the Downtown Commercial District is to strengthen and reinforce the downtown of Sisters as the “heart” of the community. This chapter is intended to support this purpose through design and appropriate mixed-use development in the Downtown Commercial District, consistent with the following principles:

- Strongly encourage downtown revitalization
- Encourage efficient use of land and urban services
- Provide a mix of land uses to encourage walking as an alternative to driving
- Expand employment
- Provide more options for housing
- Improve accessibility between the Downtown Commercial District and neighborhoods and other employment areas
- Enhance visitor accommodations and tourism amenities
- Provide standards that maximize the pedestrian friendly scale and quality of the District
- Sustain the historic tourist character of the City of Sisters through the Western Frontier Architectural Design Theme standards

2.4.200 Uses

- A.** Permitted uses. Uses allowed in the Downtown Commercial District are listed in Table 2.4.1 with a “P”. These uses are allowed if they comply with the development standards and other regulations of this Code.
- B.** Special Provisions Uses that are either permitted or conditionally permitted in the Downtown Commercial District subject to special provisions for that particular use are listed in Table 2.4.1 with an “SP”. Uses subject to an SP shall comply with the applicable special use standards included in Chapter 2.15.
- C.** Conditional uses. Uses that are allowed in the Downtown Commercial District with approval of a conditional use permit are listed in Table 2.4.1 with either a Minor Conditional Use “MCU” or a Conditional Use “CU”. These uses must comply with the criteria and procedures for approval of a conditional use set forth in Chapter 4.4 of this Code.
- D.** Similar uses. Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 – Interpretations.

Table 2.4.1 Use Table for the Downtown Commercial District

Land Use Category	Permitted/Special Provisions/Conditional Uses
Residential	
Dwelling(s) located above, within, or attached to a commercial building not including single family detached dwellings.	P /SP
Accessory dwelling on a single family or manufactured dwelling lot	P/SP
Child care home (Care for no more than 16 children)	P
Single family, Duplex, Townhouses (up to 2 units),	P, Type I review process; applies to lots fronting Adams Avenue and on lots that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue.
Manufactured Dwelling on an individual lot.	P/SP, Type I review process; applies to lots fronting Adams Avenue and on lots that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue.
Triplex, Multi-Family Dwellings	MCU; applies to lots fronting Adams Avenue that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue, and only west of Fir Street.
Residential facilities	P/SP
Cottage Developments	P / Ch. 4.6; applies to lots fronting Adams Avenue and on lots that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue.
Commercial	
Amusement Uses	P
Artist studio	P
Assembly, Club	P
Concert Hall	P
Electric Car Charging Stations (regardless if accessory)	CU
Gallery	P
Hotel	P
Brewery and Distillery	MCU
Eating and drinking establishments	P/See Section 2.4.300.K
Retail sales establishment	P
Professional and personal services (dry cleaners, barber shops/salons, etc.)	P

Land Use Category	Permitted/Special Provisions/Conditional Uses
Offices (medical, dental, professional)	P
Animal veterinary clinics	CU
Neighborhood market	P
Health club (e.g. gym, yoga studio, martial arts, etc.)	P
Small item repair services (e.g., jewelry, small appliances, etc.)	P
Light manufacture (e.g., small-scale crafts, electronic equipment, furniture, similar goods) when in conjunction with retail	CU
Theater	P
Public and Institutional	
Community centers and similar uses	P
Churches and places of worship	CU
Service clubs, lodges, etc.	P
Government offices	P
Museums	P
Public parking lots and garages	P
Public parks and recreational facilities	P
Schools (including child care centers)	CU
Miscellaneous	
Accessory uses and structures	P/SP
Adult business	P/ SP
Bed and breakfast inn	P/SP
Communication facility	CU/SP, incl. height exception
Home Occupation	P/SP
Hostel	P; accessory use to primary permitted use; 25 guest occupancy limit plus staff, and 14 day stay limit for each 30 day period
Vacation Rental	P
PROHIBITED USES Drive-through facilities, motorized vehicle repair uses and sales, and outdoor storage, except for electric car charging stations (CU)	

Key: P = Permitted SP = Special Provisions MCU = Minor Conditional Use Permit CU = Conditional Use Permit

2.4.300 Development Standards

The following property development standards shall apply to all land, buildings and uses in the Downtown Commercial District. Setbacks and other development standards for stand-alone residential uses are found in Table 2.4.2.a

A. Lot Area, lot frontage, setbacks, lot coverage and building height. See Table 2.4.2.

Table 2.4.2 Development Standards for the Downtown Commercial District

Development Standard	Downtown Commercial District	Comments/Other Requirements
Minimum lot area	No minimum	-
Lot frontage	No minimum	-
Front yard setback	First Floor - 5 feet minimum; 10 feet maximum Second and third floor - 0 feet.	Except where vision clearance standards apply. First Floor -The maximum setback may be increased to 20 feet when a usable public space with pedestrian amenities is provided between the building and the front property line. First Floor - No more than 50 percent of the front building elevation shall exceed the maximum 10 foot setback Through-Lots. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks shall apply. The following features are allowed to encroach into the required setback: eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features. Balconies, overhangs, bay windows, awnings, eaves, signs and similar features may extend into the right-of-way subject to the following requirements; A. Support posts are permitted in compliance with the Building Codes B. Awnings may extend over public property but no portion shall extend nearer than two feet to the face of the nearest curb line measured horizontally.

Development Standard	Downtown Commercial District	Comments/Other Requirements
		<p>C. Encroachments shall not obstruct or prevent the placement of street trees or other improvements within the public right-of-way.</p> <p>D. All permanent encroachments (part of the building structure) which infringe into the City ROW require the execution of an encroachment agreement.</p> <p>E. The lowest point of the overhead architectural feature, (Signs use Chapter 3.4), must be at least eight (8) feet above the sidewalk.</p>
<p>Interior Side yard setback</p> <p>a. Abutting non-residential district</p> <p>b. Abutting residential district</p>	<p>No minimum</p> <p>5 foot minimum</p>	
<p>Exterior Side Yard setback</p>	<p>First Floor - 5 feet minimum; 10 feet maximum</p> <p>Second and third floor - 0 feet.</p>	<p>First Floor - The maximum setback may be increased to 20 feet when a usable public space with pedestrian amenities is provided between the building and the property line.</p> <p>First Floor - No more than 50 percent of the building elevation shall exceed the maximum 10 foot setback</p> <p>The following features are allowed to encroach into the required setback: eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features.</p> <p>Balconies, overhangs, bay windows, awnings, eaves, signs and similar features</p>

Development Standard	Downtown Commercial District	Comments/Other Requirements
		may extend into the right-of-way subject to the following requirements; A. Support posts are permitted in compliance with the Building Codes. B. Awnings may extend over public property but no portion shall extend nearer than two feet to the face of the nearest curb line measured horizontally. C. Encroachments shall not obstruct or prevent the placement of street trees or other improvements within the public right-of-way. D. All permanent encroachments (part of the building structure) which infringe into the City ROW require the execution of an encroachment agreement. E. The lowest point of the overhead architectural feature, (Signs use Chapter 3.4), must be at least eight (8) feet above the sidewalk.
Rear yard setback	No minimum	Except where vision clearance standards apply.
Lot coverage	No maximum	Compliance with other sections of the Code (landscaping, parking, pedestrian circulation, etc.) may preclude 100 percent lot coverage for certain uses
Building height	30 feet; 35 feet if building includes second-floor residential use	See exceptions to building height in Section 2.4.300.B.

Table 2.4.2.a Development Standards for Stand-Alone Residential Uses located within the Downtown Commercial District. These standards only apply to lots fronting Adams Avenue and on lots that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue

Development Standard	Downtown Commercial District	Comments/Other Requirements
Minimum lot area:		
Townhouse	3500 square feet	
Single Family Dwelling; Manufactured Home	4000 square feet	
Duplex Dwelling	4500 square feet	
Triplex Dwelling	6000 square feet	On lots that are located west of Fir Street only
Multi-Family Dwellings (4 or more units)	7500 square feet for first 4 units, plus 1500 square feet for each additional unit.	On lots that are located west of Fir Street only
Lot frontage		
	No minimum	

Continued - Table 2.4.2a Development Standards for Stand-Alone Residential Uses located within the Downtown Commercial District. These standards only apply to lots fronting Adams Avenue and on lots that are located within 114' of Adams Avenue to the south, and 256' to the north of Adams Avenue

Development Standard	Downtown Commercial District	Comments/Other Requirements
Setbacks		
Front		
Porch	10 ft. min., 20 ft. max.	
Primary Building/Living Space (Enclosed habitable area)/Accessory Building	10 ft. min., 20 ft. max.	The following features are allowed to encroach into the required front setback up to 24": eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features.
Garage (front-loaded)	20 ft. min.	Recessed 10 ft. min. behind front wall of house
Garage (side-loaded)	10 ft. min.	
Interior Side Yard Setbacks		
Primary Building/Living Space (Enclosed habitable area)/Accessory Building	5 ft. min.	

Exterior Side Yard Setbacks		
Primary Building/Living Space (Enclosed habitable area)/Accessory Building	10 ft. min.	Lots that are less than 35' wide may reduce the exterior side yard setback to 5'.
Garage (front-loaded) when accessed from a street	20 ft. min.	Recessed 10 ft. min. behind front wall of house.
Garage (side-loaded) when accessed from a street	10 ft. min.	
Rear Yard Setbacks		
Primary Building/Living Space (Enclosed habitable area)/Attached garage (street accessed)	15 ft. min.	
Accessory Building	5 ft. min. per story	
Detached Garage (street accessed)	5 ft. min. per story	
Garage (front-loaded) when accessed from an alley	20 ft. min.	
Garage (side-loaded) when accessed from an alley	3 ft. min.	
See also garage requirements 2.4.300.B		
Accessory dwelling units shall comply with living space setbacks		
Other Standards		
Lot coverage		
	60%	
Building height		
	35 feet	

Parking		
	See Chapter 3.3 for lot / aisle dimensions, and Subsection 2.4.300B	The parking exception in 3.3.200D does not apply to stand-alone residential uses.
Pre-existing lots. A single family, town home or manufactured dwelling may be developed on an existing lot or parcel that is smaller than the requirements listed above provided all other applicable development standards can be met.		

B. Garage Requirements. In addition to Table 2.4.2.a, the following standards shall apply;

1. Minimum one car garage shall be required per unit for single-family detached dwelling, town home, duplex and triplex dwelling.
2. Garages and carports shall be accessed from alleys where available.
3. Side loaded street accessed garages. The street facing elevation of the garage shall include windows and landscaping shall be provided between the dwelling unit and the driveway and between the street facing elevation of the garage and front property line. The throat of the driveway shall be a maximum of 12 feet in width.
4. Garage and Carport Requirements for Multi-Family. Minimum one car garage or carport shall be required for 50 percent of the units provided. Garage and carport design shall use the same architectural features as the multi-family dwelling units. Affordable multi-family dwelling units are exempt from the garage and carport requirements.

C. Exceptions to Building Height

1. The building height increase allowed for housing shall apply only to vertical mixed use buildings, and shall only apply to that portion of the building that contains housing.
2. Not included in the maximum height limit are bell towers, steeples, flagpoles, and similar features that are not intended for human occupancy and by their vertical orientation do not block views.
3. Not included in the maximum height limit are western design theme facades (false front facades), which may extend to 35 feet for a maximum 25 percent of the street-facing building length.

D. Building Orientation Standards. The building orientation standards are intended to promote the pedestrian-oriented, storefront character of the Downtown Commercial District by placing buildings with a primary entrance facing the sidewalk. The building orientation standards are met when:

1. Buildings shall have their primary entrance(s) oriented to (facing) the street. On corner lots, buildings shall have at least one entrance oriented to the street. All other street facing elevations shall comply with the Design Standards including ground floor windows. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces).
2. Off-street parking, driveways or other vehicular circulation areas shall not be placed between a building and the street used to comply with the building orientation standard. Parking, driveways and other vehicle areas are prohibited between buildings and street corners

E. Design Standards. The design standards for non stand-alone residential buildings within the Downtown Commercial District recognize that this district is intended for pedestrian-oriented rather than auto-oriented uses. The design standards are met when:

Active ground floor uses and windows.

The street-side portions of the lower floors of all buildings shall contain shops, offices, lobbies, and other activities oriented toward pedestrians. Ground-floor windows for viewing the activity inside the building shall be provided and blank walls are prohibited along all street frontages.

F. Major Retail Development, as defined, shall refer to Chapter 2.15, Special Provisions.

G. Pedestrian Amenity Standards. Except for single family, manufactured dwelling, townhouse and duplex residences (where permitted), all development in the Downtown Commercial District shall provide at least two (2) of the pedestrian amenities listed below. Pedestrian amenities may be provided within a public right-of-way (i.e., on the sidewalk, curb, or street pavement) when approved by the City (for city street), Deschutes County (for county roads) or ODOT (for state highways).

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 8 feet); and/or
2. Sitting space (i.e., benches or ledges between the building entrance and sidewalk, with a minimum of 16 inches in height and 30 inches in width); and/or
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a privately owned sidewalk or pedestrian space); and/or
4. Public art; and/or
5. Water feature.

- H. Outdoor Displays, Sales, and Dining.** Outdoor display, sale of merchandise, and dining associated with the primary use is permitted and shall be limited to the private property of that primary use. Merchandise shall be limited to items such as cards, plants, floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-auto oriented). A minimum clearance of 4 feet shall be maintained at all times to allow pedestrians to pass by the displays, sales and dining areas. Display of larger items, such as automobiles, trucks, motorcycles, buses, recreational vehicles/boats, construction equipment, building materials, and similar vehicles and equipment is prohibited. This section does not include public art; see Special Provisions.
- I. Screening.** The following screening standards address specific unsightly features which detract from the appearance of commercial areas.
1. Garbage and recycling collection areas. Garbage and recycling collection enclosures are required and shall be orientated away from the street and adjacent properties. Enclosures shall be constructed of solid, durable and attractive walls/fences, a minimum of six (6) feet in height, with solid doors, and shall be visually consistent with project architecture. Trash receptacles for pedestrian use are exempt. Enclosures shall be compliant with all applicable fire codes.
 2. Mechanical equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps or generators, must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Landscaping and screening shall be tall enough to screen the equipment. Mechanical equipment placed on roofs must be screened by a parapet around the façade or the equipment that is as tall as the tallest part of the equipment. Screening shall be compliant with all applicable fire codes and height requirements.
- J. Western Frontier Design Theme.** See Special Provisions, Chapter 2.15.
- K. Formula Food Establishments.** The City of Sisters has developed a unique community character in its commercial districts. The City desires to maintain this unique character and protect the community's economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent entrepreneurs. To meet these objectives, the City limits Formula Food Establishments to a maximum of one within this zone.