

City of Coos Bay

ORDINANCE NO. 302

AN ORDINANCE AMENDING ORDINANCE NO. 93, ESTABLISHING LAND DEVELOPMENT STANDARDS FOR THE CITY OF COOS BAY ESTABLISHING ARCHITECTURAL DESIGN REVIEW FOR A PORTION OF THE EMPIRE DISTRICT

The City of Coos Bay ordains as follows:

Section 1. Residential Use Type. Chapter 2.9, General Commercial District (C-2), Section 2(2), is hereby amended as follows:

2. Residential Use Types

Combination of permitted commercial uses with residential uses on the first floor provided that the residential use does not occupy more than 30% of the building coverage. This use is not permitted in the design area designated by Chapter 3.23.

Section 2. Property Development Requirement. The following property development requirement is hereby added to Chapter 2.9, General Commercial District (C-2), Section 5:

6. Architectural Design Review: Architectural design review as set forth in Chapter 5.21 may be required for development in the design area defined by Chapter 3.23. Design review approval shall be based on compliance with Chapter 3.23.

Section 3. Architectural Design Review. A new Chapter 5.21, Architectural Design Review, is hereby added to ARTICLE 5. ADMINISTRATIVE PROVISIONS:

CHAPTER 5.21 ARCHITECTURAL DESIGN REVIEW

Section 1. GENERAL

1. The purpose of the Architectural Design Review process is to guide the construction of private and public development to insure that structures, landscaping, and other improvements are consistent with the architectural design review goals and standards specified by the property development standards for the zoning district.
2. Where architectural design review is required, no building or other general

development permit shall be issued until plans are approved pursuant to the architectural design review goals and standards. The acceptability of proposals will be commented on by the Historical Design Review Committee (HDRC).

Section 2. APPLICATION

An applicant for a development permit which is subject to Architectural Design Review shall submit a plan(s) drawn to scale. Staff will determine which of the elements listed below are applicable to the proposed project.

1. A site plan, drawn to scale, with:
 - A. Project name
 - B. Vicinity map
 - C. Scale (1:20' or larger)
 - D. North arrow
 - E. Date
 - F. Street names and locations abutting the development
 - G. Location of all parking areas and spaces, ingress and egress to the site and on-site circulation.
 - H. Zoning designation
 - I. Dimensions of lots, structures and other constructed features
 - J. Location and general use of all improvements
 - K. Location of all free standing signs and light pole standards
 - L. Percentage of lot coverage by structures, paving and walls, and landscaping

2. A landscape plan drawn to scale, with:
 - A. Project name
 - B. Scale (1:20 or larger)
 - C. North arrow
 - D. Date
 - E. Location of all parking areas and spaces, ingress and egress to the site
 - F. General use of all improvements
 - G. Location of all free standing signs and light poles
 - H. Location, size, type and variety of plantings and pertinent features of the landscaping

3. The elevations and locations of:
 - A. All proposed exterior signs
 - B. Exterior elevations of each side of all buildings on the site as they will appear after construction. Such plans shall indicate material, texture, shape and other design features of the structure(s), including all mechanical and

- electrical devices
 - C. Heights of structures above street grade
 - D. Number of stories
 - E. Datum for elevations used (MSL or MLLW)
4. A color-board illustrating the color selection for exterior project materials

Section 3. NOTICE AND HEARING

A public hearing is required before approving a plan and shall be conducted in accordance with all provisions of Chapter 5.3.

Section 4. DECISION

Taking comments of the Historical Design Review Committee into consideration, the Planning Commission will render a decision on the proposal based on the architectural design review goals and standards specified by the property development requirements of the zoning district, subject to appeal to the City Council.

Section 5. FINDINGS AND ORDER

The hearing body shall prepare findings of fact and a written order as set forth in Chapter 5.3.

Section 6. REAPPLICATION

There shall be no time restriction on a reapplication for Design Review.

Section 7. MEASURE 7 RELEASE

There shall be a rebuttable presumption that the imposition of architectural design review goals and standards under this article do not restrict the use or real property in a manner which has the effect of reducing the value of the property. In any application for a development permit, the owner shall indicate whether the owner intends to rebut the presumption, and seek a release of the restriction. An administrative release may be granted by the Measure 7 Claims Reviewer for the City, if, upon such claims review, it is determined that the imposition of such architectural design review goals and standards has the effect of reducing the value of the property, as that term is defined in the City of Coos Bay Ordinance No. 300.

Section 4: Special Development Review. Chapter 5.2, Section 4, Table 10, TYPE OF SPECIAL

DEVELOPMENT PERMITS SUBJECT TO PLANNING COMMISSION REVIEW, is hereby amended as follows:

**TABLE 10.
TYPE OF SPECIAL DEVELOPMENT PERMITS
SUBJECT TO PLANNING COMMISSION REVIEW**

PERMIT	ORDINANCE CHAPTER
Site Plan and Architectural Review	5.11
Variance	5.12
Conditional Use	5.13
Change in Zone	5.14
Cultural Resources	5.15
Architectural Design Review	5.21

Section 5: Design Review: A new Chapter 3.23 “Empire Waterfront Settlement Design Review” is hereby added to ARTICLE 3 GENERAL CONDITIONS:

CHAPTER 3.23 EMPIRE WATERFRONT SETTLEMENT DESIGN REVIEW

Section 1. PURPOSE

The provisions of this chapter are intended to:

1. Provide a mechanism to promote the educational, cultural, economic, and general welfare of the community.
2. Provide an opportunity to reclaim the waterfront heritage setting and to guide private and public development in a direction that strengthen a relationship with that setting.
3. Guide the construction of private and public development to evoke the architectural styles which existed in Empire from the mid-to-late 1800s. Common architectural styles of the time period include Cascadian Rustic, Plank Styles, False Front, Salt Box, Queen Anne and Victorian.

Section 2. DEFINITIONS AND EXEMPTIONS

1. The “design area” includes lots or parcels abutting Newmark Avenue or any portion of a structure that is contiguous to a structure located on a lot or parcel abutting Newmark Avenue. The design area extends west along Newmark Avenue from the intersection of Ocean Boulevard to Empire Boulevard. All development must comply with an architectural design review according to Chapter 5.21.
2. For commercial uses and the purposes of this chapter, development is defined as any new structure or an extension or increase in floor area or height of an existing structure, or change to the style, signage color, window (size/pattern/material), siding or detailing on the exterior of any existing building. Alterations to a structure are considered development when there is a change in design, material or external appearance.
3. The provisions of this chapter shall not prevent construction, reconstruction, alteration, restoration, demolition or removal of any building or portion of a building when the Building Official or Fire Marshal determines that such an emergency action is required for the public safety due to an unsafe or dangerous condition.
4. Ordinary maintenance or repair of the exterior of a structure that does not involve a change in design, or external appearance is exempt from design review. Similar or like materials must be used for the maintenance or repair.

Examples of maintenance include, but are not limited to, the following: a window may be replaced with the same type of glass, framing material and style of window; siding in disrepair may be replaced with siding of the same or similar material.

Exterior alterations which involving replacement with dissimilar materials and/or any new construction, that is not visible from Newmark Avenue, are exempt from design review.

5. The color of paint or stain to be applied to the exterior of the building that is visible from Newmark Avenue, is a ministerial decision to be made by the Community Services Director, or her designee. The proposed colors must be from, or similar to, the Community Services Historical Color Palette, located in the Community Services Department.

In a 12-month period, if less than 10% of the paintable wall area, visible from Newmark, is to be covered with the building’s existing paint color or stain, approval of the color is not necessary.

Section 3. ARCHITECTURAL DESIGN

The architectural design review goals and standards are intended to supplement the development standards of the General Commercial (C-2) zoning district. Where the provisions of this section conflict with the provisions of the zoning district, the stricter shall apply.

1. Intent

The intent of the architectural design review goals and standards is to ensure that proposals for development evoke the appearance of the prevailing architectural styles of buildings as they might have existed if constructed in the Empire area during the mid-to-late 1800s. For the purposes of this Chapter, these styles are referred to as the “designated historic styles.” “Historical Buildings of Empire and Front Street,” a notebook of photographs from the historical time period, is available for review at the Community Services Department, Planning Division.

2. Architectural Design Review Goals and Standards

In order to be approved, a design proposal must comply with both the architectural design review goals and standards.

A. Architectural design review goals are the conceptual framework establishing the underlying objectives to be achieved by development in the design area. Architectural design review standards are the approval criteria developed to implement the architectural design review goals and used to review development.

B. Architectural design review standards are mandatory approval criteria used in the design review process. A design review application will be approved if the review body finds the applicant has shown the proposal complies with the architectural design review standard, provided, however, one or more of the architectural design review standards may be waived as part of the design review process if the applicant can demonstrate the proposal satisfies the architectural design review goals for the design area.

C. The factors which will be used in the evaluation process include architectural style of the proposal; compatibility with scenic values and architectural resources in the design area; design quality; structural placement; dimensions; height; bulk; lot coverage by structures; exterior appearance of the building; open areas; and landscaping.

3. Architectural Design Review Goals

A. Building Design - Massing. Massing is defined as a composition of 2-

dimensional shapes or 3-dimensional volumes, which gives the impression of weight, density and bulk. If the following architectural design review goals are met in the architectural design of development acceptable massing may be accomplished:

1. Design should result in buildings with a perceived size that maintains a human scale street that is comfortable for and attractive to pedestrians;
2. Design should result in a quality street environment that is attractive to pedestrians, and development;
3. Buildings of historic significance and merit should be preserved. Maintain or restore as many of the proportions, dimensions and architectural details of historical significance which were original or added to the building during the designated historic period; (The identified historic building in the design area is the house at 476 Newmark Avenue.)
4. New or remodeled structures abutting or directly across from a building that has been identified as historic should be designed so as to preserve, and not detract from, the historic context and merit of the building; and
5. Buildings should have consistent visual identity from all sides visible to the general public from Newmark Avenue.

B. Building Design - Articulation. Articulation is defined as the emphasis given to architectural elements (such as windows, balconies, entries, etc.) that create a complementary pattern or rhythm dividing large buildings into smaller identifiable pieces. If the following design review goals are met in the architectural design of development, acceptable articulation may be accomplished:

1. Doors and window patterns should evoke buildings constructed during the designated historic period; and
2. Finish materials, details and colors should evoke the designated historic styles and period.

C. Signage - Design for signs should emulate signage that existed during the designated historic period.

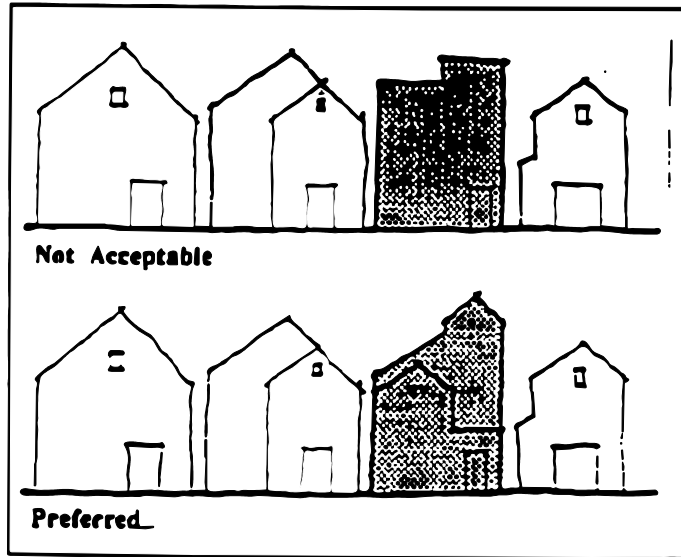
4. Architectural Design Review Standards

The purpose of the architectural design review standards, along with the notebook, “Historical Buildings of Empire and Front Street,” is to serve as a resource for designing development that will satisfy the architectural design review goals of the architectural design review standards for the design area. Design proposals may be approved if the following architectural design review standards are met in the architectural design of development.

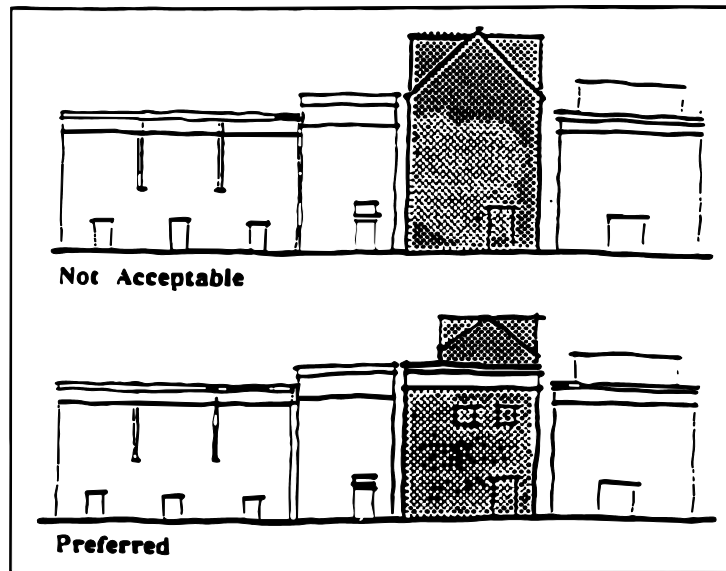
A. Building Design - Massing

1. Use articulation on either new or existing building facades to reduce the bulk of buildings. Methods include, but are not limited to, the following:
 - a. Modulation;
 - b. Broken rooflines; or
 - c. Building elements such as balconies, chimneys, porches or other entry details, and landscaping.
2. Use architectural features such as cornices or other details that lower the apparent height of the building.
3. Place display windows at the street level around the exterior of larger commercial buildings.

The pattern and proportion of windows, doors and other glazed areas is important in determining the building’s architectural character.



Rooflines can reinforce the architectural character of a street.



Architectural features like cornices can relate to adjacent buildings, lowering the apparent, conflicting height of the building.

4. Larger building facades shall be broken down into units that resemble

the size of storefront facades from the historical era. When the front elevation of a structure is more than 750 square feet in area, divide the elevation into distinct areas by:

- a. Creating a bay window or other building extensions of at least one foot or more from the main structure;
 - b. Creating a roof pediment that is the full width of the structure; or
 - c. Setting part of the facade back one or more feet from the rest of the facade.
5. For existing buildings of historic significance:
- a. Restore or retain as many historic features as possible;
 - b. Maintain or restore original proportions, dimensions and architectural elements;
 - c. Select paint and material colors which are historically accurate, coordinate the entire facade, and do not conflict with adjacent buildings; and
 - d. Consult available historical resources such as the Coos Historical Society, private historians or photographic archives.
6. At locations across from, abutting or adjacent to buildings of historical significance:
- a. Use a roofline that emulates the historic building;
 - b. Use doors, windows, materials and details similar to the historic building; and
 - c. Break up the building facade using articulation which reflects the scale and proportions of the historic building.
7. Flat roofs are permitted with detailed stepped parapets.
8. The facade must be designed to emphasize the center or primary entrance(s).

9. Continue exterior materials, architectural detailing, and color scheme around all sides of the building visible to the public from Newmark Avenue. Buildings must present an equivalent level of quality of materials, detailing and fenestration on all sides visible to the general public from Newmark Avenue.
10. Reserve bright colors and black for trim or accents unless it is consistent with the architectural style.
11. Use of reflective exterior materials where glare would shine into nearby buildings is prohibited.

B. Building Design - Articulation

Finish Materials

1. Facades shall be varied and articulated to provide visual interest to pedestrians.
2. Buildings should use wood or simulated wood products as their exterior finish material on elevations exposed to view from locations accessible by the public.
3. Plain plywood or grooved plywood panels should not be used as exterior finish materials on elevations exposed to view from locations accessible by the public.
4. Concrete or concrete block should not be exposed to view as exterior finish materials except for foundation walls not extending more than one foot above the finished grade level adjacent to the wall.
5. Metal siding is prohibited for exterior walls.
6. The design, detailing and trimming of the rooflines, porches, windows, doors and other architectural features should be in a manner that is in keeping with the designated historic styles.
7. Glass should be clear, lightly tinted or ornamental stained glass. Translucent glazing should be used only for restrooms.
8. Roofing materials exposed to view should be wood shingles, composition roofing, or wavy corrugated metal roofing (rather than bold rib, box rib or v-beam) in a subdued color that is in keeping with the historic styles noted. Decorative features such as cupolas,

cresting, chimneys, barge (rake), and soffit/fascia trim are encouraged if it is consistent with the architectural style.

9. Light fixtures should be integrated with architectural elements. Decorative light fixtures that are in keeping with the historic styles are encouraged.
10. Exterior light fixtures must not compete with city-furnished sidewalk period lights. Building lights should be metal halide or incandescent and are to be directed away from pedestrians and street traffic so as to avoid glare.

5. Signage:

Standards: The standards below are in addition to the standards in Chapter 3.21. If the provisions conflict, the stricter shall apply. A sign permit is required which will be reviewed by staff.

- A. Signs must be consistent with the character of the facade, the building on which they are situated and the abutting and adjacent area. Review for consistency includes, but is not limited to, evaluation of size, shape, position, materials and illumination in relationship to the facade and abutting and adjacent developments.
- B. Signs on a business front are limited to a building sign on each building face (identifying the building name), a sign for each business entry (vehicular or pedestrian), and interior painting of street front windows.
- C. Signs shall have a minimum clearance of eight (8) feet above a pedestrian walkway and fifteen (15) feet above a public street or alley, driveway, or parking lot. Signs shall not be closer than two (2) feet to any curblin. A projecting sign shall not project more than eight (8) feet beyond the property line.
- D. All signs shall:
 1. Be of an appropriate size and design;
 2. Be sited sympathetically on the building;
 3. Not obscure or remove detailing on the building;
 4. Be designed as part of the building and not treated as an unrelated addition; and

5. Be related to the style and character of the building or area.

E. Allowed sign types:

1. Wall/Fascia sign: A wall/fascia sign is defined as the vertical surface of a wall/fascia which is suitable for sign attachment. A wall/fascia sign must not extend across two store fronts or across separate buildings.



2. Projecting or hanging sign: A projecting or hanging sign is defined as a sign where the message area is displayed perpendicular to the building facade.



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attached to an awning is an awning sign.

4. Roof sign: Any sign that is displayed upon or supported in any way by a roof.



Roof signs are discouraged.

Where the design of a building dictates that a roof sign is necessary, the sign must:

1. Be related to the style and character of the building or area; and

2. Not project above the roof ridge line.

5. Marquee sign: A marquee sign is defined either as a fascia sign or a projecting sign or awning sign which contains moveable letters or devices. A marquee sign shall not contain any plastic parts and shall not be internally illuminated.
6. Interior painted window signs: These signs are regulated. However, interior painted window signs with holiday themes are allowed for up to 45 days without approval of a sign permit.
7. Miscellaneous: In addition to the above sign types, other types of signing may be appropriate if it meets the criteria listed in 5(A) through 5(E), above.
8. Neon sign: Any sign where neon or other gas contained in tubing is illuminated by the application of electric current is prohibited.
9. Pole mounted or freestanding sign: These signs are subject to review.
10. Sandwich Board: These signs are prohibited.

Section 6: Severability. The sections and subsections of this Ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay the 6th day of March, 2001, by the following vote:

Yes:	Mayor Benetti and Councilors Jeff McKeown, Cindi Miller, Kevin Stufflebean, Don Spangler, and Judy Weeks
No:	None
Absent:	Councilor Anna Marie Larson

Joe Benetti
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Joyce Jansen
Deputy Recorder of the City of Coos Bay
Coos County, Oregon

**PROPOSED HISTORIC COLOR PALETTE
FOR THE
EMPIRE HISTORIC DISTRICT**

STYLE CLASSIFICATION:

PROPOSED PALETTE:

Cascadian Rustic:

Body and Trim: HC 40-51 and 64-75.

Plank Style:

Unfinished

False Front:

Body and Trim: HC 85-87, 103-107

Downing Sand, Stone, Earth (100 Years of Color)

Saltbox:

Body Color: Colonial Revival Series (100 Years of Color). Also, HC 4-6, 31-33, 114-120, 127-132, 138-153, 162-165, 169-174, white.

Trim: White

Queen Anne/Victorian:

“Painted Ladies” palette. Rookwood series palette (100 Years of Color).

Vernacular:

Body Color: All of Ben Moore HC palette except: HC 40, 49-51, 61-73, 85, 100, 101, 103, 106, 121, 124-126, 133-135, 154-160.

Trim: entire palette.

Note: HC = Historic colors from Benjamin Moore Paints.