



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/21/2014

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Sisters Plan Amendment  
DLCD File Number 004-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, May 05, 2014

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Eric Porter, City of Sisters  
Gordon Howard, DLCD Urban Planning Specialist

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

<b>DATE STAMP</b>	<input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed
	004-13 (20007)
	APR 14 2014
For Office Use Only	

Jurisdiction: **City of Sisters**

Local file number: **TA 13-03**

Date of Adoption: **4/10/2014**

Date Mailed: **4/11/2014**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 9/16/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Minor changes to Sisters Dev. Code Ch. Ch. 2.4 and 2.15 to allow certain residential uses on and near Adams Avenue, which is zoned Downtown Commercial (DC) but which had been pre-established with residences up until 1979 that became non-conforming uses when the zone changed to General Commercial in 1979. The General Commercial designation was later changed to present Downtown Commercial zoning.

Does the Adoption differ from proposal? Please select one

Yes. We initially thought that the final hearing would occur on December 12, 2013, however the public was very interested in further workshops to refine specifics such as density, setbacks, on-site parking, garages and lot coverage, so multiple workshops were held to assure adequate public participation prior to adoption of any changes.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **Adams Avenue (on and adjacent)**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No



If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

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**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

DLCD, ODOT

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Local Contact: **Eric Porter**

Phone: (541) 323-5219 Extension:

Address: **PO Box 39 / 520 E. Cascade Ave**

Fax Number: **541-549-561**

City: **Sisters**

Zip: **97759**

E-mail Address: **eporter@ci.sisters.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**ORDINANCE NO. 440**

AN ORDINANCE OF THE CITY OF SISTERS CITY COUNCIL TO AMEND THE DEVELOPMENT CODE TO ALLOW CERTAIN RESIDENTIAL USES ON LOTS THAT FRONT ON ADAMS AVENUE, AND ON LOTS THAT ARE LOCATED WITHIN 114 FEET SOUTH AND 256 FEET NORTH OF ADAMS AVENUE IN THE DOWNTOWN COMMERCIAL (DC) DISTRICT.

**WHEREAS**, the subject northern portion of the Downtown Commercial (DC) District in Sisters was originally zoned Standard Residential and contains 21 existing single family dwellings that front Adams and its adjacent / connecting streets; and,

**WHEREAS**, the Development Code allowed multi-family development until the Code was amended on May 12, 2010, at which time multi-family development was no longer allowed within this zone; and,

**WHEREAS**, the City seeks to amend portions of Sisters Development Code Chapter 2.4 Downtown Commercial (DC) District and Chapter 2.15 (Special Provisions) in a manner that allows residential uses in a specific portion of the Downtown Commercial (DC) District; and,

**WHEREAS**, Text Amendment TA 13-03 is necessary to encourage more economic development by allowing more development options for land within this defined area; and,

**WHEREAS**, in accordance to the provisions found in the Sisters Development Code Table 4.1.200 and Section 4.1.600, the proposed Development Code amendment is processed as a Type IV application; and,

**WHEREAS**, the DLCD received the Notice of Proposed Development Code Amendment on September 16, 2013 at least 35-days prior to the first evidentiary hearing; and,

**WHEREAS**, Text Amendment TA 13-03 is consistent with the Statewide Planning Goals 1, 2, 9 and 10; and,

**WHEREAS**, Text Amendment TA 13-03 is consistent with the Comprehensive Plan; and,

**WHEREAS**, the affected lots are presently provided with adequate public facilities, services and transportation networks to support the residential uses; and,

**WHEREAS**, Text Amendment TA 13-03 will not create an action that would cause an evaluation for compliance with 4.7.600, the Transportation Planning Rule (TPR); and,

**WHEREAS**, at the workshops held on October 17, 2013, November 7, 2013; December 3, 2013, January 15, 2014 and February 19, 2014, the affected property owners were invited to attend and provide input on possible changes to allow residential uses on the affected area; and,

**WHEREAS**, after due notice, a public hearing on the proposed text amendment was conducted by the Sisters Planning Commission on March 20, 2014, at which time findings were reviewed, witnesses were heard and evidence was received by the Planning Commission; and the Planning Commission voted on a 6 to 1 vote to recommend that the City Council adopt city file no. TA 13-03; and,

**WHEREAS**, after due notice, on April 10, 2014, the City Council reviewed the evidence in record, held a public hearing at which time witnesses were heard, evidence was received and the City Council found that text amendment TA 13-03 met all applicable legal requirements, including all notice requirements, and found that this Code amendment will benefit the City of Sisters.

**NOW, THEREFORE**, the City Council of the City of Sisters ordains as follows:

**SECTION 1.** The Sisters Development Code is hereby amended as provided in Exhibit A to this Ordinance.

**SECTION 2.** In support of the Development Code text amendment in Section One, the City Council hereby adopts Exhibit B to this Ordinance, which graphically depicts the lots that are affected by this action.

**SECTION 3.** The City of Sisters approves and adopts Planning Commission Resolution No. PC 2014-08 with staff report and findings attached to this Ordinance as Exhibit C.


PASSED by the Common Council of the City of Sisters this 10<sup>th</sup> day of April, 2014 and APPROVED by the Mayor of the City of Sisters.

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Brad Boyd, Mayor

ATTEST:

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Kathy Nelson, City Recorder

**Exhibit A**  
**Sisters Development Code**

Text changes adopted by the City Council at the April 10, 2014 Public Hearing

**Chapter 2.4 — Downtown Commercial (DC) District**

**Sections:**

- 2.4.100 Purpose**
- 2.4.200 Uses**
- 2.4.300 Development Standards**

**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
<b>Residential</b>	
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
<b>Commercial</b>	
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
Retail sales establishment	P
Professional and personal services (dry cleaners, barber shops/salons, etc.)	P
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)	CU

Land Use Category	Permitted/Special Provisions/Conditional Uses
when in conjunction with retail	
Theater	P
<b>Public and Institutional</b>	
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
<b>Miscellaneous</b>	
Accessory uses and structures	P/SP
Adult business	P/ SP
Bed and breakfast inn	P/SP
Communication facility	CU/SP, incl. height exception
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
<b>PROHIBITED USES Drive-through facilities, motorized vehicle repair uses and sales, and outdoor storage, except for electric car charging stations (CU)</b>	

**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	-



Development Standard	Downtown Commercial District	Comments/Other Requirements
Front yard setback	<p>First Floor - 5 feet minimum; 10 feet maximum</p> <p>Second and third floor - 0 feet.</p>	<p>Except where vision clearance standards apply.</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 front property line.</p> <p>First Floor - No more than 50 percent of the front building elevation shall exceed the maximum 10 foot setback</p> <p>Through-Lots. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks shall apply.</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, bay windows, awnings, eaves, signs and similar features may extend into the right-of-way subject to the following requirements;</p> <p>A. Support posts shall be located a maximum of 1' from back of sidewalk or back of landscape strip to provide clear space between the post and edge of curb.</p> <p>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.</p> <p>C. Encroachments shall not obstruct or prevent the placement of street trees or</p>

Development Standard	Downtown Commercial District	Comments/Other Requirements
		<p>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 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:</p> <p>eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features.</p> <p>Balconies, bay windows, awnings, eaves, signs and similar features may extend into the right-of-way subject to the following requirements;</p> <p>A. Support posts shall be located a maximum of 1' from back of sidewalk or back of landscape strip to provide clear space between the post and edge</p>

Development Standard	Downtown Commercial District	Comments/Other Requirements
		of curb. 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 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
<b>Minimum lot area:</b>		
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

Development Standard	Downtown Commercial District	Comments/Other Requirements
		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
<b>Lot frontage</b>		
	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
<b>Setbacks</b>		
<b>Front</b>		
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.	
<b>Interior Side Yard Setbacks</b>		
Primary Building/Living Space (Enclosed habitable area)/Accessory Building	5 ft. min.	
<b>Exterior Side Yard Setbacks</b>		
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 street accessed)	20 ft. min.	Recessed 10 ft. min. behind front wall of house.
Garage (side-loaded street accessed)	10 ft. min.	
<b>Rear Yard Setbacks</b>		
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 setbacks when accessed from an alley	20 ft. min.	
Side loaded garages when accessed from alley	3 ft. min.	
<b>See also garage requirements 2.4.300.B</b>		
<b>Accessory dwelling units shall comply with living space setbacks</b>		
<b>Other Standards</b>		
<b>Lot coverage</b>		
	60%	
<b>Building height</b>		
	35 feet	
<b>Parking</b>		
	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).
- a. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 8 feet); and/or
  - b. 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
  - c. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a privately owned sidewalk or pedestrian space); and/or
  - d. Public art; and/or
  - e. 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.

## **Chapter 2.15 – Special Provisions**

### **Sections:**

#### **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.

#### **2.15.2600 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.



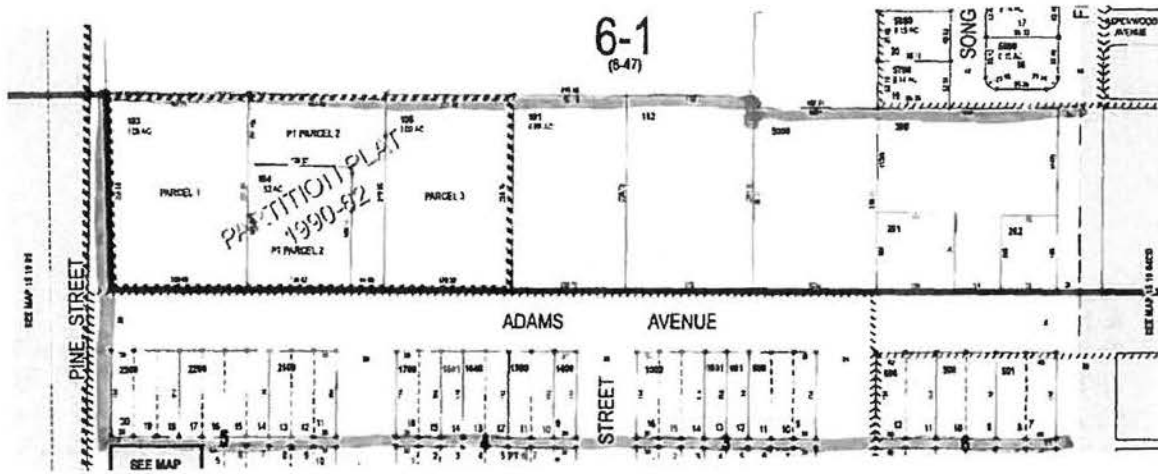
- B. Applicability. The Western Frontier Architectural Design Theme applies to all new, reconstructed or remodeled uses in all Commercial Districts. Each proposed development is required to complete land use review process subject to the following standards. All designs must comply with all applicable Building and Fire Codes.

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Exhibit B

Adams Avenue (west end)



Adams Avenue (east end)

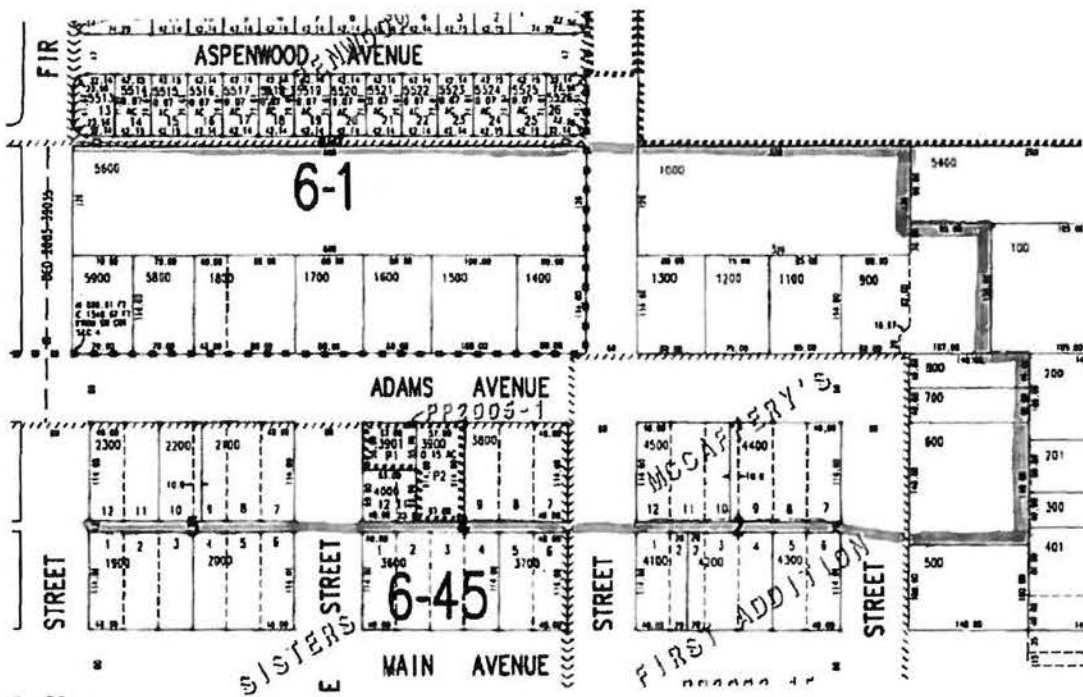


Exhibit C – Planning Commission Resolution 2014-08



**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF SISTERS  
STATE OF OREGON  
PLANNING COMMISSION RESOLUTION PC 2014-08**

**A RESOLUTION OF THE CITY OF SISTERS PLANNING COMMISSION TO AMEND THE DEVELOPMENT CODE TO ALLOW CERTAIN RESIDENTIAL USES ON LOTS THAT FRONT ON ADAMS AVENUE, AND LOTS THAT ARE LOCATED WITHIN 114 FEET SOUTH AND 256 FEET NORTH OF ADAMS AVENUE IN THE DOWNTOWN COMMERCIAL (DC) DISTRICT.**

**THE CITY OF SISTERS PLANNING COMMISSION DOES HEREBY FIND AND RESOLVE THAT:**

**WHEREAS**, the City of Sisters has experienced very slow growth in certain portions of the Downtown Commercial District; and,

**WHEREAS**, the City of Sisters has been asked by affected property owners of a slow-growth area to consider allowing new residential uses within the Downtown Commercial District along and near Adams Avenue; and,

**WHEREAS**, the City of Sisters now seeks to amend the Sisters Development Code (city file no. TA 13-03), Chapters 2.4 and 2.15 in order to allow new residential uses on and near Adams Avenue within the Downtown Commercial District; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received the Notice of Proposed Development Code Amendments at least 35-days prior to the first evidentiary hearing; and,

**WHEREAS**, the City has determined that the proposal is consistent with Statewide Planning Goals 1, 2, 9, 10 and 14; with the City's Comprehensive Plan; that approving this proposal will not adversely impact city infrastructure, and that this proposal is consistent with the Transportation Planning Rule; and,

**WHEREAS**, the City of Sisters has held five workshops and has sent meeting invitations to all affected property owners prior to holding each workshop. The workshops took place on October 17, 2013, November 7, 2013, December 3, 2013, January 15, 2014 and February 19, 2014, and public input was received in oral and written form at each of these workshops; and,

**WHEREAS**, after due notice, a public hearing on the proposed project was held before the Sisters Planning Commission on March 20, 2014, at which time findings were reviewed, witnesses were heard and evidence was received; and,

**WHEREAS**, the Sisters Planning Commission finds that these changes are in the best interest of the City of Sisters and will not adversely affect the health, safety or welfare of the citizens of the City of Sisters.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF SISTERS PLANNING COMMISSION FINDS THAT:**



**CITY OF SISTERS  
Planning Commission Resolution**

(APPROVED BY THE PLANNING COMMISSION, MARCH 20, 2014)

1. Notice has been given in the time and in the manner required by state law and city code; and,
2. The findings of fact in this matter are located in the staff report dated March 4, 2014, herewith attached and by this reference incorporated herein as Exhibit A.

**AND, BE IT FURTHER RESOLVED THAT BASED ON THE FINDINGS, THE PLANNING COMMISSION HEREBY FINDS AND RECOMMENDS THAT THE CITY COUNCIL ADOPT THE DEVELOPMENT CODE AMENDMENT TA 13-03 SUBJECT TO THE FOLLOWING EXHIBITS:**

Exhibit A – Staff Report with Findings dated March 4, 2014

Exhibit B – Development Code Text Amendments

Exhibits C1 and C2 – Map of the Affected Area

**THIS RESOLUTION IS HEREBY ADOPTED THIS 20<sup>TH</sup> DAY OF MARCH 2014.**

Members of the Commission: Holzman, Fairman, Gentry, Layne, Roberts, Tewalt and Wright.

AYES: Holzman, Fairman, Gentry, Layne, Roberts, Tewalt

(6)

NOES: Wright

(1)


ABSENT:

(0)

ABSTAIN:

(0)

Signed:

  
Alan Holzman, Chairman





**Exhibit A  
Findings and Recommendation  
Adams Avenue Residential Uses**

EXHIBIT C  
TO ORD. 440

**File #:** TA 13-03

**Applicant:** City of Sisters

**Request:** Changes to Sisters Development Code Chapter 2.4 (Downtown Commercial District) and Chapter 2.15 (Special Provisions) to allow certain residential uses on lots fronting Adams Avenue and on lots located within 114' of Adams Avenue to the south, and within 256' of Adams to the north, and within the Downtown Commercial (DC) District.

**Reviewer:** Eric Porter

**Applicable Criteria:** Sisters Development Code, Ch. 2.4, 2.15, 4.1 and 4.7; Sisters Comprehensive Plan.

**Report Date:** March 4, 2014

**Hearing:** March 20, 2014, 5:30 pm, Sisters City Hall, 520 E. Cascade Avenue, Sisters, OR

I. **Background.** The City has been made aware of a potential need to consider allowing residential uses on Adams Avenue, an east-west street located in the northern portion of the Downtown Commercial (DC) zoning district.

Adams Avenue was originally zoned as 'General Residential' in 1974 when the City of Sisters first established zoning designations. Adams was later rezoned to General Commercial in 1979. There are 48 lots in the affected area; of these, 21 lots contain houses, and 3 lots contain apartments. Owners of vacant lots in the affected area have expressed interest in allowing new residential uses on some of the vacant lots. Also, four of the houses in this defined area have been vacant for more than 1 year and cannot legally be re-occupied as residences under the current code because they are non-conforming structures.

The Planning Commission initially discussed these changes during workshops held on October 17, 2013; November 7, 2013, December 3, 2013, January 15, 2014 and February 19, 2013. A sixth workshop was scheduled for February 5, 2014 but was cancelled due to inclement weather. A survey was distributed at the January 15, 2014 workshop that was intended to gather input from the attendees regarding the support for allowing new residential uses on Adams Avenue, and if so, what the specific density, setbacks, and other applicable standards should be. The survey results are included at the end of this report. Lastly, the term 'on Adams' is used throughout this report. This term refers to lots that abut Adams Avenue as well as are located within 114' south of Adams, and within 256' to the north of Adams Avenue in the Downtown Commercial District.

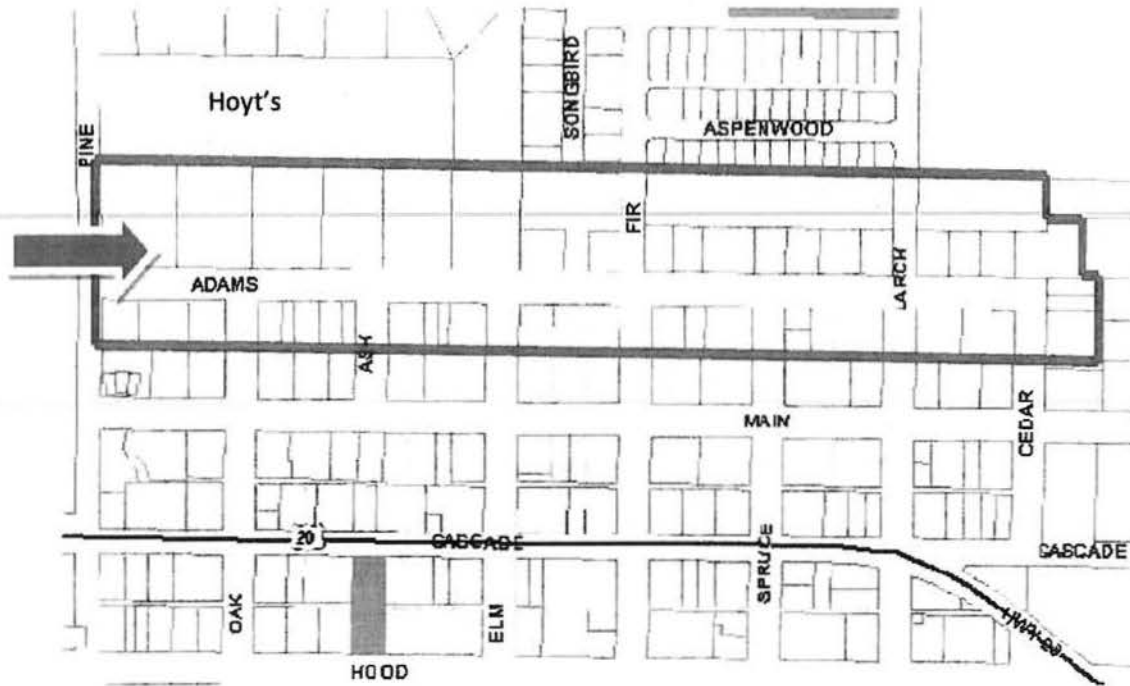
II. **Recap of Discussion – Planning Commission workshop, February 19, 2014.** At the February 19, 2014 Planning Commission workshop, the participants and the Commission supported the following:

- Single family dwellings and duplexes are okay on Adams
- Establishing and re-establishing residential uses is a good idea.

# CITY OF SISTERS

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Map of Affected Portion of Adams Avenue

### II. Recap of Discussion – Feb. 19, 2014 PC Workshop (con't)

- Setbacks are desired; Residential District setbacks are preferred
- 60% lot coverage (maximum) is acceptable.
- No floor area ratio needed - lot coverage and setbacks will address the FAR purpose.
- Retaining mixed use development is good
- Western Theme is desirable
- Retaining commercial uses is desirable
- Parking - most are supportive of using commercial parking standards for residential uses

However, there was disagreement on other issues;

- Different units-per-lot densities east versus west side of Adams (the dividing line is Fir Street). Most of the east Adams residents favored duplexes and SFRs only on the east side. Most of those who commented supported larger residential units on western Adams.
- How many dwelling units per acre should be allowed? If we use minimum lot sizes, the density won't be an issue...

## CITY OF SISTERS

### Exhibit A – Findings and Recommendation

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- Whether minimum lot sizes are necessary per residential type. Allowing unrestricted construction could adversely impact neighboring lots / uses.

Lastly, there were some general observations and questions:

- Adams Avenue already has diverse building mixes
- Would splitting up Adams (east and west) be better?
- It is important to differentiate between east and west
- Is this change being driven by the recession?
- Doing something is better than doing nothing; nobody wants empty lots
- Don't we have other commercial areas that can be developed? (this action is not proposing eliminating commercial development; it is simply adding residential land use options)
- Adams is currently blighted; many who live on Adams like it as a residential neighborhood. Mixed use doesn't necessarily make the street more viable.
- Can residences be built so that they can be converted to commercial uses more easily?
- There could be upscale homes on E. side of Adams
- Don't put limits on potential development (min. lot sizes; coverage, density).
- There are no rental units in Sisters. Apartment stock in Sisters is pretty full.
- There may not be a need to put east and west on the requirements because of the lot sizes that are established
- How difficult would it be to convert a residence to a commercial use? (requires site plan review, building improvements, ADA requirements)
- Can other northern large commercial lots be used for apartments? (not under current zoning)
- More discussion is needed on setbacks

**III. Remaining Points of Clarification Needed.** There are several things that still need to be resolved, and potentially added into the Planning Commission's recommendation to the City Council. These items include the following:

1. Should there be minimum *and maximum* setbacks in case the residential dwelling converts to a business in the future? Staff recommends the same maximum setbacks as are required for commercial buildings.
2. Should garages be required? Staff is not recommending any required parking unless there is no 'developed' parking available similarly to non-residential uses in this zone.
3. Should any on-site parking be required? Staff is recommending that the same exception that applies to commercial uses also be applied to residential uses.

## CITY OF SISTERS

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4. Should residential uses larger than fourplexes be allowed on or near Adams west of Fir Street? Staff is not recommending anything larger than fourplexes on or near west Adams, and nothing larger than duplexes on or near Adams east of Fir Street.

**IV. Conclusionary Findings.** Sisters Development Code Table 4.1.200 states that a Code Amendment is a Type IV decision and is regulated by Chapter 4.7 Land Use District Map and Text Amendments. Section 4.7.200 states that legislative amendments are policy decisions made by the City Council and shall be reviewed using the Type IV procedure in Chapter 4.1, Section 600 and shall conform to Section 4.7.600 Transportation Planning Rule (TPR) compliance, as applicable.

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**1. Approval of the request is consistent with the Statewide Planning Goals.**

The Sisters Development Code requires all text amendments comply with the requirements of the Statewide Planning Goals; compliance with relevant Statewide Planning Goals is evaluated below.

**Goal 1 - Citizen Involvement.** *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

The Sisters Planning Commission acts as the citizen involvement program for the City of Sisters. For the public hearing by the Planning Commission on this matter, staff provided a public notice in the Nugget Newspaper in the March 6, 2014 edition which advertised the March 20, 2014 public hearing. This public hearing notice was also posted on the City's web site on March 4, 2014. Further, the City held workshops on October 17, 2013, November 7, 2013, December 3, 2013, January 15, 2014 and February 19, 2014 to gather public input. Notices of these workshops were mailed to the affected property owners more than 14 days prior to each of the workshops. Lastly, following the City Council's decision on this matter at a future public hearing that is yet to be scheduled, there is a 21 day appeal period associated with this action, and any party to this process has the right to appeal the decision to LUBA.

**Goal 2 - Land Use Planning.** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The proposed Development Code update will make changes to a number of items in the afore-referenced code chapters. None of the changes proposed are making any existing rules more restrictive, therefore no Measure 56 notices are necessary for this action to occur.

The process required is identified in Sisters Development Code chapter 4.1, 'Types of Applications and Review Procedures', and requires certain findings be made that pertain to impacts associated with the change. These impacts are evaluated in this document, and are used as the factual basis for the ultimate decision made by the City Council on this matter.

**Goal 9 - Economic Development.** *The purpose of Goal 9 is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*



## CITY OF SISTERS

### Exhibit A – Findings and Recommendation

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The proposed changes will help to encourage more mixed development within the Downtown Commercial district. Over the past seven years, the affected area has seen virtually no new development occur. There is no market for new retail or other commercial uses in this area, evidenced by the lack of new construction or inquiries for new construction. With one exception, the owners of the vacant lots on Adams Avenue believe that the properties are viable as residential properties rather than commercial properties, and the property owners of vacant land support this change.

**Goal 10 – Housing.** *To provide for the housing needs of citizens of the State.*

This proposal will increase the opportunity for more housing on and adjacent to Adams Avenue. There are currently 21 houses within the affected area; four of which cannot be used as residences because of the Development Code for the Downtown Commercial Zone, which does not allow new stand-alone residential construction, nor does it allow re-occupation of a non-conforming buildings including dwellings when they have been vacant for longer than one year. Approval of this action will allow the re-occupation of existing vacant dwellings as residences within the affected area, and will allow certain new residential uses to be built.

**Goal 14 – Urbanization.** *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Allowing new land uses in the underdeveloped portions of the affected area will provide additional incentive for those seeking wider variety of land uses to develop lot that are platted and intended for immediate development. The City has the ability to provide all required infrastructure to these vacant lots, and sees this action as a means of enticing new development on these vacant lots.

2. **Approval of the request is consistent with the Comprehensive Plan.** The following provides the relevant policies of the Sisters Urban Area Comprehensive Plan and evaluates the proposal's compliance with each goal and corresponding policies, objectives and tasks as are applicable.

#### **Goal 1: Citizen Involvement**

##### **1.4 Policies.**

1. The City of Sisters shall seek out and encourage public participation in all aspects of the City planning process.

##### **Tasks –**

- a. Planning Commission and City Council meetings shall be held on a regularly scheduled basis.
- b. Planning Commission and City Council meeting agendas shall be publicized in a manner that makes this information widely available.
- d. The City shall use a variety of methods to achieve citizen involvement.

# CITY OF SISTERS

## Exhibit A – Findings and Recommendation

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The City held four workshops with the Sisters Planning Commission to discuss these changes in October and November 2013, December 3, 2013, January 15, 2014 and February 19, 2014. Each of these workshops were open to the public and were well attended by affected property owners and interested members of the community. A recap of the February 19, 2014 meeting is included within this report. Two public hearings on this matter will take place; the first on March 20, 2014 before the Sisters Planning Commission; the second will be heard by the City Council at a date still to be determined. Public comments are encouraged at the public hearings, and the final decision that will be made by the City Council is subject to appeal by any aggrieved party.

### **Goal 2: Land Use Planning**

#### **2.4 Policies.**

1. The City of Sisters shall develop land use codes and ordinances that are based on an adequate factual basis as well as applicable local, state, and federal regulations.

#### Tasks –

- a. Codes and ordinances shall spell out responsibilities for administering and enforcing land use policies.
  - b. The City of Sisters Development Code shall be used to facilitate the development process and to implement the land use goals outlined in this Plan.
2. The City shall review the policies in the Comprehensive Plan annually to take into account changing public policies and circumstances and to ensure that it is continuing to function as a guide for community growth.

#### Tasks –

- a. The City shall ensure that other local; state and federal agencies having programs, land ownerships, or responsibilities within the planning area are included in the update process, as needed.
  - b. The City Council shall convene annually to set Council Goals and to review and coordinate those Goals with the Comprehensive Plan Goals and Policies.
3. As economic and social conditions change, it may be appropriate for the City to create new zoning designations that will work to assist the City in meeting the goals and policies of the Comprehensive Plan, the requirements of state law, and state land use goals.

#### Tasks –

- a. The City shall periodically review the Sisters Development Code to determine whether the districts set forth therein are adequate to address the goals, policies and objectives of the

## CITY OF SISTERS

### Exhibit A – Findings and Recommendation

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Comprehensive Plan and whether economic and social conditions warrant revision of the district codes, or creation of new districts. Any application for a code amendment shall address the policies and facts supporting the proposed code amendments.

**Response:** The proposed changes to the Development Code are intended to make development easier by allowing residential uses that previously had not been allowed within the defined area. These changes proposed are a direct result of changing economic priorities within the City as well as changes to social conditions, which helped to identify opportunities to make changes to the Code in a positive manner that will benefit the affected interests in the City.

#### **Goal 9: Economic Development**

##### **9.4 Policies.**

- a. The City shall maintain and enhance the appearance and function of the Commercial Districts by providing a safe and aesthetically pleasing pedestrian environment, mixed use development, and requiring adherence to the Sisters Western Frontier Architectural Design for all types of development and signage. The Sisters Western Frontier Architectural Design Theme does not apply to the Sun Ranch Tourist Commercial District. In its place a more historically accurate 1900s Rural Farm/Ranch House design standard applies. The City shall establish standards for this design theme in the Development Code.
- b. Auto Oriented developments such as restaurants with drive-up windows are not appropriate in the downtown area or Commercial District. Auto oriented uses shall only be permitted in the Highway Commercial District, Light Industrial District, and North Sisters Business Park District, and shall be limited and managed based on their impacts.
- c. The City shall assure development contiguous to commercial and residential zones is designed and built in a manner that is consistent and integrates with the character and quality of those zones.
- d. The City's Development Code should continue to allow mixed-use development within the Commercial Districts, and in transitional light-industrial areas such as the Sun Ranch and Three Sisters Business Parks (as previously noted in the findings), and small commercial uses and home occupation mixed with residential uses.

**Response:** This proposal would provide the opportunity for a mix of uses within the project area. There are several commercial businesses within this area, as well as 17 occupied and 4 vacant houses. The houses will again be allowed to be used as residences if these changes are approved by the City.

#### **Goal 10 – Housing.**

##### **10.4 – Policies.**

8. Mixed use zoning districts that include a residential component shall contain mechanisms to ensure compatibility between residential and underlying commercial or industrial uses.

## CITY OF SISTERS

### Exhibit A – Findings and Recommendation

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9. The City shall strengthen efforts to increase supplies of multi-family housing, in order to meet the demand for additional multifamily units, to provide additional workforce housing, and to increase the supplies of rental units.

**Response:** Adding the residential uses proposed will help to increase the supply of rental units as well as the supply of single family dwellings in this project area.

**Goal 14 – Urbanization.** *To provide for an orderly and efficient transition from rural to urban land use.*

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#### 14.4 Policies.

1. The City shall promote development within the UGB to minimize the cost of providing public services and infrastructure and to protect resource land outside the UGB.

**Response:** Expanding allowable land uses in the defined area meets this policy, since water, sewer and roads are fully developed and accessible to all land within the defined area.

3. **The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property. The applicant shall update City of Sisters Masters Plans for Water, Sewer, Parks and Transportation Systems subject to City Council approval, to reflect impacts of the rezoning on those facilities and long-range plans. The applicant must demonstrate that the property and affected area shall be served with adequate public facilities, services and transportation networks to support maximum anticipated levels and densities of use allowed by the District without adversely impacting current levels of service provided to existing users; or applicant's proposal to provide concurrently with the development of the property such facilities, services and transportation networks needed to support maximum anticipated level and density of use allowed by the District without adversely impacting current levels of service provided to existing users.**

**Response:** Residential uses place less demand on water, sewer and roads than most commercial uses. There are no capacity issues in the project area, and if each vacant lot in the project area develops with residential uses, it would not adversely affect the capacity of the sewer, water or street system, all of which were designed for buildout of the Downtown Commercial zone with more intensive and impactful commercial uses.

4. **4.7.600 Transportation Planning Rule (TPR) Compliance.** Potential impacts to transportation facilities are considered for each individual application as part of the review process.

The City solicited comments from ODOT on February 28, 2014 via email with attachments sent to ODOT's Region 4 Planning Manager James Bryant, who indicated that he had no comments (via email received by the City on February 28, 2014).

The City of Sisters provided notice to DLCD, and has discussed changes with Robert Monsolillo, Karen Swirsky, and later with Scott Edelman of DLCD. No concerns were raised by DLCD.

## CITY OF SISTERS

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ODOT, DLCD and the City of Sisters all have the authority to administer the TPR when it is evident that an action will trigger its application. Since residential uses generate less trips than most retail uses, staff finds that the TPR does not apply to this action.

#### IV. Notice Requirements and Public Comments

**Department of Land Conservation and Development (DLCD) Notice.** On September 16, 2013, staff mailed DLCD's 'notice 1' to Salem in care of Larry French. Staff also emailed DLCD area representative Karen Swirsky and Robert Monsolillo on September 16, 2013 in order to provide them with the same information that was mailed to DLCD in Salem.

**Public Notice.** Pursuant to Oregon Revised Statutes and Type IV noticing requirements of the City of Sisters Development Code Chapter 4.1, the City published a legal notice for the Planning Commission public hearing on March 6, 2014 in the Nugget Newspaper, and has mailed and emailed notices to each affected property owner prior to the workshops that have been held to date at least 14 days prior to each workshop.

**V. Composition of the Record.** The following exhibits make up the record in this matter. These exhibits are contained in city file TA 13-03 and are available for review at the Sisters City Hall.

- A. This Findings and Recommendation document
- B. Proposed Development Code text (included in this document)
- C. Map of the Affected Area
- D. Nugget News legal notice dated March 4, 2014.
- E. Notice No. 1, "Notice of Proposed Amendment" as was sent to DLCD on September 16, 2013.
- F. Completed Surveys from January 15, 2014 Workshop.



# CITY OF SISTERS

## Exhibit A – Findings and Recommendation

Title: TA13-03  
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### Survey Results from January 15, 2014 Workshop

Survey Results (Adams Ave)

Total surveys received: 9 Date: 2-5-2014	Yes	No	Other or Not sure
<b>1a. Residential Uses on Adams west of Fir:</b>			
Single Family Dwellings:	7		
Duplexes:	8		
Triplexes:	7		
Fourplexes:	5		
Larger than fourplexes:	6		
<b>1b. Residential Uses on Adams east of Fir:</b>			
Single Family Dwellings:	7		
Duplexes:	7		
Triplexes:	4		
Fourplexes:	3		
Larger than fourplexes:	4		
<b>2. Lot Coverage:</b>	5	2	2
<b>3. Floor Area Ratio:</b>	5	3	1
<b>4. Setbacks:</b>			
Front:	8	1	
Interior Side:	9		
Exterior Side:	9		
Rear:	8	1	
<b>5. Parking:</b>			1
Require on-site:	2	1	
Require w/ Garage:	1	1	
Match commercial reqmts:			
No requirement (on street)	5		
<b>6. 1880's Western Theme:</b>			
Single Family Dwellings:	6		
Duplexes:	7		
Triplexes:	7		
Fourplexes or larger:	6		
Not sure or no opinion	1		
Don't require Western Theme	1		
<b>7. Minimum Lot Sizes:</b>	4	3	2
<b>8. Reimbursement District for Sidewalks:</b>	3	3	3

----- END OF REPORT -----

**Exhibit B****Sisters Development Code – Amended Text**

New proposed text is double-underlined / red font. Stricken text is in ~~strikethrough font~~.

**Chapter 2.4 — Downtown Commercial (DC) District****Sections:****2.4.100 Purpose****2.4.200 Uses****2.4.300 Development Standards****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.

**CITY OF SISTERS**

**Exhibit B – Proposed Code Text Changes**

File No.: TA13-03

Hearing Date: April 10, 2014

- 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
<b>Residential</b>	
Dwelling(s) located above, within, or attached to a commercial building not including single family detached dwellings.	P /SP
Child care home (Care for no more than 16 children)	P
<u>Single family, Duplex, Townhouses (up to 2 units)</u>	<u>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</u>
<u>Triplex, Fourplex, Multi-Family Dwellings</u>	<u>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</u>
Residential facilities	P/SP
<b>Commercial</b>	
Amusement Uses	P
Artist studio	P
Assembly, Club	P
Concert Hall	P
Electric Car Charging Stations (regardless if	CU

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Land Use Category	Permitted/Special Provisions/Conditional Uses
accessory)	
Gallery	P
Hotel	P
Brewery and Distillery	MCU
Eating and drinking establishments	P
Retail sales establishment	P
Professional and personal services (dry cleaners, barber shops/salons, etc.)	P
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
<b>Public and Institutional</b>	
Community centers and similar uses	P
Churches and places of worship	CU
Service clubs, lodges, etc.	P

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Land Use Category	Permitted/Special Provisions/Conditional Uses
Government offices	P
Museums	P
Community centers, assembly, concert halls and similar uses	CU
Public parking lots and garages	P
Public parks and recreational facilities	P
Schools (including child care centers)	CU
<b>Miscellaneous</b>	
Accessory uses and structures	P/SP
Adult business	P/ SP
Bed and breakfast inn	P/SP
Communication facility	CU/SP, incl. height exception
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
<b>PROHIBITED USES Drive-through facilities, motorized vehicle repair uses and sales, and outdoor storage, except for electric car charging stations (CU)</b>	

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



**CITY OF SISTERS**

**Exhibit B – Proposed Code Text Changes**

File No.: TA13-03

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**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	<p align="center">First Floor - 5 feet minimum; 10 feet maximum</p> <p align="center">Second and third floor - 0 feet.</p>	<p>Except where vision clearance standards apply.</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 front property line.</p> <p>First Floor - No more than 50 percent of the front building elevation shall exceed the maximum 10 foot setback</p> <p>Through-Lots. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks shall apply.</p> <p>The following features are allowed to encroach into</p>

**CITY OF SISTERS**

**Exhibit B – Proposed Code Text Changes**

File No.: TA13-03

Hearing Date: April 10, 2014

Development Standard	Downtown Commercial District	Comments/Other Requirements
		<p>the required setback: eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features.</p> <p>Balconies, bay windows, awnings, eaves, signs and similar features may extend into the right-of-way subject to the following requirements;</p> <p>A. Support posts shall be located a maximum of 1' from back of sidewalk or back of landscape strip to provide clear space between the post and edge of curb.</p> <p>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.</p> <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</p>

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Development Standard	Downtown Commercial District	Comments/Other Requirements
		<p>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 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</p>

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		<p>allowed to encroach into the required setback:                      eaves, chimneys, overhangs, canopies, fire escapes, landing places, outside stairways, and similar architectural features.</p> <p>Balconies, bay windows, awnings, eaves, signs and similar features may extend into the right-of-way subject to the following requirements;</p> <p>A. Support posts shall be located a maximum of 1' from back of sidewalk or back of landscape strip to provide clear space between the post and edge of curb.</p> <p>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.</p> <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</p>

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		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 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**

<b>Development Standard</b>	<b>Downtown Commercial District</b>	<b>Comments/Other Requirements</b>
Minimum lot area		



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<b>Development Standard</b>	<b>Downtown Commercial District</b>	<b>Comments/Other Requirements</b>
<u>Single Family Dwelling</u>	<u>4000 s.f.</u>	
<u>Duplex</u>	<u>4500 s.f.</u>	
<u>Triplex</u>	<u>6000 s.f.</u>	<u>On lots that are located west of Fir Street only</u>
<u>Fourplex</u>	<u>7500 s.f.</u>	<u>On lots that are located west of Fir Street only</u>
<u>Five or more units</u>	<u>7500 s.f. for first 4 units, plus 1500 s.f. for each additional unit.</u>	<u>On lots that are located west of Fir Street only</u>
<u>Lot frontage</u>	<u>No minimum</u>	
<u>Front yard setback</u>	<u>10 feet minimum, 20 feet maximum</u>	<u>Garage - 20 feet (front-loaded) and recessed behind front wall of house if an alley is not available (City Council to indicate minimum recession distance)</u>  <u>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.</u>
<u>Interior Side Yard setback</u>	<u>5 feet minimum, 10 feet maximum</u>	
<u>Exterior Side Yard setback</u>	<u>10 feet minimum, 20' maximum</u>	<u>Lots that are less than 35' wide may reduce the exterior side yard setback to 5'.</u>
<u>Rear Yard setback</u>	<u>15 feet minimum</u>	<u>Garage – when served by a rear-lot alley; 20 feet (front-loaded), 3 feet (side-loaded).</u>
<u>Lot coverage</u>	<u>60%</u>	

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<b>Development Standard</b>	<b>Downtown Commercial District</b>	<b>Comments/Other Requirements</b>
<u>Building height</u>	<u>35 feet</u>	
<u>Parking</u>	<u>See Chapter 3.3, Table 3.3.300A</u>	<u>The parking exception in 3.3.200D does not apply to stand-alone residential uses.</u>
<u>Garage</u>	<u>1 per dwelling unit</u>	<u>Alley accessed where an alley is available; recessed behind house where no alley is available. (City Council to indicate minimum recession distance)</u>

**B. 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.

**C. 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

**D. 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:

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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.

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

F. **Pedestrian Amenity Standards.** Except for single family, 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).

- a. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 8 feet); and/or
- b. 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
- c. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a privately owned sidewalk or pedestrian space); and/or
- d. Public art; and/or
- e. Water feature.

G. **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.

H. **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.

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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.

I. **Western Frontier Design Theme**. See Special Provisions, Chapter 2.15.

#### Chapter 2.15 – Special Provisions

##### Sections:

#### 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 required 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.

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**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 ~~commercial~~ 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.
-



Attachment B – Written Testimony

**From:** Joseph Angel [<mailto:jangel@pacificstar.biz>]  
**Sent:** Monday, April 07, 2014 3:13 PM  
**To:** Pauline Hardie  
**Subject:** Hearing, Adams St

Pauline

Several things I would like for you to consider when debating Adams.

1. Please revisit the suggestion that garages be required. I believe that this is best left up to the market place to decide. This adds expense to any development and takes away valuable land to be dedicated to cars not people and the density that the downtown needs. On streets without an alley it will also destroy on street parking just for ingress. You need the street parking and most people won't pay extra for a garage. You need good workforce housing close to town not more cost and less parking.
2. I would encourage you to consider "cottage cluster type housing" which had a lot of success in Washington state. Small units developed around a "commons"
3. On another subject. "Accessory Units". Please consider allowing accessory units in commercial zones. Again this is where you can pick up density in the core on lots where commercial use may already be occurring but the property has room for an accessory dwelling. Living on property should not be required.

Thanks for your time.

Regards, Joe

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From Joe Marquez via email; March 13, 2014, 5:09 pm

Thank you for keeping us in the loop. We am okay with a small modification as long as it doesn't mean it is no longer commercial property. We are adamantly against making it residential again.

Joe Marquez  
541-350-3923

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**From:** Kathy Deggendorfer [<mailto:kathy@kathydeggendorfer.com>]  
**Sent:** Thursday, February 06, 2014 5:18 PM  
**To:** Eric Porter  
**Cc:** Kathy Deggendorfer  
**Subject:** Re: City of Sisters - reminder - Adams Ave PC workshop - Feb 6, 5:30 pm

Hi Eric... I do have some ideas about the proposed changes to the code... mostly that I would love for Adams St. to become an Arts District area with the opportunity for artists to live and work in the same space. I know Jill Neal tried to do that across the street from the Art Works bldg and have heard the owners of the building currently housing The Porch restaurant that they could have rented their bldg multiple times to live/work tenants.

I have been meeting over the years with U of O Architecture school... you might remember the project they did with mobile art studio concept here in Sisters a few years ago. They might be interested in providing an intern this year to help us develop an "arts district" plan--

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The heat pump here at ARTWorks is on the fritz so I am waiting for the heating guy to show and won't make the meeting tonite.

Just wanted to let you know I am interested and would like to discuss the possibilities.

Kathy Deggendorfer

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From Sam Blackwell via email, Feb. 3, 2014:

I am ok with residential uses, but not SFD's.

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From Frank Deggendorfer via email, Dec. 27, 2013, 10:49 am:

Perhaps this would be a good time to discuss the equity of the residential portion of our city picking up their \$.05 per square foot of occupancy to support parking. This tax is a money grab at best but if it is something that the city feels that they need to charge that portion of their populace who have no vote then they need to also charge those residential voters who are in the commercial district. Thanks for letting me vent.

Frank Deggendorfer

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From Frank Deggendorfer via email, Nov. 22, 2013,

In response to your letter of 11/15/13 both Kathy and I will be unable to attend the meeting scheduled for 12/03/13. However, we do have a couple of comments that we feel pertain to the changing of the development code. Number one all development should be consistent whether commercial or residential; thus, the sidewalk requirement that has been in place for commercial should also pertain to residential. Secondly, off street parking should be required based on squarefootage of the structure(no on street parking of boats, RVs, campers, etc.) And, thirdly, appropriate landscaping should be required that would shield adjacent property owners of nuisance eyesores that will occur.

Thanks in advance for your consideration of the above.

---

From Joe Angel via email, Nov. 22, 2013, 11:12 am:

My opinion is that we should allow all residential and dense ( 3 stories) if people want to do that and mixed use as a fall back. From my perspective the Market has spoken since nothing commercial is on those back streets. I like when you concentrate Retail and put residential density around it.

One concern...Hoyts' .....what do that want on their property? They should not be asked to become a Non-conforming use over this idea.

Another concern.....parking. Community lots for off street parking should be created ( bought) within a few blocks of the retail center to accommodate peak periods. And open space ( farmers market) during slow periods.

---

From Stephen Jaqua via email sent Oct. 28, 2013, 12:52 pm:

As per your request (and given that I can not attend the November 7th Planning Commission meeting), here are my current thoughts concerning Adams Street:

I definitely support allowing residential use on Adams Street. In particular, single family residences, duplexes, and town homes. In my opinion, Adams Street will never be a viable as a commercial corridor. Attractive residential, such as I have had built in Pine Meadow Village and will soon have built at Pine and Washington, would be of much greater benefit to Sisters. I could expand on these thoughts, and probably will at the November 12th City Council meeting. However, yourself, Doug Roberts, and Andrew Gorayeb are aware of my thoughts on this subject, and I therefore give any of you permission to speak on my behalf.

Note: Currently I own TL's 1500, 1600, 1700, 3800, 3900, and 4500 on Adams Street.

Stephen Jaqua

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From Sharlene Weed, sent via email Sept. 16, 2013, 9:40 am:

That is a terrible idea.  
More later...

**Sharlene Weed**

-----end of emailed comments-----

Survey Results (Adams Ave)

Total surveys received: <b>9</b> Date: 2-5-2014		Yes	No	Other or Not sure
<b>1a. Residential Uses on Adams west of Fir:</b>				
	Single Family Dwellings:	7		
	Duplexes:	8		
	Triplexes:	7		
	Fourplexes:	5		
	Larger than fourplexes:	6		
<b>1b. Residential Uses on Adams east of Fir:</b>				
	Single Family Dwellings:	7		
	Duplexes:	7		
	Triplexes:	4		
	Fourplexes:	3		
	Larger than fourplexes:	4		
<b>2. Lot Coverage:</b>		5	2	2
<b>3. Floor Area Ratio:</b>		5	3	1
<b>4. Setbacks:</b>				
	Front:	8	1	
	Interior Side:	9		
	Exterior Side:	9		
	Rear:	8	1	
<b>5. Parking:</b>				1
	Require on-site:	2	1	
	Require w/ Garage:	1	1	
	Match commercial reqmts:			
	No requirement (on street)	5		
<b>6. 1880's Western Theme:</b>				
	Single Family Dwellings:	6		
	Duplexes:	7		
	Triplexes:	7		
	Fourplexes or larger:	6		
	Not sure or no opinion	1		
	Don't require Western Theme	1		
<b>7. Minimum Lot Sizes:</b>		4	3	2
<b>8. Reimbursement District for Sidewalks:</b>		3	3	3



APR 14 2014

## Community Development Department

April 11, 2014

Department of Land Conservation and Development  
Atten: Plan Amendment Specialist  
635 Capitol Street NE, suite 150  
Salem, OR 97301-2540

### **Re: City of Sisters Development Code update – Adoption of Ordinance No. 440**

Dear Plan Amendment Specialist,

On September 16, 2013, the City of Sisters sent DLCD Notice No. 1 describing desired changes to the Sisters Development Code that would allow certain residential uses in the Downtown Commercial (DC) zoning district. The original scope of the proposed text amendment would have affected the lots that front Adams Avenue and Main Avenue in Sisters. We then amended the scope of the affected area to remove the 45 lots that front Main Avenue from consideration.

The first evidentiary hearing was initially thought to occur on November 11, 2013, however after the first workshop discussion, it became clear that more public input was both desirable and necessary, so a series of workshops took place before the first hearing occurred. The first evidentiary hearing occurred on March 20, 2014. The final public hearing occurred on April 10, 2014, and Ordinance No. 440 was unanimously approved and adopted by non-emergency by the Sisters City Council.

Enclosed please find the adopting Ordinance and all support information. And thank you for providing the quality of service that is so important to local jurisdictions such as ours.

Respectfully,

Eric J. Porter  
Planner  
City of Sisters  
(541) 323-5219

Cc: Scott Edelman, Karen Swirsky  
Andrew Gorayeb, Pauline Hardie  
File

1257-  
CDD - Eric Porter

39

OR 97759



APR 11 2014

DLCD

Attn: Plan Amendment Specialist

635 Capitol St. NE # 150

Salem, OR 97301-2540