



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2540

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: October 15, 2015

Jurisdiction: City of Newport

Local file no.: 4-Z-13

DLCD file no.: 003-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/14/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 45 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 003-15 {23874}
Received: 10/15/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Newport

Local file no.: **4-Z-13**

Date of adoption: 9/21/15

Date sent: 10/14/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 6/26/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Clarifications were made to the discretionary guidelines and non-discretionary standards, particularly as the relate to large buildings within the Historic Nye Beach Design Review Overlay (HNBO).

Local contact (name and title): Derrick I. Tokos, AICP

Phone: 541-574-0626

E-mail: d.tokos@newportoregon.gov

Street address: 169 SW Coast Hwy

City: Newport

Zip: 97365-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Chapter 14.30 of the Newport Municipal Code, Design Review Standards

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from R-4	to R-4/HNBO	Acres: 2.36
Change from R-2/HNBO	to R-2	Acres: 5.02
Change from R-3/HNBO	to R-3	Acres: 1.71
Change from C-2/HNBO	to C-2	Acres: 0.31

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: HNBO Acres added: 2.36 Acres removed: 7.04

Location of affected property (T, R, Sec., TL and address): Sections 5 and 8, 11S, 11 W, W.M.

List affected state or federal agencies, local governments and special districts: None.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Ordinance No. 2084 with exhibits

CITY OF NEWPORT
ORDINANCE NO. 2084

AN ORDINANCE AMENDING THE BOUNDARY OF THE HISTORIC NYE BEACH
DESIGN REVIEW ZONING OVERLAY AND THE GUIDELINES AND STANDARDS
FOR NEW DEVELOPMENT WITHIN THE ZONING OVERLAY
AS CODIFIED IN THE NEWPORT MUNICIPAL CODE,
ORIGINALLY ADOPTED BY ORDINANCE NO. 1308.

Findings:

1. In 2003, with the adoption of Ordinance No. 1865, the City of Newport created the Nye Beach Design Review Overlay (“Overlay”) in its present form. The Overlay put in place architectural design requirements and flexible development standards for new construction or areas of redevelopment.
2. Ordinance No. 1865 required that the City Council hold a public hearing within 10-years to consider whether or not changes needed to be made to the Nye Beach Design Review Overlay boundaries, guidelines, and standards. That hearing was held on December 16, 2013. Advance notice of the hearing was provided to property owners and affected businesses within the Overlay. After taking public testimony, the City Council elected to initiate changes to the Overlay to address a range of issues, including but not limited to building width, building mass, setbacks, maintaining village character, building height, building size, zoning, and boundaries. The Council further directed that the Planning Commission develop the necessary recommended amendments.
3. Considering the scope of the project, the Planning Commission elected to form an ad-hoc work group of interested citizens to assist it in reviewing and updating the Overlay. That work group, which primarily consisted of affected business/property owners, met 10 times between March of 2014 and June of 2015 to develop the recommended revisions. Additionally, the City retained the services of SERA Architecture to help identify strategies for refreshing the design review guidelines and standards.
4. The Planning Commission was updated as the ad hoc work group completed its task and met on June 22, 2015 to consider the group’s recommendation before scheduling a public hearing. Key changes to the guidelines and standards include:
 - a. Design review under the guidelines will be required for a greater number of projects. Currently, a review under the guidelines by the Planning Commission is required for structures over 100-feet in length and 35-feet in height. The 100-foot threshold is proposed to be reduced to 65-feet.
 - b. Design guidelines have been updated. SERA Architecture assisted the work group to clarify the intent of each guideline and to identify approaches a developer can take to satisfy them. This will provide developers, decision makers, and the public with a better understanding of the design elements a project must possess in order for it to be approved.
 - c. New guideline have been developed to address solar impacts. Development subject to

the design guidelines will need to avoid excessively shading neighboring properties.

d. Design standards have been revised to ensure that they are clear and objective. SERA Architecture assisted the work group in identifying discretionary language and redrafting it so that it is explicit about what is required. This will help developers, staff, and the public to better understand the design elements that can be used to secure an approval. Projects must incorporate a larger number of design elements. Larger buildings must also satisfy new standards to ensure they visually align with the scale of existing Nye Beach development.

e. New illustrations have been prepared and existing illustrations refreshed to more clearly identify desired design elements.

f. Definitions and review procedures have been consolidated. Some of the definitions have been revised to align with "like type" definitions elsewhere in the Municipal Code. For example, the definition for "substantial improvement" has been revised to match the definition for the same term contained in the building code and city floodplain regulations. This shifts the threshold for when remodel work triggers design review from one that was based upon a percentage of the fair market value of exterior changes for which a building permit is required (25% commercial/35% residential) to one that considers the fair market value of the interior/exterior renovations irrespective of whether or not a building permit is required. Substantial improvements that exceed 50% of the fair market value will require design review. The threshold for review of accessory structures is reduced to align it with building code standards that stipulate when a building permit is required.

5. The ad-hoc work group and Planning Commission identified R-2 and R-3 zoned property that should be removed from the Overlay because the guidelines and standards applicable within the overlay are targeted to R-4 and C-2 zoned land. A small amount of R-4 zoned property is being added at the north end of the overlay to provide a contiguous streetscape, and a small amount of C-2 zoned property is being removed so that the Overlay will no longer pass through a portion of The Whaler Motel. In sum, the changes impact approximately 9 acres of property.

6. The Newport Planning Commission held a public hearing on August 10, 2015. Testimony was provided by members of the public and the owners of property and/or businesses within the Overlay. No testimony was provided in opposition to the changes. After taking public testimony, and considering evidence and argument in the record, the Commission voted to recommend that the City Council adopt the proposed revisions to the Overlay boundary and Newport Municipal Code.

7. The City Council held a public hearing on September 8, 2015 regarding the question of the proposed revisions. Testimony was provided by a property owner within the district in support of the changes. No other testimony was provided and the City Council closed the hearing.

8. On September 21, 2015, the City Council found the proposed changes to be necessary in order to further the general welfare of the community and voted to adopt the revisions after considering public testimony, the recommendation of the Planning Commission, and evidence and argument in the record.

9. Information in the record, including affidavits of mailing and publication, demonstrate that appropriate public notification was provided for both the Planning Commission and City Council public hearings.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. The above findings are hereby adopted as support for amendments to the Nye Beach Design Review Zoning Overlay and Newport Municipal Code listed below.

Section 2. Ordinance No. 1308 (as amended) adopting the City of Newport Zoning Map is hereby amended to reconfigure the boundary of the Nye Beach Design Review Zoning Overlay as illustrated in Exhibit "A," and more particularly described as follows:

Beginning at the northeasterly corner of SW Hurbert Street and SW 2nd Street; thence westerly along the north line of SW 2nd Street to the west line of SW Dolphin Street, said point also being the southeast corner of Lot 1, Block B, Barlow Blocks Addition to the City of Newport; thence north along the west line of SW Dolphin Street to 10 feet beyond the north line of Lot 7, said Barlow Blocks Addition; thence westerly, 10 feet north of and parallel with said north line of Lot 7 to the Pacific Ocean; thence northerly along the Pacific Ocean to the south line of NW 12th Street; thence east along the south line of NW 12th Street to the east line of an alley between NW Spring Street and NW Hurbert Street; thence south along the east line of said alley way to the north line of NW 10th Street; thence southwesterly to the southwest corner of the intersection of NW 10th Street and NW Brook Street; thence south along the west line of NW Brook Street to the south line of NW 8th Street; thence east along the south line of NW 8th Street to the west line of NW Hurbert Street; thence south along the west line of NW Hurbert Street to the north line of NW 6th Street; thence east to the northeast intersection of NW 6th Street and NW Hurbert Street; thence south along the east line of NW Hurbert Street and SW Hurbert Street to the north line of SW 2nd Street and the point of beginning.

Section 3. Newport Municipal Code Chapter 14.1, Purpose and Definitions, is amended to include the following definitions under Section 14.01.020:

Community Development Director. The City of Newport Community Development Director/Planning Director or designate.

Design Guidelines. The discretionary design oriented approval criteria with which a project is required to be in compliance. The design guidelines are applicable for applications that do not meet the design standards.

Design Review. The process of applying design guidelines and/or design standards as applicable to a project.

Design Standards. Clear and objective design oriented approval criteria with which a project must demonstrate compliance. If a project does not meet the design standards, then the project is reviewed under the design guidelines.

Footprint. The total square footage of the area within the perimeter of the building as measured around the foundation of a building.

Gross Floor Area. The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either:

A. before the improvement or repair is started; or

B. if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either of the following:

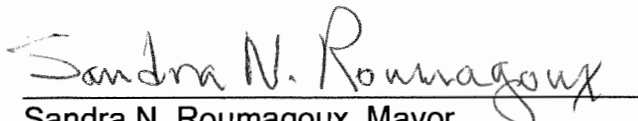
1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

Section 4. Newport Municipal Code Chapter 14.30, Design Review Standards, is repealed and replaced in its entirety with the language contained in Exhibit B.

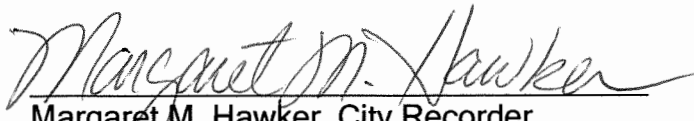
Section 5. This ordinance shall take effect 30 days after passage.

Date adopted and read by title only: September 21, 2015.

Signed by the Mayor on September 22, 2015.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

Approved as to form:

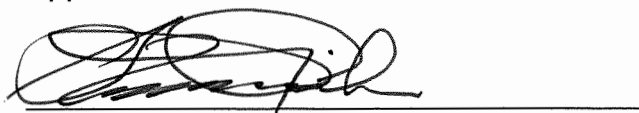
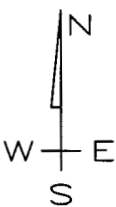
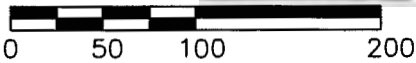

Steve Rich, City Attorney

Exhibit A

Historic Nye Beach District

Lincoln County, Oregon



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John R. Pariani
OREGON
July 13, 1999
JOHN R. PARIANI
#51382

Renews: December 31, 2016

Historic Nye Beach District Sketch

Pariani Land Surveying

136 West Main Street
Eagle Point, Oregon
541-890-1131

Date: July 8, 2015	Scale: 1" = 100'	Job No.: 2012-095	Sheet: 1 of 1
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Exhibit B

Ordinance No. 2084

Nye Beach Design Review

Zoning Overlay Revisions

CHAPTER 14.30 DESIGN REVIEW STANDARDS

14.30.010 Purpose. Design review districts may be adopted by the City of Newport in accordance with applicable procedures to ensure the continued livability of the community by implementing standards of design for both areas of new development and areas of redevelopment. Design review is an important exercise of the power of the City to regulate for the general welfare by focusing on how the built environment shapes the character of the community.

The Newport Comprehensive Plan identifies six potential urban design districts within the Newport Peninsula including the City Center District (and Highway 101 corridor), Waterfront District, Nye Beach District, Upland Residential District, East Olive District, and the Oceanfront Lodging/Residential District. Additionally, neighborhood plans may be adopted for other areas of Newport that include as an objective the implementation of design review to maintain and/or provide a flexible approach to development by offering two methods of design review from which an applicant can choose. One method of design review is under clear and objective design standards and procedures to allow development that is consistent with the standards to occur with certainty in a timely and cost effective manner. A second alternative method of design review is review under design guidelines, which are a more flexible process for proposals that are creative/innovative and meet the identified guidelines of the applicable design review district.

It is further the purpose of these standards to:

- A. Preserve the beautiful natural setting and the orientation of development and public improvements in order to strengthen their relationship to that setting.
- B. Enhance new and redeveloping architectural and landscape resources to preserve and strengthen the historic, scenic and/or identified neighborhood character and function of each setting.
- C. Improve the vehicular and pedestrian networks in order to improve safety, efficiency, continuity, and relationships connecting Newport neighborhoods.
- D. Strengthen Newport's economic vitality by improving its desirability through improved appearance, function, and efficiency.

- E. Improve the built environment in order to strengthen the visual appearance and attractiveness of developed areas.
- F. Implement the goals and objectives of the adopted neighborhood plans.

14.30.020 Design Review Districts: Overlay Zones Established. The following:

- A. Historic Nye Beach Design Review District. The Historic Nye Beach Design Review District Overlay Zone shall be indicated on the Zoning Map of the City of Newport with the letters HNBO and is the area described as follows:

Beginning at the northeasterly corner of SW Hubert Street and SW 2nd Street; thence westerly along the north line of SW 2nd Street to the west line of SW Dolphin Street, said point also being the southeast corner of Lot 1, Block B, Barlow Blocks Addition to the City of Newport; thence north along the west line of SW Dolphin Street to 10 feet beyond the north line of Lot 7, said Barlow Blocks Addition; thence westerly, 10 feet north of and parallel with said north line of Lot 7 to the Pacific Ocean; thence northerly along the Pacific Ocean to the south line of NW 12th Street; thence east along the south line of NW 12th Street to the east line of an alley between NW Spring Street and NW Hubert Street; thence south along the east line of said alley way to the north line of NW 10th Street; thence southwesterly to the southwest corner of the intersection of NW 10th Street and NW Brook Street; thence south along the west line of NW Brook Street to the south line of NW 8th Street; thence east along the south line of NW 8th Street to the west line of NW Hubert Street; thence south along the west line of NW Hubert Street to the north line of NW 6th Street; thence east to the northeast intersection of NW 6th Street and NW Hubert Street; thence south along the east line of NW Hubert Street and SW Hubert Street to the north line of SW 2nd Street and the point of beginning.

14.30.030 Adoption of Design Review: Guidelines and Standards. The document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015, is hereby

adopted by reference and made a part hereof. The guidelines and standards contained therein shall be the guidelines and standards applicable to the Historic Nye Beach Design Review District.

14.30.040 Design Review Required. The following development activities in an established design review district are required to obtain a design review permit under the design standards in an identified design review district or, in the alternative, to apply for a design review permit and to obtain approval under the design guidelines for that design review district:

- A. New construction, substantial improvement, or relocation of one or more dwelling units.
- B. New construction, substantial improvement, or relocation of a commercial or public/institutional building.
- C. New construction, substantial improvement, or relocation of a residential accessory structure that contains more than 200 square feet of gross floor area and is not more than 10 feet in height.
- D. New construction, substantial improvement, or relocation of a commercial accessory structure that contains more than 120 square feet of gross floor area.
- E. An addition that increases the footprint of an existing building by more than 1,000 square feet.

14.30.050 Exemptions. The following activities are exempt from the provisions of this chapter:

- A. Development activity that is subject to the provisions of Newport Municipal Code Chapter 14.23, Historic Buildings and Sites.
- B. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions.
- C. Development that does not involve the construction, substantial improvement, or relocation of a dwelling unit, commercial or public/institutional building, or accessory structure.

14.30.060 Approval Authority. The following are the initial review authorities for a Design Review application:

- A. Community Development Director. For projects subject only to the design standards specified in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015. The approval or denial of a Design Review application by the Community Development Director is a ministerial action performed concurrent with City review of a building permit.
- B. Planning Commission. For projects that require design review under the design guidelines contained in the document entitled "Newport Design Review: Guidelines and Standards," dated July 29, 2015, including the following:
 - 1. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that is over 65 feet in length or 35 feet in height; or
 - 2. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that does not meet the design standards contained in the document entitled "Newport Design Review: Guidelines and Standards" dated July 29, 2015; or
 - 3. New construction, substantial improvement, or relocation of a dwelling unit; commercial or public/institutional building; or accessory structure that involves a conditional use, a variance, or any other type of land use permit for which a Type III Land Use Action decision process is required, pursuant to Chapter 14.52, Procedural Requirements.

14.30.070 Application Submittal Requirements.

- A. For requests that are subject to Community Development Director review for compliance with design standards, an application for Design Review shall consist of the following:
 - 1. A completed and signed City of Newport Building Permit Application Form.

2. Building plans that conform to the submittal requirements for a building permit that include a site plan, floor plan, exterior architectural elevations, cross-section drawings, and construction specifications illustrating how the design standards have been met.
 3. A written checklist identifying the design elements used to comply with the design standards.
- B. For requests that are subject to Planning Commission review for compliance with design guidelines, an application for Design Review shall consist of the following:
1. Submittal requirements for land use actions listed in Section 14.52.050.
 2. Exterior elevations of all buildings on the site as they will appear after development. Such plans shall indicate the material, texture, shape, and other design features of the building(s), including all mechanical devices.
 3. A parking and circulation plan illustrating all parking areas, drive isles, stalls, and points of ingress/egress to the site.
 4. A landscape plan showing the location, type and variety, size and any other pertinent features of the proposed landscaping and plantings for projects that involve multiple-family (more than 2 units), commercial, and public/institutional development.
 5. A lighting plan identifying the location and type of all permanent area lights, including parking area lighting, along with details of the lighting fixtures that are to be installed.
 6. A written set of proposed findings that explain how the project complies with the applicable design guidelines.
 7. Any other information the applicant believes is relevant to establishing that the project complies with applicable design guidelines.
- C. All plans shall be drawn such that the dimensions can be verified with an engineers or architects scale.

14.30.080 Permitted Uses

In addition to uses permitted outright or conditionally in the underlying zoning district, the following uses are permitted within areas subject to design review.

A. Historic Nye Beach Design Review District.

1. Tourist Commercial (C-2) zoned property.
 - a. Up to five (5) multi-family dwelling units per lot or parcel are permitted outright provided they are located on a floor other than a floor at street grade.
 - b. A single-family residence is permitted outright if located on a floor other than a floor at street grade.
 - c. A single-family residence is permitted outright, including the street grade floor, within a dwelling constructed prior to January 1, 2004. Residential use at the street grade is limited to the footprint of the structure as it existed on this date.
 - d. Single family, duplex, triplex, fourplex and multifamily dwelling units, including at the street grade, are permitted outright on property located south of NW 2nd Court and north of NW 6th Street that front NW and SW Coast Street, NW and SW Cliff Street, and W. Olive Street.
2. High Density Multi-Family Residential (R-4) zoned property.
 - a. Uses permitted outright in the C-2 zone district that are not specified as a use permitted outright or conditionally in the R-4 zone district, are allowed subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 14.34, Conditional Uses and subject to the limitation that the use not exceed a total of 1,000 square feet of gross floor area. This provision does not preclude an application for a use as a home occupation under Chapter 14.27, Home Occupations.

14.30.090 Prohibited Uses

The following uses are prohibited within areas subject to Design Review.

A. Historic Nye Beach Design Review District

1. Any new or expanded outright permitted use in the C-2 zone district that exceeds 2,000 square feet of gross floor area. New or expanded uses in excess of 2,000 square feet of gross floor area may be permitted in accordance with the provisions of Chapter 14.34, Conditional Uses.
2. Recreational vehicle parks within the Tourist Commercial (C-2) and Public Structures (P-1) zoning districts.

14.30.100 Special Zoning Standards in Design Review Districts. All zoning standards and requirements applicable under Ordinance No. 1308 (as amended) in the subject zoning district shall apply, except that the following additional zoning standards are applicable for the design review district as applicable in the underlying zoning designation and shall be modified for each district as specified.

A. Historic Nye Beach Design Review District:

1. No drive through windows are allowed.
2. Commercial buildings with frontage on NW and SW Coast Street, W Olive Street, NW and SW Cliff Street, NW Beach Drive, and NW Third Street shall be set back from the property line fronting the street no more than 5 feet unless the development provides for a pedestrian oriented amenity (such as a courtyard, patio, or café with outdoor seating), compliance with the setback is precluded by topography or by easement, or a larger setback is authorized by the Planning Commission through the design review process.
3. Required yards and setbacks established in Chapter 14.11 (Required Yards and Setbacks) and Chapter 14.18 (Screening and Buffering between Residential and Non-Residential Zones) shall be reduced by 50%, except for Section 14.11.030, Garage Setback, which is to remain at 20-feet unless the garage is placed on the property line in which case there is no garage setback requirement.
4. The following adjustments to Chapter 14.12 (Minimum

Size) and Chapter 14.13 (Density Limitations, Table "A") are allowed within the District.

- a. The minimum lot area within both the R-4 and C-2 zones shall be 3,000 square feet.
 - b. The minimum lot width for the R-4 zone shall be 30 feet.
5. Residential use permitted on C-2 zoned property located south of NW 2nd Court and north of NW 6th Street that front NW and SW Coast Street, NW and/or SW Cliff Street, and W. Olive Street shall comply with the following additional requirements:
- a. The maximum density per residential unit is 1,250 square feet per unit.
 - b. The maximum building height is 35 feet.
 - c. The maximum lot coverage in structures is 64%. If the proposed residential use provides at least 1 off-street parking space for each dwelling unit in a below-grade parking structure (for the purposes of this section below-grade is defined to mean that 50% or more of the perimeter of the building is below-grade) located directly below the residential portion of the structure, the maximum lot coverage allowed is 90%.
 - d. The residential use provides at minimum 1 off-street parking space for each dwelling unit.
 - e. At least one residential building per lot is set back from the property line abutting the street no more than 5 feet.
6. The following adjustments to the off-street parking requirements of Chapter 14.14 (Parking, Loading, and Access Requirements) are provided for uses within the District:
- a. Commercial uses shall have the first 1,000 square feet of gross floor area exempted from the off-street parking calculation.
 - c. All uses within the District shall be allowed an on-

street parking credit that shall reduce the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property subject to the following limitations:

- i. Each on-street parking space must be in compliance with the City of Newport standards for on-street parking spaces.
- ii. Each on-street parking space to be credited must be completely abutting the subject property. Only whole spaces qualify for the on-street parking credit.
- iii. On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street parking spaces are allowed except as authorized by the City of Newport.

14.30.110 Modification of a Design Review Permit. A modification of an approved design may be requested of the approving authority for any reason by an applicant. Applications for a modification shall be submitted and processed in the same manner as the original application.

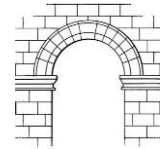
1. If the requested modification is from an approval issued under design standards, the modification request shall be approved by the Community Development Director if the modification also meets the design standards.
2. If the modification does not meet the design standards or if the modification is from an approval issued under the design guidelines, the modification shall be processed under the design review process for compliance with the applicable design guidelines. The Commission's authority is limited to a determination of whether or not the proposed modification is consistent with the applicable design review guidelines.

Newport Design Review Glossary and Illustrations

Many of the architectural illustrations adapted from the City of Eugene Planning and Development Historic Preservation Program and from other sources.

Architectural & Design Review Terms

Arch. A construction technique and structural member, usually (curved and made of masonry. Composed of individual wedge-shaped members that span an opening and support the weight above by resolving vertical pressure into horizontal or diagonal thrust.



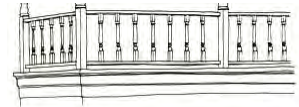
Arch

Architrave. The lowest part of an entablature, or the molded frame above a door or window opening.

Balcony. A platform projecting from the wall or window of a building, usually enclosed by a railing.

Baluster. Any of the small posts that support the upper rail of a railing, as in a staircase.

Balustrade. An entire railing system including a top rail and its balusters, and sometimes a bottom rail.



Balustrade

Bargeboard. See "vergeboard" definition.

Bay window. A projecting bay with windows that forms an extension to the interior floor space. On the outside, the bay should extend to ground level contrast to an oriel window, which projects from the wall plane above ground level.



Bay Window



Oriel Window

Belt course. A horizontal ornamentation that often provided a division between siding styles. See *Illustration# 3*.

Board-and-batten siding. Vertical siding made up of alternating wide and thin boards (other than plywood or pressboard) where the thin boards cover the joints between the wide boards.

Bracket. A small projection, usually carved or decorated, that supports or appears to support a projecting eave or lintel.



Bracket

Capital. The topmost member, usually decorated, of a column or pilaster.

Casement window. A window that is hinged on the side and opens in or out.

Chimney pot. A decorative masonry element placed at the top of a chimney, common on Queen Anne and Tudor Revival buildings.

Clapboards. Narrow, horizontal, overlapping wooden boards that form the outer skin of the walls of many wood-frame houses. In older houses, the exposure (the exposed area of each board not overlapped by another board) ranges from four to six inches.

Column. A vertical shaft or pillar usually circular in section that supports, or appears to support, a capital, load beam or architrave.

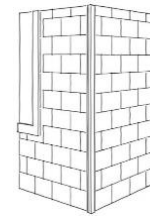
Corbel. A projection from a masonry wall, sometimes supporting a load and sometimes for decorative effect.



Corbel

Corbeled cap. The termination of a brick chimney that projects outward in one or more courses.

Corner board. A board which is used as trim on the external corner of a wood-frame structure and against which the ends of the siding are fitted.



Corner board

Cornice. The exterior trim of a structure at the meeting of the roof and wall; usually consists of bed molding, soffit, fascia, and crown molding. *See Illustration# 8 (top illustration).*

Course. In masonry, a layer of bricks or stones running horizontally in a wall. *See also "belt course."*

Cresting. Decorative grillework or trim applied to the ridge crest of a roof. Common on Queen Anne style buildings.

Cross gable. A gable that is perpendicular to the main axis or ridge of a roof.

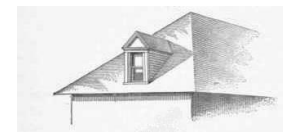


Cupola

Cupola. A small, sometimes domed structure surmounting a roof. Found mainly on Italianate and Colonial Revival buildings.

Dentil molding. A molding composed of small rectangular blocks run in a row.

Dormer. A structure containing a vertical window (or windows) that projects through a pitched roof.

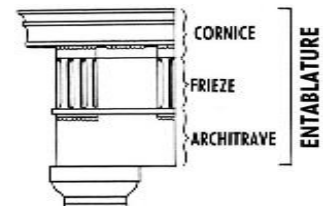


Dormer

Double-hung sash window. A window with two or more sashes; it can be opened by sliding the bottom portion up or the top portion down, and is usually weighted within the frame to make lifting easier.

Eave. The part of the roof that overhangs the wall of a building.

Entablature. Above columns and pilasters, a three-part horizontal section of a classical order, consisting of the cornice at the top, the frieze in the middle, and the architrave on the bottom.



Facade. The face or front of a building. *See Illustration # 1.*

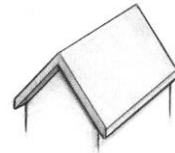
Fanlight. A window, often semicircular, over a door, with radiating muntins suggesting a fan.

Fascia board. A flat board horizontally located at the top of an exterior wall, directly under the eaves.

French door. Two doors, composed of small panes of glass set within rectangularly arrayed muntins, mounted within the two individual frames. Usually such doors open onto an outside terrace or porch.

Frieze. The middle division of an entablature, below the cornice.

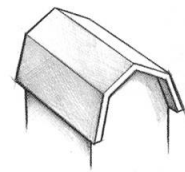
Gable. The vertical triangular portion of the end of a building having a double-sloping roof, usually with the base of the triangle sitting at the level of the eaves, and the apex at the ridge of the roof. The term sometimes refers to the entire end wall. See Illustration # 2.



Gable Roof

Gable roof. A roof form having an inverted "V"-shaped roof at one or both ends.

Gambrel roof. A roof having two pitches on each side, typical of Dutch Colonial and Colonial Revival architecture.



Gambrel Roof

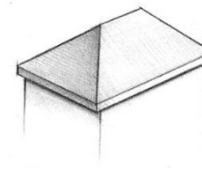
Gingerbread. Highly decorative woodwork with cut out ornament, made with a jigsaw or scroll saw, prominent in Gothic Revival architecture. Gingerbread in the Gothic Revival style can be distinguished from the ornamentation in the Stick and Eastlake styles which featured characteristically curved brackets and rows of spindles and knobs thicker than the gingerbread woodwork and were created with the lathe, the chisel, and the gouge.

Half-timbering. In late medieval architecture, a type of construction in which the heavy timber framework is exposed, and the spaces between the timbers are filled with wattle-and daub, plaster, or brickwork. The effect of half timbering was imitated in Oregon in the 19th and 20th centuries by the Queen-Anne and Tudor Revival styles.



Hipped (hip) roof. A roof which slopes upward on all four sides.

Hood molding. A decorative molding over a window or door frame, commonly found on Italianate style buildings such as the Smeede Hotel in Eugene.



Hip Roof

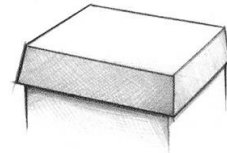
Jerkinhead roof. A gable roof truncated or clipped at the apex - also called a clipped gable roof. Common in Bungalows and Tudor Revival, and Arts and Crafts style buildings.

Latticework. A wood or metal screen composed of interlaces or crossed thin strips.

Leaded glass. Small panes of glass, either clear or colored, that are held in place by strips of lead.

Lintel. A horizontal beam over an opening in a wall that carries the weight of the structure above.

Mansard roof. A roof with two slopes, the lower slope being nearly vertical, often concave or convex in profile. Common to the Italianate and Queen Anne styles.



Mansard Roof

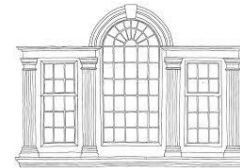
Molding. A decorative band or strip with a constant profile or section generally used in cornices and as a trim around window and door openings. It provides a contoured transition from one surface to another or produces a rectangular or curved profile to a flat surface.

Mullion. The vertical member of a window or door that divides and supports panes or panels in a series.

Muntin. One of the members, vertical or horizontal, that divides and supports the panes of glass in a window.

Oriel window. A window bay that projects from the building beginning above the ground level. See “bay window” definition for illustration.

Palladian window. A window divided into three parts: a large arched central window, flanked by two smaller rectangular windows. These are found in Colonial Revival as well as Italianate buildings.

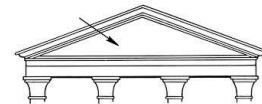


Palladian Window

Parapet. A wall that extends above the roof line. Common in California Mission style buildings. See Illustration # 7.

Pediment. A low triangular gable end, often found in classical architecture.

Pediment



Pent roof. A small, sloping roof, the upper end of which butts against a wall of a house, usually above the first-floor windows.

Pilaster. An engaged pier or pillar, often with capital and base.

Pillar. A post or column-like support.

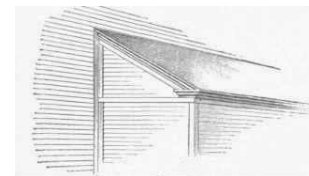
Pitch. The degree of slope or inclination of a roof.

Plywood. A structural material consisting of sheets of wood glued or cemented together with the grains of adjacent layers arranged at right angles or at a wide angle.

Pointed arch. Any arch with a point at its apex, common but not restricted to Gothic architecture. Tudor Revival buildings also frequently incorporate pointed arch motifs.

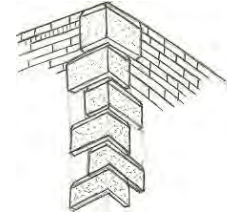
Portico. A porch or covered walkway consisting of a roof supported by columns.

Pressboard. A strong highly glazed composition board resembling vulcanized fiber.



Pent (Shed) Roof

Quoins. Cornerstones of a building, rising the entire height of the wall, and distinguished from the main construction material by size, texture, or conspicuous joining. In masonry construction, they reinforce the corners; in wood construction, they do not bear any load, are made of wood, and imitate the effect of stone or brick.



Quoins

Rafters. The sloping wooden roof-frame members that extend from the ridge to the eaves and establish the pitch of the roof. In Craftsman and Bungalow style buildings the ends of these, called "rafter tails" are often left exposed rather than boxed in by a soffit. See "truss" for illustration.

Ribbon window. A continuous horizontal row, or band, of windows separated only by mullions. Used to some extent in Craftsman designs, but more common in Eugene on post-war modern buildings.

Round arch. A semicircular arch, often called a Roman arch.

Rustication. Masonry characterized by smooth or roughly textured block faces and strongly emphasized recessed joints.

Sash. Window framework that may be fixed or moveable. If moveable, it may slide, as in a double-hung window; or it may pivot, as in a casement window.

<p>6/6 6 over 6 sash is common in older buildings. In the old days, big pieces of glass were expensive, so windows were made from lots of smaller pieces.</p>	<p>9/6 9 over 6 is also common in older buildings for the same reasons.</p>	<p>4/4 These windows became more common after the Civil War.</p>	<p>3/2 This type of window is seen a lot in modern buildings.</p>	<p>3/1 This style was a popular feature on Bungalow homes.</p>	<p>4/1 This style was also a popular feature on Bungalow homes.</p>	<p>1/1 This window is very common on modern buildings.</p>

Shiplap siding. Wooden siding tapered along its upper edge where it is overlapped by the next higher courses of siding.

Side light. A framed window on either side of a door or window.

Siding. The narrow horizontal or vertical wooden boards that form the outer face of the walls in a traditional wood-frame building. Horizontal wooden siding types include shiplap and clapboard/weatherboard, while board-and-batten is the primary type of vertical siding. Shingles, whether of wood or composite material, are another siding type.

Sill. The lowest horizontal member in a frame or opening of a window or door. Also, the lowest horizontal member in a framed wall or partition.

Skirting. Siding or latticework applied below the watertable molding on a building.

Soffit. The underside of the eaves on a building, particularly the boards enclosing the eaves and covering rafter tails.

Stucco. A material, usually composed of cement, sand, and lime, applied to a surface to form a hard, uniform covering that may be either smooth or textured. Also, a fine plaster used in decoration and ornamentation of interior walls.

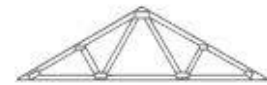
Surround. The molded trim around a door or window.

Swan's neck pediment. A pediment with an open apex; each side terminates in curves resembling a swan's neck. Found in Oregon mainly on Colonial Revival buildings.

Terra cotta. A red-brown fired but unglazed clay used for roof tiles and decorative wall covering. These roof tiles are common in California Mission style. Glazed terra cotta was frequently used for exterior decoration on commercial buildings of the early 20th Century.

Transom. Horizontal window opening above a door or window.

Truss. A framework of beams (like ribs) that support the roof (usually triangular).



Truss

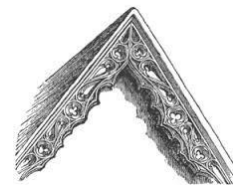
Tongue and groove. A type of board milled to create a recessed groove along one long side and a corresponding flange along the other that lock together when two or more boards are placed side-by-side. Tongue and groove boards were commonly used for flooring and siding.

Tudor arch. A four centered pointed arch, characteristic of Tudor style architecture in England in the 15th and 16th centuries.

Turret. A small, slender tower, usually corbeled from a corner of a building

Veranda. A covered porch or balcony, running alongside a house; the roof is often supported by columns.

Vergeboard. An ornamental board, sometimes jigsaw cut that serves as trim and is attached to the overhanging eaves of a gable roof; sometimes called a bargeboard.

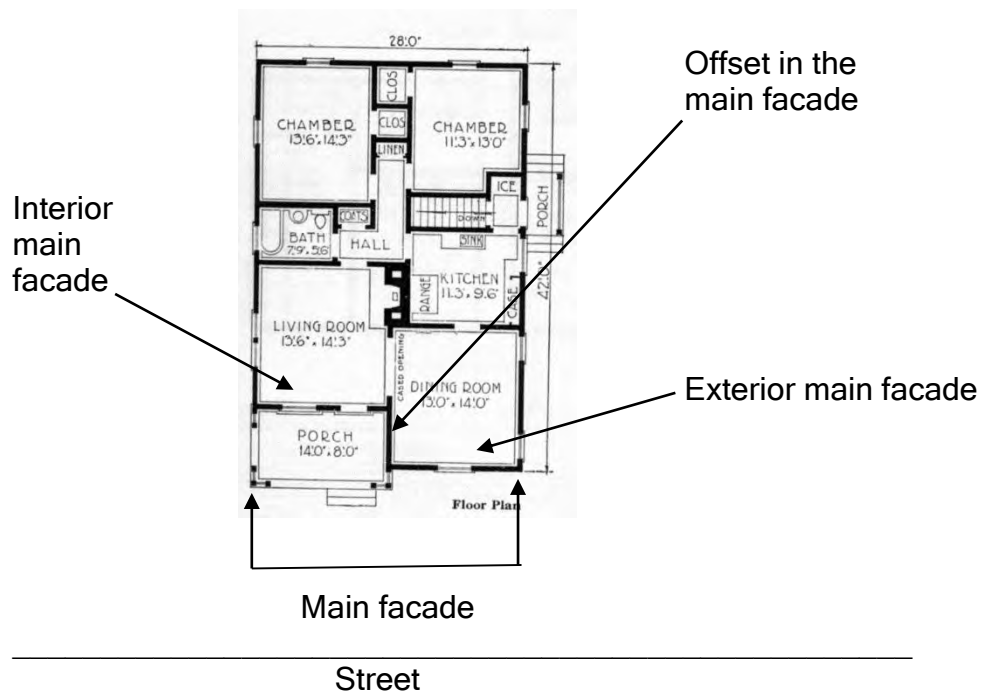


Vergeboard

Water table. A projecting ledge, molding, or string course along the bottom side of a building, designed to throw off rainwater; it usually divides the foundation of a building from the first floor.

Weatherboard siding. Siding, usually wooden, consisting of overlapping, narrow boards usually thicker at one edge; also called clapboard siding.

ILLUSTRATION # 1
MAIN FACADE



The facade is the face or front of the building. The main facade is the building front that faces the street. The main facade includes the building between the two main outer walls. Where the main facade is divided into sections by an offset in the building, the wall of the main facade most distant from the street shall be considered the interior main facade wall. The main facade wall closest to the street shall be considered the exterior main facade wall. Required depth of main facade features such as porches shall be maintained for each portion of the main facade (including interior and exterior main facade walls) from which the feature projects (not including the offset wall). Where the building fronts on more than two streets, unless specified elsewhere to the contrary, the property owner shall pick one of the facades to be the main facade.

ILLUSTRATION # 2
ROOF AND DORMER TYPES



Side gabled roof
 with front gabled roof dormer



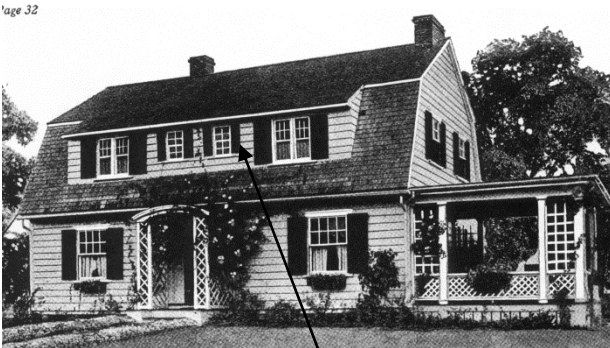
Front gabled roof
 with hip roofed porch



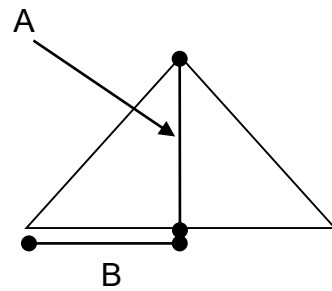
Multiple distinct low pitched gabled roofs
 (with clipped gables/jerkinhead roof)



Hip roof
 with hip roof dormer

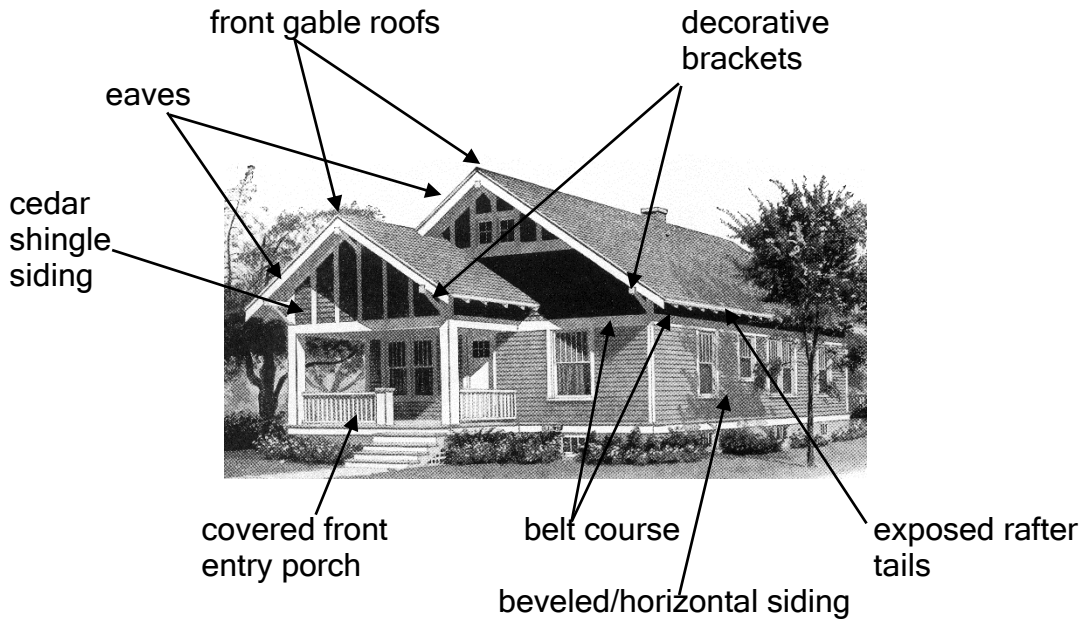


Gambrel roof
 with shed roof dormer



Roof slope is measured by
 ratio from vertical (A) to
 horizontal (B).

ILLUSTRATION # 3
VARIOUS EXAMPLES OF FEATURES



The house above illustrates a main gable roof with eaves and with a distinct gable roof above the front entry porch located on the main facade of the building. The belt course (white line that wraps around the house at the top of the windows) separates the contrasting siding with the beveled siding below and the cedar shingle siding above. The exposed rafter tails (the ends of the rafters under the eaves) and the decorative brackets are visible on both the main gable roof and the porch gable.

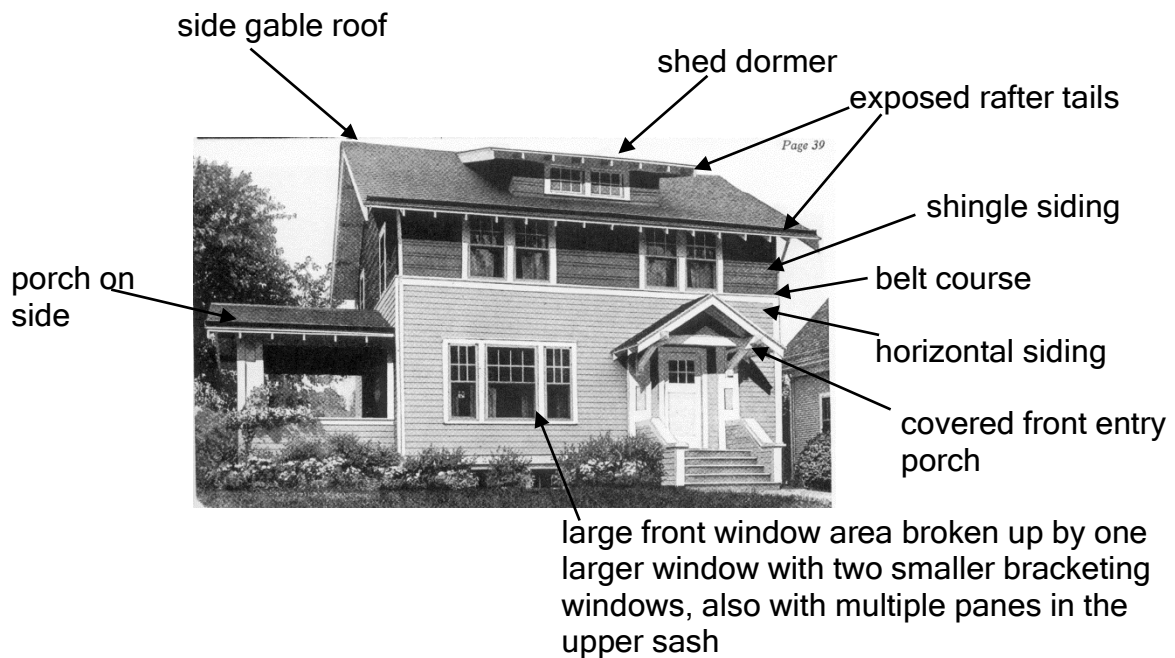
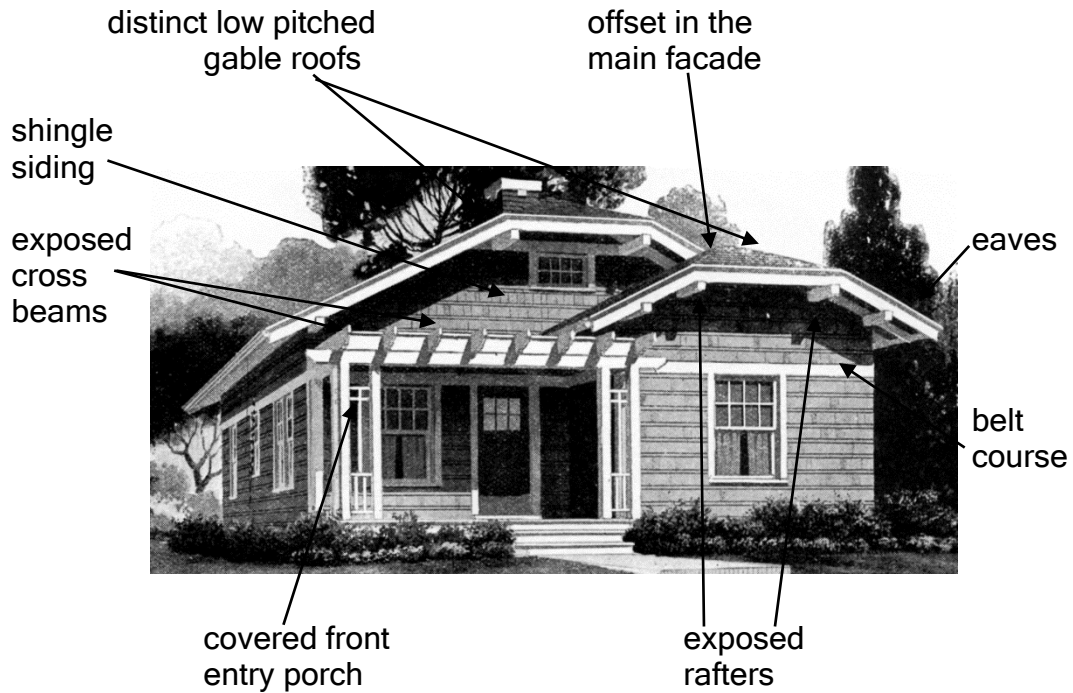
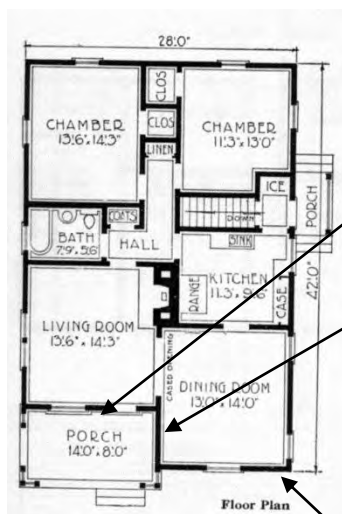


ILLUSTRATION # 4
VARIOUS EXAMPLES OF FEATURES



The house above illustrates a low pitched main gable roof with a distinct low pitched gable roof that extends over the portion of the building that extends out adjacent to the covered front entry porch. An offset in the main facade is created with the 6 foot extension of the building. The covered entry porch is located adjacent to the extension of the main building but is set a couple of feet forward of the building wall and features a flat roof with exposed cross beams. Exposed rafters/cross beams, a belt course, and shingle siding are other decorative features.



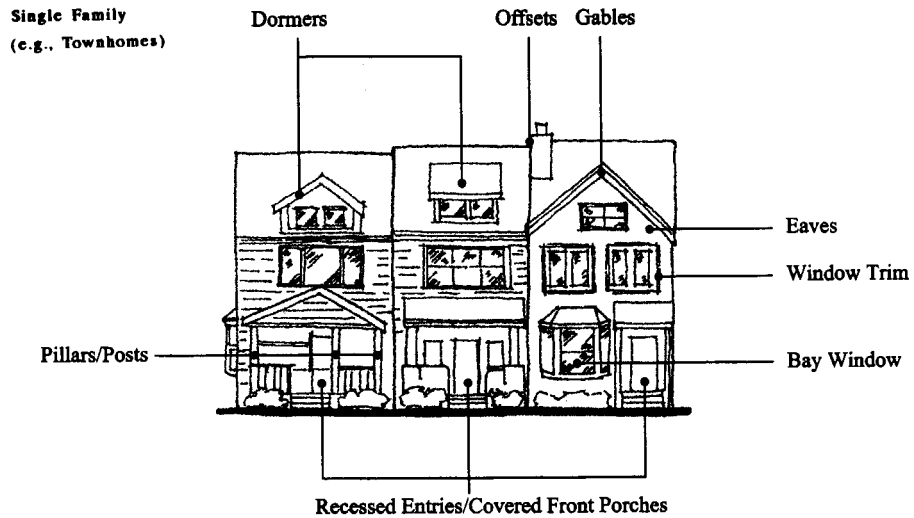
Interior main facade wall.

Offset of about 5 feet in building face and extending 14 feet. Where the building contains an offset in the main facade, the porch depth may be measured from the interior main facade wall provided the interior wall length is at least 25% of the total main facade length and the porch extends beyond the exterior main facade wall.

Exterior main facade wall.

ILLUSTRATION # 5

SINGLE FAMILY (TOWNHOUSE) AND MULTIPLE FAMILY DWELLINGS



Roof width divided into increments with cross gables.

Multi-Family Housing

Gables with Eaves

Main front facade divided into distinct planes.

Offset

Balcony

Recessed Entry

End Wall Windows

Window Trim

Duplex / Two family dwelling

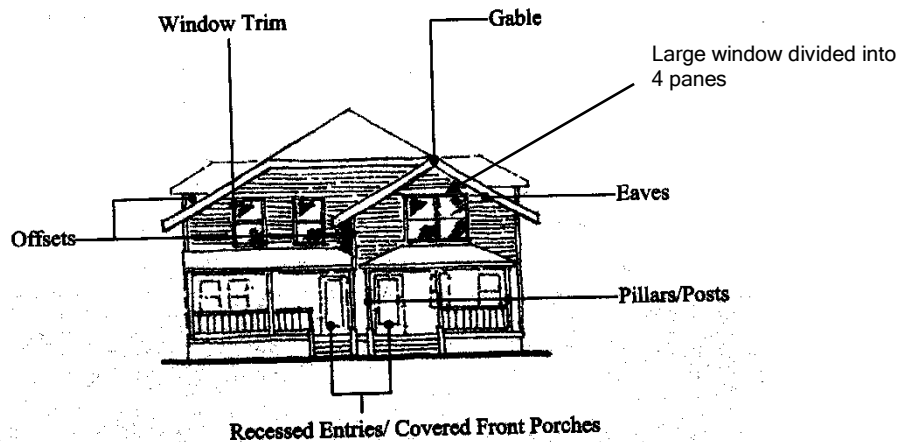


ILLUSTRATION # 6
LARGE MULTIPLE FAMILY RESIDENTIAL OR HOTEL DEVELOPMENT

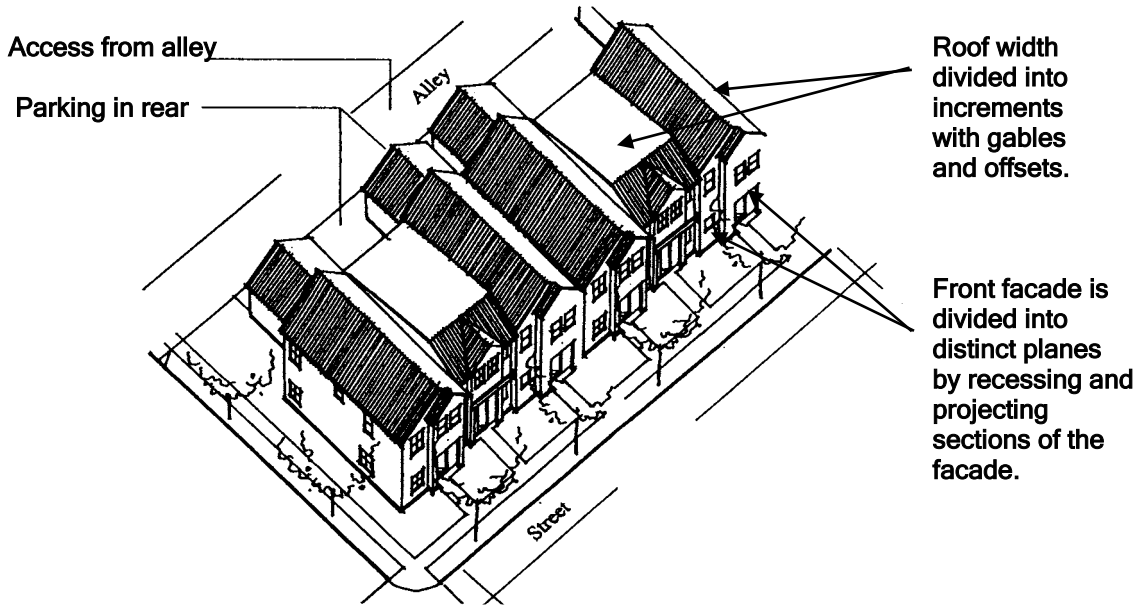
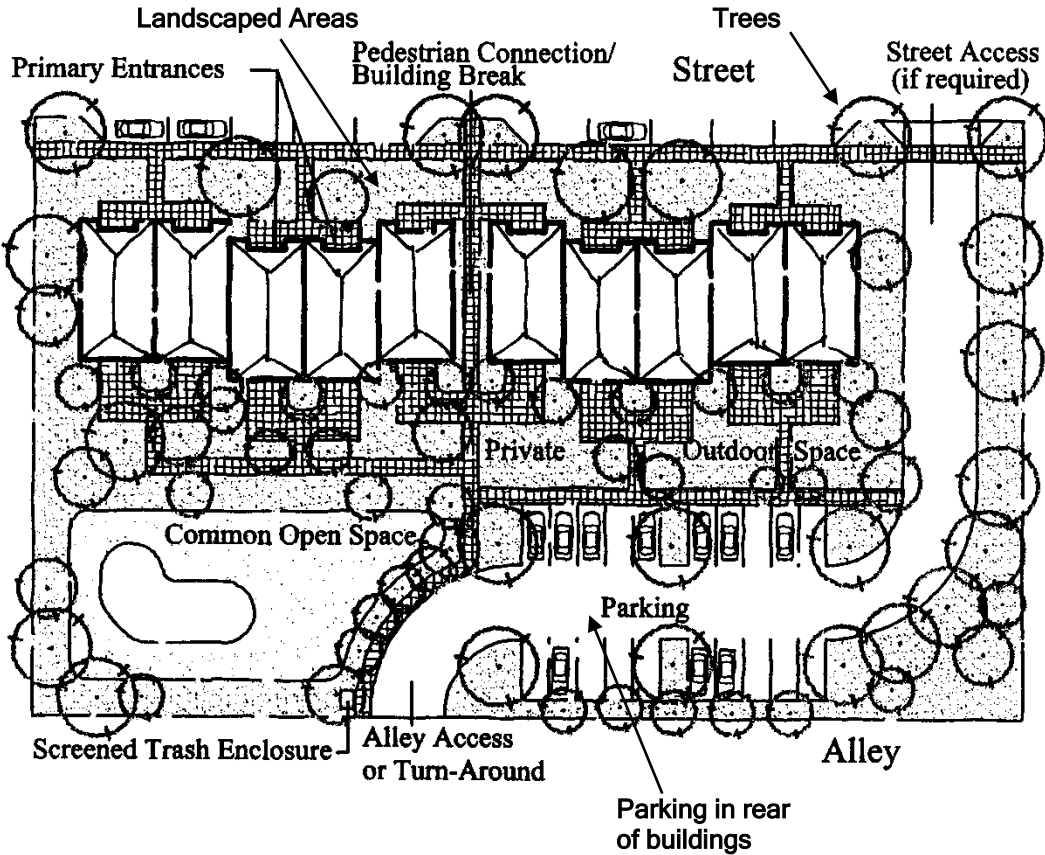
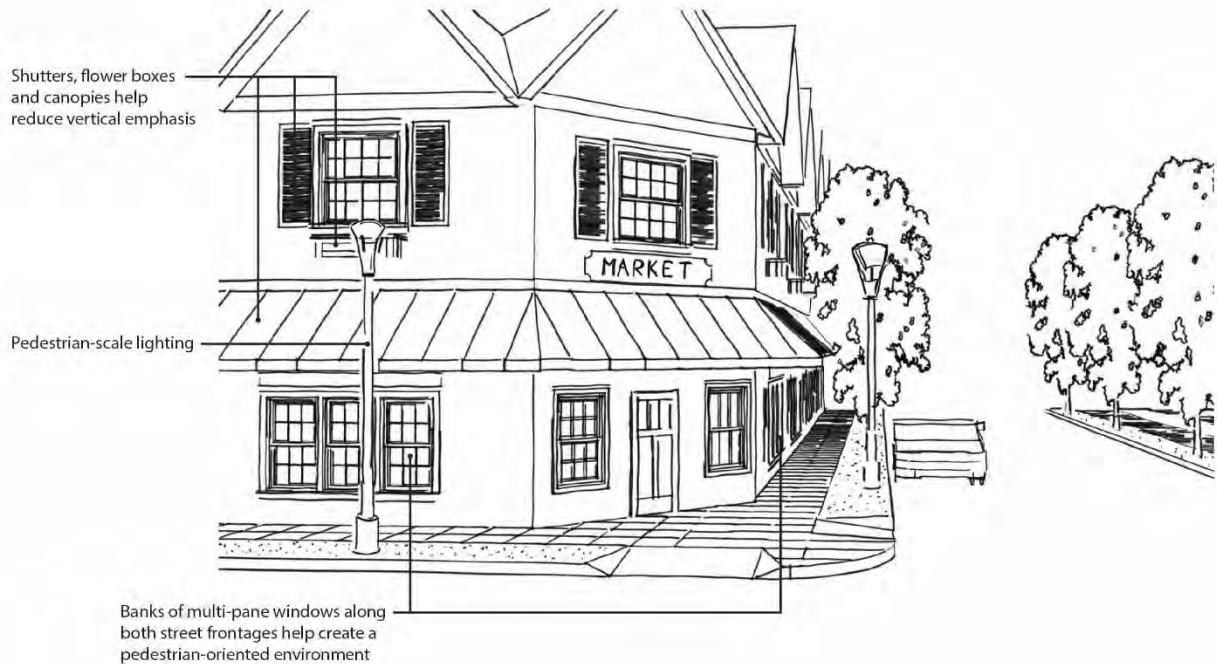


ILLUSTRATION # 7 COMMERCIAL BUILDINGS

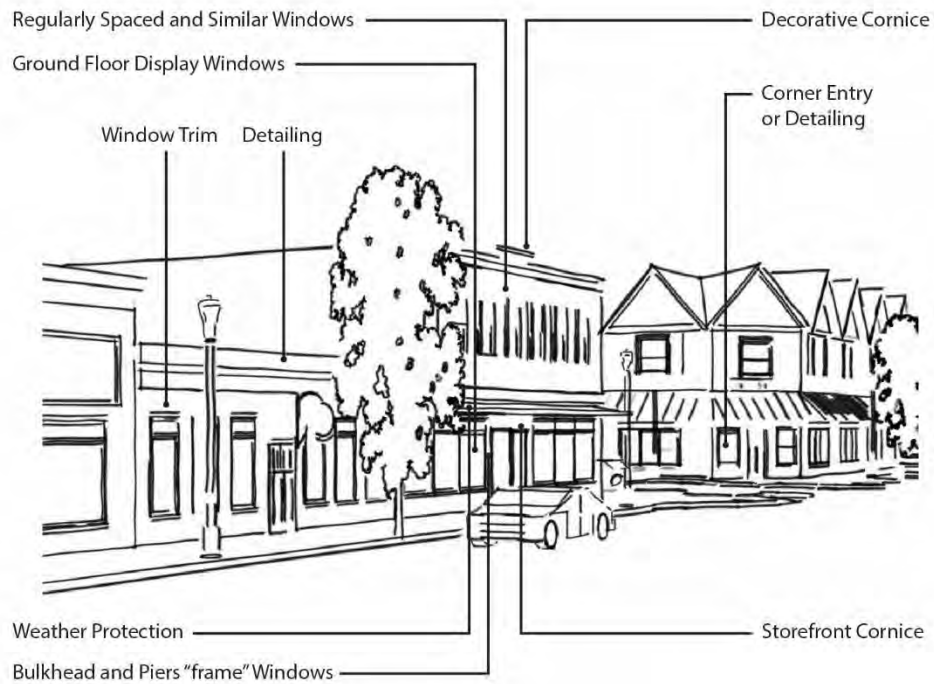


In the illustration above, banks of windows along the ground floor help create a pedestrian oriented environment. Buildings abut the property line such that no building is setback significantly from the other buildings. Buildings vary in size, shape, roof lines and design features but are architecturally compatible through the use of similar design elements such as the use and placement of a common window treatment on the second floor.



Banks of multi-pane windows along both street frontages help create a pedestrian-oriented environment.

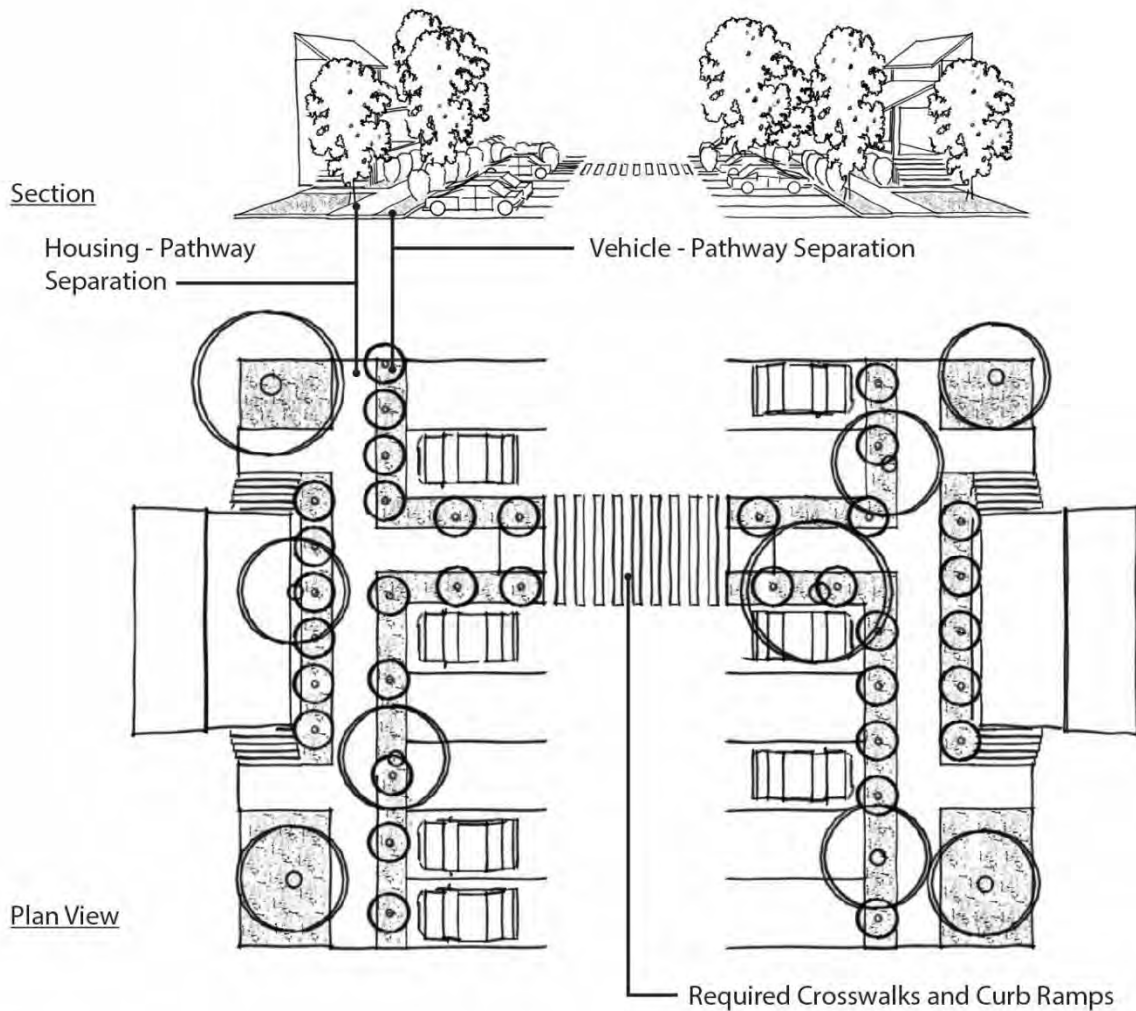
ILLUSTRATION # 8 COMMERCIAL BUILDINGS



The intent of the Design Guidelines is to provide for variety in building shape, size, roof lines and design features - allowing architectural expression within a set of established design styles and types.



ILLUSTRATION # 9 PARKING AND PEDESTRIAN LAYOUT



The illustration above shows an Interior parking lot. Note that the pedestrian pathways are separated from the vehicle travel areas. Where the pathway crosses the parking lot, a landscaped area extends from each side to mark the crossing areas. Additionally, the crossing area is clearly marked. Specialty pavers could also be used to mark the pedestrian crossing area. Trees provide screening for the parking lot. A short hedge (3-4 feet) around the parking lot in the landscaped area would provide additional screening and would further separate the pedestrian and vehicle areas. Breaks in the hedge along large parking lots could be provided to allow easier access to and from parked vehicles.

ILLUSTRATION # 10 MASSING OF LARGER BUILDINGS

This illustration shows several massing requirements:

- Maximum frontage lengths in each direction
- Required offsets in buildings
- Separation of buildings for landscape and/or parking access/pedestrian ways

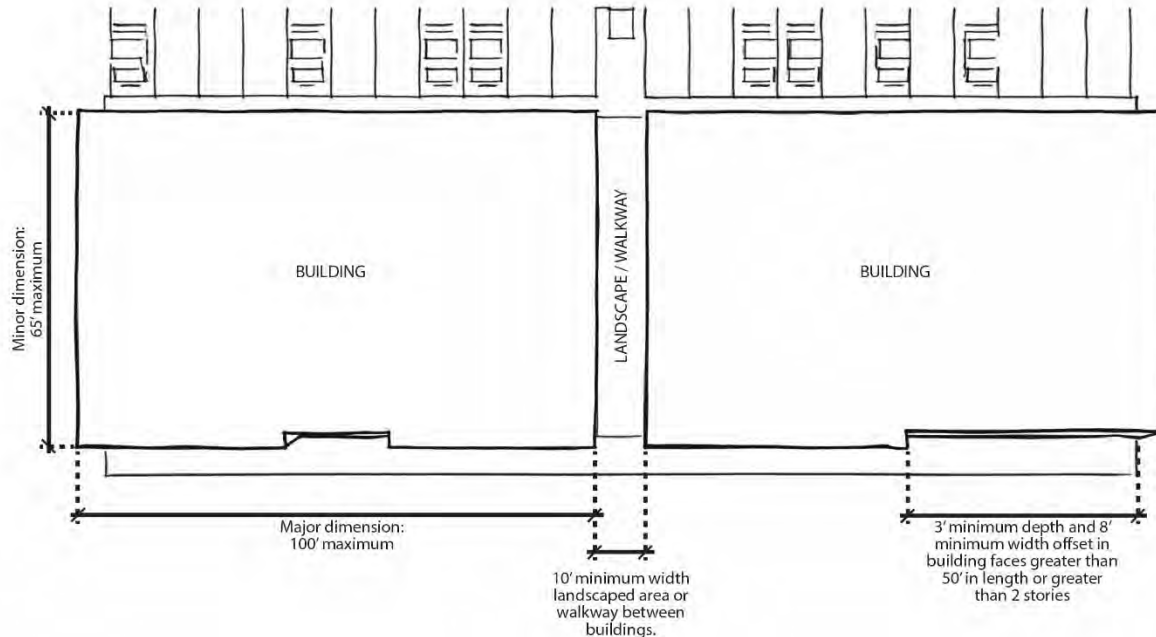
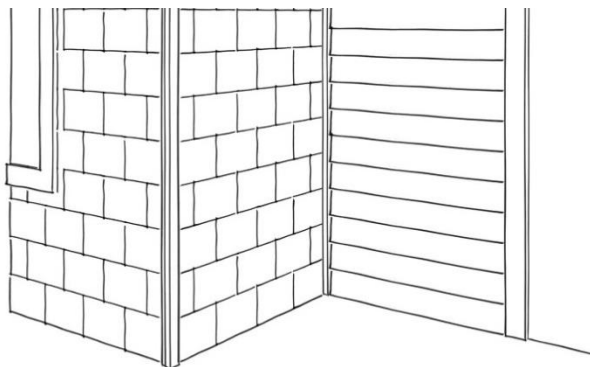
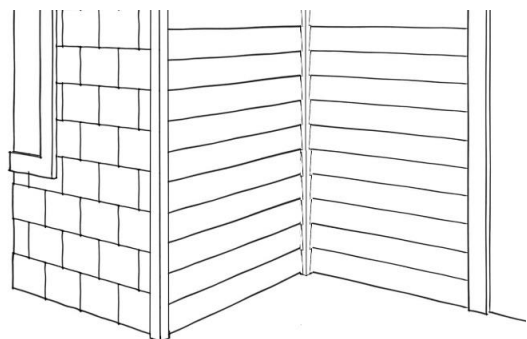


ILLUSTRATION # 11 TRANSITION MATERIALS AT INSIDE CORNERS, RATHER THAN OUTSIDE

Where materials are changed on facades, the transition should be made at “inside” corners, as at left, rather than at “outside” corners, as at right. This design strategy is in keeping with the traditional styles found in the district, as they express volumes of rooms and bays, rather than wall planes.



Desired Transition



Transition to Avoid

ILLUSTRATION # 12
EXAMPLES OF SOLAR SHADING STUDY

Solar studies should show the massing of the proposed development, as well as the shading of adjacent public spaces -streets and plazas - that would be shaded at the times specified in the design standards.

