

## Chapter 2.7 — Overlay (O) Districts

### 2.7.100 Western Frontier Architectural Design Theme

### 2.7.200 Airport Overlay District

### 2.7.100 Western Frontier Architectural Design Theme

**A. Purpose.** The Western Frontier Architectural Design Theme. This design theme will apply to all new, reconstructed or remodeled commercial uses in the Commercial Districts. Each proposed development is required to complete Site Design Review subject to the following standards:

**B. Approved materials.**

1. Roofs. Coverings shall be non-reflective metal, tile, asphalt, and other appropriate materials. If wood roofing is used it shall be fire retardant treated.

2. Exterior Finishes. Typical materials are varieties of horizontal wood siding, vertical board and batten (rough sawn or surfaced four sides) and cedar shingles, with the latter particularly applicable to ornamental patterns on residential structures. Brick or stone masonry provides additional choices of material. **Any T-111 (grooved) plywood siding is prohibited.** Smooth plywood shall not be used as an exterior finish material. Rough-sawn plywood may be used as exterior finish material, but only in board and batten applications with battens of no less than nominal 1 x 2 dimension, placed on centers not exceeding 12 inches. All vertical plywood joints and seams shall be covered by battens, and no plywood edges shall be left exposed.

Where the exterior is not painted the exterior is to be oiled and/or stained to protect the surface materials. This is practical with the use of cedar or redwood which both contain natural oils that protect the wood. As a practical matter for extended protection of any board and batten surface, the use of sealer or oil base of solid color stain is warranted. The same is true of vertical surfaces finished with cedar shingles.

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

3. Windows. Wood sash windows are typical, to include double hung, casement, horizontal sliding and fixed sash. Availability of currently manufactured stock in styles keeping with the period, is limited as to capturing the period window style. This is particularly true for large expanses of glass in commercial storefronts and will undoubtedly require special foundation.

4. Doors. Combination glass and wood panel doors are typical and are available in certain standard types, in single and divided glass lights. To approach the variety of period door styles will require modification of standard door types, particularly in arrangement of glass lights or necessitate special manufacture.

5. **Colors.** Rough sawn or milled boards and batten, particularly cedar and redwood, may be retained in a natural finish which ultimately weathers to silver gray in color.

During the period, there was a lack of high gloss finishes, therefore color applications were generally flat in nature. To duplicate this character, flat or low gloss products currently on the market should be utilized. Applied surface colors were predominately flat white for most buildings. Large area surface colors other than white were primarily flat earthy ochres, yellows, browns and reds. Trim was found at the cornices, vertical corner trim of a building, windows and doors, porch and balustrade.

Actual color samples on the proposed materials shall be provided for consideration of approval by the hearings body for all site plans and repainting existing buildings.

### **C. Architectural Techniques.**

Examples of typical western frontier architectural styles found during the turn of the century western United States are illustrated in Section 2.7. The false front architectural characteristic as depicted in Section 2.7. shall be utilized for all new, reconstructed or remodeled uses in the Commercial Districts. The only alternative to this shall be applicants providing a photograph or plans of an historical commercial building existing during the 1880's east of the Cascade Mountain in Oregon to be reproduced on the site. Decisions about the appropriateness of a particular design will be made on an individual application by the Hearing Body.

### **D. Public Art.**

All sculpture and visual art displayed for the public in the Commercial Districts and located on the exterior of a building or on grounds outside of a building shall be subject to Architectural Theme Design and Planning Commission Approval to insure compatibility with the western frontier theme.

### **E. Benches.**

Benches should be provided in both buildable and private pedestrian areas and walkways. Benches in public areas on private property, adjacent to public right of way shall comply with the western frontier theme.

### **F. Trash Enclosures.**

Trash enclosures shall be carefully located and treated to integrate with the appearance of the site/building design. The roof pitch and materials shall be consistent with the western frontier theme and the style of the adjacent buildings. It is recommended that the placement of the enclosures be combined with neighboring properties where reasonably possible.

### **G. Lighting.**

Lighting shall be low intensity, shaded or shielded and subject to review and shall be compatible with the western frontier theme. Exterior lighting shall comply with Section 3.4.200 m., Exterior Lighting Standards. No fluorescent lighting may be exposed.

**H. Building Entrances.**

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

**I. Roof, mechanical equipment and satellite dishes.**

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

**J. Architectural details.**

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

**K. Awnings, canopies, porches.**

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

**L. Fences and Gates**

Fences and gates shall be constructed of wood, ornamental iron details appropriate to the period may be utilized.

**2.7.200 Airport Overlay District (AO)****A. Purpose.**

This overlay zone is intended to prevent the establishment of airspace obstructions within the Sisters Eagle Air Airport approach surfaces that are located within the City of Sisters city limits. The protection of the Airport Imaginary Surfaces will be accomplished through height restrictions and other land use controls as deemed essential to protect the health, safety and welfare of the people of the City of Sisters.

1. In order to carry out the provisions of this overlay zone there is hereby created an Airport Imaginary Surfaces Map that pertains to the Sisters Eagle Air Airport Imaginary Surfaces that are located within the City of Sisters city limits.
2. The airport overlay zone requirements have been designed to comply with the provisions of the following legislation:
  - a. Federal Aviation Regulations, Part 77 – Objects Affecting Navigable Airspace
  - b. Oregon Administrative Rules, Chapter 738, Division 70, Physical Hazards to Air Navigation

|  |
|--|
| <b>2.7.200 Airport Overlay District (AO) - (Continued)</b> |
|--|

- c. Oregon Revised Statutes Section 836.310, Airports and Landing Fields
- d. The Land Conservation and Development Commission Transportation Planning Rule
- e. Goal 12 - Transportation, of the Oregon Land Conservation and Development Commission Statewide Planning Goals and Guidelines, Planning Guideline 2 and Implementation Guideline 3.
- f. Policy 12 and 13 from the Transportation section of the Sisters Urban Area Comprehensive Plan.

**B. Compliance.**

In addition to complying with the provisions of the primary zoning district, all uses and activities shall comply with the provisions of this Airport Overlay Zone. In the event of conflict between any provisions of this overlay zone and the primary zoning district, the more restrictive provision shall apply.

**C. Definitions.**

1. Airport Approach Safety Zone. The land that underlies the Approach Surface, excluding the Runway Protection Zone.
2. Airport Elevation. The runway elevation above mean sea level (MSL): 3,165 feet (MSL).
3. Airport Hazard. Any structure, tree or use of land which exceeds height limits established by the Airport Imaginary Surfaces.
4. Airport Imaginary Surfaces. Those imaginary areas in space which are defined by the Approach Surface, Transitional Surface, Horizontal Surface and Conical Surface and in which any object extending above these imaginary surfaces is an obstruction.
5. Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the Primary Surface. The inner edge of the approach surface is the same width as the Primary Surface and extends to a width of 1,250 feet for a utility runway having only visual approaches. The Approach Surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward (20:1).
6. Conical Surface. Extends 20 feet outward for each one foot upward (20:1) for 4,000 feet beginning at the edge of the horizontal surface (5,000 feet from the center of each end of the Primary Surface of each visual and utility runway) and upward extending to a height of 350 feet above the airport elevation.
7. Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the Primary Surface and connecting the adjacent arcs by lines tangent to those arcs for a utility runway having only visual approaches.

### 2.7.200 Airport Overlay District (AO) - (Continued)

8. Noise Sensitive Areas. Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 Ldn.

9. Place of Public Assembly. Structure of place which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation or similar activity.

10. Primary Surface. A surface longitudinally centered on a runway. The Primary Surface extends 200 feet beyond each end of the runway when the runway has a specially prepared hard surface. The width of the Primary Surface is 250 feet for utility runways having only visual approaches.

11. Runway Protection Zone (RPZ). An area off the runway end (formerly the clear zone) used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline. It begins 200 feet beyond the end of the areas usable for takeoff or landing, at a width of 250 feet and extends 1000 feet to a width of 450 feet for utility runways having only visual approaches.

12. Structure. Any manmade object either permanent or temporary, including mobile objects.

13. Transitional Surfaces. Extends seven feet outward for each one foot upward (7:1) beginning on each side of the Primary Surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (Horizontal Surface).

14. Tree. Any object of natural growth.

15. Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less: Runway 02/20.

16. Visual Runway. A runway that is intended solely for the operation of aircraft using visual approach procedures with no instrument approach procedures that has been approved, or planned, or indicated on an FAA or state planning document or military service airport planning document: Runway 02/20.

**D. Permitted Uses.** The land uses listed in Table 2.7.100.D are permitted in the Airport Overlay District, subject to the provisions of this Chapter. Only land uses which are specifically listed in Table 2.7.400.C, and land uses which are approved as “similar” to those in Table 2.7.100, may be permitted. Land uses identified as “Sub-district Only” are permitted only within the applicable sub-district. The land uses identified with a “CU” in Table 2.7.100.D require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 4.4.

**E. Determination of Similar Land Uses.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.8 - Interpretations.

**2.7.200 Airport Overlay District (AO) - (Continued)**

| <b>Table 2.7.100.D</b><br><b>Land Uses and Building Types Permitted in the Airport Overlay District (AO)</b>   |  |  |
|--|--|--|
| <b>A. Permitted Uses</b><br><br>Any uses permitted outright in the underlying zone are allowed except as provided in section 190.06 and 190.07.  | <b>B. Conditional Uses.</b><br><br>Any conditional uses listed in the underlying zone which are allowed except as provided in section 190.06 and 190.07. |  |
| Uses marked with an asterisk (*) are subject to the standards in “Special Standards for Certain Uses.” Temporary uses are subject to the standards in Section 4.9. CU= Conditional Use Permit Required |  |  |

**F. Prohibited Uses**

1. New structures or buildings are not allowed within the Runway Protection Zone.
2. New places of public assembly designed to accommodate 50 people or more are not allowed on land zoned Urban Reserve District (UR) within the first 1,500 feet of the Approach Safety Zone. Farm Uses and single-family dwellings are uses permitted outright in the Urban Area Reserve Zone - UAR-10. Please see Section 2.X. Urban Reserve District (UR) for the specific regulations regarding this zone.
3. New wetland enhancements including migratory bird refuges, water impoundment(s), landfills, waste disposal sites, commercial bird farms or similar uses individually exceeding two (2) acres in size that attract and sustains flocks of birds are not allowed on land beneath the Horizontal Surface.
4. New uses that interfere with aviation due to height of structures, glare from buildings, smoke, or safety considerations are not allowed. Specific evidence of aviation interference must be demonstrated before a use (not listed above in subsection 04 and 05) is prohibited. The evidence must show that the use will regularly produce an interference listed above, based on its normal operating characteristics.

**G. Use and Development Limitations**

1. No new structure, except one customarily used for aeronautical purposes, shall penetrate into the Airport Imaginary Surfaces as defined in section 190.03.
2. No glare producing material (unpainted metal, reflective glass, and similar materials, etc.) shall be used on the exterior of structures within the Airport Approach Safety Zone.
3. In noise sensitive areas (within 1,500 feet of the airport runway) a Declaration of anticipated noise from aircraft shall be recorded against the property in the deed records of Deschutes County. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits or final plat approval for land divisions.

**2.7.200 Airport Overlay District (AO) - (Continued)**

Within the first 1500 feet of the Airport Approach Safety Zone, a Hold Harmless Agreement and Aviation and Hazard Easement shall be attached to any building permit for residential or places of public assembly, and shall be recorded against the property in the deed records of Deschutes County. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits.

**H. Non Conforming Uses (See also Chapter 5.2)**

1. The regulations for this overlay district shall not be construed to require the removal, lowering, or alteration of any structure not conforming to such regulations. The regulations shall not require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Airport Overlay Zone.
2. Notwithstanding the preceding provision of this section, the owner of any existing structure that has an adverse effect on air navigation as determined by Oregon Aeronautics is hereby required to permit the installation, operation, and maintenance of obstruction markers as deemed necessary by the Oregon Aeronautics. Certain objects and structures must be marked to make them more visible to pilots. The installation of any such markers will be based on the characteristics of the structure including location, size or height, shape, function and permanence in addition to effects on air navigation.

**I. Procedures.** (See also Chapter 4.1 for Applications and Review Procedures that are also applicable to this Overlay District.)

1. All proposed development and uses within the overlay zone are subject to site plan review to determine compliance with the provisions of this district. All land use and building permit applications shall provide a site plan showing:
  - a. Property boundary lines and elevations as they relate to the Airport Imaginary Surfaces.
  - b. Location and height of all existing and proposed structures, utility lines and roads.
2. All applications requiring site plan approval within the Airport Imaginary Surfaces and noise corridors shall be submitted to the Aeronautics section of the Oregon Department of Transportation for review. The Oregon Aeronautics has 10 days from date of receipt of an application to review and return comments to the Planning Department.

**J. Variances.** (See also Chapter 5.1)

1. Any person desiring to erect or increase the height of any structure, or use not in accordance with provisions prescribed in this Ordinance may apply for a variance.
2. Application for Variance must be accompanied by a determination from Oregon Aeronautics and the Federal Aviation Administration as to the effect of the proposal on the safe and efficient use of navigable airspace.

**2.7.200 Airport Overlay District (AO) - (Continued)**

3. Any variance granted may be conditioned as to require the owner of the structure to install, operate and maintain, at the owner's expense, obstruction markers.
  
4. Procedures for a Variance follow those outlined in Section 5.1.