



Memorandum

Date: June 25, 2009

To: Historic Resources Advisory Board, Historic Review Board, Interested Parties

From: Peter Spir, Associate Planner

Subject: CDC-09-01 revised staff report

Previous references to red highlighted text amendments to CDC Chapter 25 were intended to identify a few recent changes. Since then, and after discussions with an HRAB member, additional substantive changes were made to the extent that the revisions can no longer be considered minor and few. Consequently the red highlighting has been eliminated. Changes to the text include reduced building height, lot coverage, increased setbacks, massing limitations and numerous other items.

ADDITIONS ARE IN BOLD FACE AND UNDERLINED.

~~DELETIONS HAVE A STRIKETHROUGH~~

INDEX (to be amended)

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25.000 HISTORIC DISTRICT

25.010 PURPOSE



The intent and purpose of this overlay district is to: ~~implement the goals and policies of the Comprehensive Plan for the Historic District, and promote the public health, safety, and general welfare by safeguarding the City's heritage as embodied and reflected in its historic resources.~~ The provisions of this section are intended to:

- A. Provide for the identification, protection, enhancement, and use of sites, and structures, ~~corridors, objects, and buildings~~ within the City that reflect special elements of the City's architectural, archeological, artistic, cultural, ~~engineering, aesthetic,~~ historical, ~~political, social,~~ and other heritage. In addition to the Willamette District, this Code section also contemplates creation of new districts as appropriate.



- B. Facilitate restoration and upkeep of historic buildings, structures or other physical objects or geographical areas;
- C. Encourage public knowledge, understanding and appreciation of the City's history and culture;
- D. Foster community and neighborhood pride and sense of identity based on recognition and use of cultural resources;
- E. Promote the enjoyment and use of historic and cultural resources appropriate for the education and recreation of the people of the City;
- F. Preserve diverse architectural styles reflecting phases of the City's history; ~~and encourage complimentary design and construct impacting cultural resources;~~
- G. Enhance property values and increase economic ~~and financial~~ benefits to the City and its inhabitants;
- H. ~~Identify and resolve conflicts between the preservation of cultural resources and alternative land uses; and,~~
- I. ~~Integrate the management of cultural resources and relevant data into public and private land management and development processes.~~
- F. Encourage the pursuit of technical and program support from Oregon State Historic Preservation Office and other organizations.**



25.015 APPLICABILITY

The provisions of this chapter shall apply to all properties and structures within the Willamette Historic District boundary as depicted on the map referenced in section 25.030. The single-family residential design standards that apply to homes elsewhere in West Linn shall not apply to homes within the historic district. (ORD. 1538)

25.020 EXEMPTIONS

A. The following improvements are exempt from having to obtain a land use permit under this chapter but must be reviewed by the Planning Director, or designee, to determine compliance with this chapter:

- 1. Replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match those that were typically used on similar style buildings.**

- 2. Repairing, or providing a compatible new foundation that does not result in raising or lowering the building elevation.**
- 3. Replacement of building material, when required due to deterioration of material, with building material that matches the original material or material recommended by this chapter (e.g. replacing T-111 with horizontal wood siding).**
- 4. Repair and/or replacement of roof materials with the same kind of roof materials existing, or with materials which are in character with those of the original roof.**
- 5. Application of storm windows made with wood, bronze, or flat finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building and match the number of panes of the underlying window.**
- 6. Replacement of wood sashes with new wood sashes, or the addition of wood sashes, when such is consistent with the original historic appearance. Non-wood window materials are allowed so long as the visual quality effectively simulates traditional wood windows.**
- 7. Additions of solar equipment which, when removed, do not destroy essential elements of the building's character-defined features may be allowed if such equipment is not easily seen from the public right-of-way. New flush-mounted solar panels may be mounted with a southerly aspect, preferably out of sight or screened from the public right-of-way. Solar panels may be located in the rear of property.**
- 8. Accessory structures under 120 square feet and 10 feet in height (greenhouses, storage sheds, jacuzzis, spas, structures, gazebos, etc.) are exempt where they are located in the side or rear yard.**
- 9. In-ground swimming pools are exempt in the side or rear yard.**
- 10. Adequately screened above-grade pools must be in the side or rear yard are exempt.**
- 11. Fences in the front yard should be time period consistent. All fences**

must meet standards of CDC Chapter 44.



12. Other improvements may be determined by the Planning Director to be exempt so long as their impact is no greater than improvements exempted by other sub-sections of 25.100.
 13. Alterations to the rear of a house, or to other portions not visible from the public right-of-way (not counting alleys), need not adhere to the design standards contained herein.
 14. Painting with Planning Director approved color scheme.
 15. Demolition of Non-Contributing Structure. Building Department permit still required.
 16. ADA accessibility ramps at rear or side of house.
- B. The construction or remodeling of commercial or other non-single family structures within the Willamette Falls Drive Commercial Overlay Zone shall be exempt from the provisions of this chapter .

25.0205

PERMITTED USES

- A. The residentially zoned portion of the Willamette Historic District, and other historic districts established under Section 25.050 of this Code, shall permit only single-family detached residential uses, **accessory structures, and accessory dwelling units**. Home occupations **are permitted and** shall be processed pursuant to Chapter 37 of this Code.
- ~~B. The commercially zoned portion shall allow uses appropriate to that zone as described in Chapter 19 with consideration of its historic status.~~
- ~~C. Existing structures and uses that do not conform to these standards shall be regarded under the provisions of Chapters 66 and 67.~~
- ~~D. Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any architectural features which does not involve a change in design, material or the outward appearance of such features which the Building Inspector shall certify is required for the public safety because of its unsafe or dangerous condition.~~
- ~~E. National Historic Register structures or Historic Landmarks in the Historic District shall comply with the provisions of Chapter 25.~~

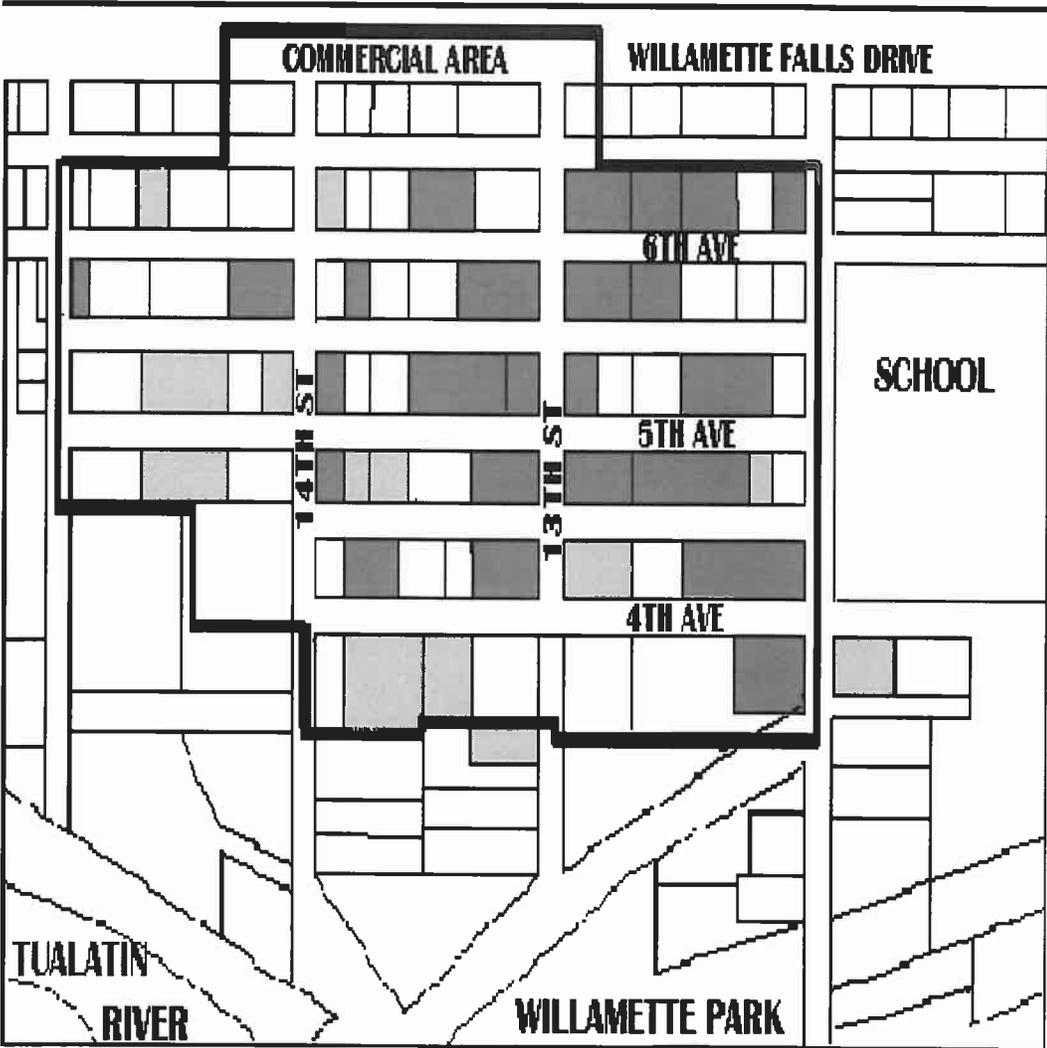
25.030

DEFINITIONS AND BOUNDARY DELINEATION

- A. The attached map (Figure 1) identifies ~~existing boundaries~~ for the Willamette Historic District **boundary**. The map identifies "primary" and "secondary" residential structures within the District ~~bounds~~. The boundary excludes areas lacking character defining structures, while retaining as many "primary" and "secondary" structures as possible. Several potentially buildable lots are included in the boundary. These parcels, if sensitively developed, could enhance the historic ~~image~~ **character** of this ~~seven block area~~ **district**.

FIGURE 1

WILLAMETTE HISTORIC DISTRICT



PRIMARY STRUCTURES -----	
SECONDARY STRUCTURES ----	
BOUNDARY -----	

ADOPTED (AMENDED APR. 1991; ORD.1298)
MAY 14, 1986 (AMENDED SEPT.1985; ORD.1172)



- B. **Primary Structures.** Structures which significantly define the district's character are called "primary" contributing. These structures were constructed between 1890-1920; most original architectural features (i.e., windows, roof forms, porches, siding) remain intact. These structures represent the community's best remaining examples of turn-of-the-century architectural styles. All but two of the "primary" structures are listed in the Clackamas County Cultural Resource Inventory, 1984.



- C. **Secondary Structures.** Structures **mainly** built before 1925 which retain many original architectural features, but not identified in Clackamas County's "Cultural Resource Inventory" are identified as "secondary" ~~contributing~~ **structures.** Some vernacular architecture may have been introduced to the structure. ~~"Secondary" structures also represent styles popular during the turn of the century.~~
- D. **Contributing Structures.** Structures (i.e., bungalows, etc.) built after 1925 in the Old style. Additions or remodels to these structures should be consistent with provisions of this chapter.

- E. **Non-Contributing Structures.** Structures built after 1925 in styles that are generally incompatible with area architecture; for example, a ~~1955~~ **1960's** ranch style home. **These houses do not convey a sense of history that integrates with the dominant architecture of the district.** To require such homes to be remodeled ~~under~~ **by applying all** of this Code's provisions ~~with a~~ (e.g.: Victorian cupola or fish scale siding shingles), would **trivialize the quality of primary and secondary structures** and would **also** violate Code sections that seek time period consistency and seek to avoid architectural mimicry. **Remodels to these homes should be consistent with their own specific architectural style. to ensure that their unique architectural integrity and attributes are maintained to the degree that in the future they may be eligible for designation as secondary or primary structures in their own right.**

25.040

DECISION MAKING BODY: HISTORIC REVIEW BOARD

- A. For the purpose of this ordinance, the decisions regarding ~~alterations~~ **development** within Historic District and recommendations for designation of Historic Districts shall be accomplished by the Clackamas County Historic Review Board.
- B. **Appointment and composition.** The City Council shall appoint two individuals who have demonstrated an interest in historic preservation, and have experience and/or special expertise or knowledge in the field of historic preservation, and may fulfill the requisites of the Historic Review Board and composition pursuant to 707.04 of the County's Code. The remaining five members of the Board are standing members responsible for reviewing applications for all of Clackamas County. Their appointment is made through Clackamas County government.
- C. **Terms of service.** The aforementioned two members of the Historic Review Board shall be appointed for three years and may be re-

appointed or replaced at the discretion of the West Linn City Council.

D. **Duties and responsibilities.** It is the responsibility of the Historic Review Board to ensure that the purposes of this section are implemented and to perform the following duties:

1. Adopt rules to govern its deliberations and decisions, including a method to record its proceedings.
2. Carry out the duties described for it in this Ordinance and otherwise assist the Board of County Commissioners and West Linn City Council on historic preservation matters.
3. Review and render decisions on proposals to alter the exterior of a Historic Landmark subject to the procedures and criteria set forth in CDC Chapter 26.
4. Review and render decisions on all proposed new construction on property on which a Historic Landmark is located, subject to the procedures and criteria set forth in Chapter 26 of this Code.
5. Review and make recommendations on all applications for zoning of a Historic Landmark, as provided under CDC Chapter 26.
6. Review all requests for demolition or removal of a Historic Landmark, as provided under CDC Chapter 26.
7. Review and make recommendations to the Planning Commission on all conditional use applications under Chapter 26 of this Code.
8. Review and make recommendations on all partitions and subdivisions of designated properties.
9. Disseminate information to educate the public as to state and federal laws protecting antiquities and historic places.
10. Act as a coordinator for local preservation groups, educational workshops, signing and monumentation projects, and other similar programs.

11. Advise interest groups, agencies, boards, commissions, and citizens on matters relating to historic preservation within the City.

12. Insure that information on inventoried historic properties is updated and maintained.

13. Provide opportunities for the ongoing education and training of Board members in architecture and historic preservation.

14. Amending the historic district boundary is a legislative action that requires review by the Historic Review Board per the criteria of CDC 25.050 below. This is followed by hearings before the Planning Commission and a final decision by City Council.

15. Re-classifying homes such as elevating a home from contributing to secondary or “demoting” a house from contributing to non-contributing is a legislative action that requires review by the Planning Commission and a final decision by City Council. Consultation with the Historic Review Board is required before taking the proposal to the Planning Commission.

25.045 APPEALS OF HISTORIC REVIEW BOARD

Appeals of Historic Review Board are heard by the City Council pursuant to Chapter 99, Procedures for Decision-Making: Quasi-Judicial.
(ORD. 1474)

25.050 CRITERIA FOR HISTORIC DISTRICT DESIGNATION

A. Approval of an **new** Historic District **or landmark** designation **or expansion of current district boundaries** shall be made when the Historic Review Board finds that any of the following criteria have been met:

1. Whether the proposed district or landmark would serve the purpose of the Historic District as stated in Section 25.010.
2. Reflects the broad cultural or natural history of the community,

- state, or nation.
- 3. Is identified with historic personages or with important events in national, state, or local history. Archeological sites would also be included.
- 4. Embodies the distinguishing characteristics of an architectural specimen inherently valuable for a study of a period, style, or method of construction.
- 5. Is a notable work of a master builder, designer, or architect.
- B. The age of a specific building shall not be deemed sufficient in itself to warrant designation as historic.

25.060

CRITERIA FOR EXTERIOR ALTERATION AND NEW CONSTRUCTION

- A. Except as provided pursuant to Section 25.100, no person may alter the exterior of any structure in an Historic District in a manner as to affect its exterior appearance, nor may any new structure be constructed in an Historic District, unless the site and evaluation drawings are approved by the Historic Review Board.
- B. Exterior remodeling as governed by this chapter shall include any change or alteration in design or other exterior treatment excluding painting.
- C. For new home construction or exterior alterations of structures in an Historic District, the criteria to be used by the Historic Review Board in reaching the decision shall include the following:
 - 1. The purpose of the Historic District as set forth in Section 25.040.
 - 2. The policies of the West Linn Comprehensive Plan.
 - 3. The economic use of the structure in an Historic District and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation. (Applicable to commercial only.)
 - 4. The value and significance of the structure or landmark in an

Historic District. (Applicable to remodeling only.)

5. The physical condition of the structure or landmark in an Historic District. (Applicable to remodeling only.)
6. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with an existing structure in an Historic District.
7. Pertinent aesthetic factors as designed by the Historic Review Board.
8. Economic, social, environmental and energy consequences related to LCDC Goal #5.

25.140070 APPLICATION AND SUBMITTAL REQUIREMENTS

Standard requirements: All applications for alteration, relocation, development, or demolition of a structure (including primary, secondary, contributing and non-contributing structures) pursuant to this section shall include:

- A. A pre-application conference with the Planning Director is required prior to formal submittal. The Director shall determine the appropriateness of the proposal and identify the narrative, drawings, plans, and elevations etc. to be submitted by the applicant.**
- B. 1. The application shall submit the appropriate fees and a completed application form.**
- 2. The applicant shall submit a written narrative explaining the proposal and how it meets the approval criteria of this chapter.**
- 3. The applicant shall provide ten (10) scaled site plans, elevations of the structure, and construction plans at 11X17 inch size. Full sized blueprints may be required if the smaller scale inadequately communicates the needed information.**
- 4. (a) The site plan will show the footprint of proposed house construction /remodel plus the footprint of homes on both sides of**

the proposed house construction or remodel.

(b) The site plan will show the scaled distance of the adjacent homes to their front property line and the side property line that they will share with the proposed house/remodel.

(c) The front elevation drawings shall include a scaled drawing showing the height of the homes on the adjacent lots relative to the height of the proposed new house/remodel. The elevation drawings shall take into account the site conditions and slopes and accurately represent the height of the foundation of the proposed new house. Errors or misrepresentations of the final height of the foundations and house at time of construction could result in the need to excavate/dig deeper or modify the roof pitch/height so that the height of the new house/remodel meets the height limitations of this chapter.

5. A list of materials and proposed colors is required. Material boards/color samples may be needed. The exact requirements shall be explained by staff.

6. A digital or electronic copy of the application is required.

C. The Planning Director may add, waive or modify submittal requirements per CDC 99.035.

D. The hearing, public notice, appeal, and enforcement provisions of Chapter 99 shall apply.

25.0780

APPROVAL CRITERIA FOR REMODELS, NEW HOME AND ACCESSORY STRUCTURE CONSTRUCTION/REMODEL STANDARDS

For new home **and accessory structure** construction, remodels **and of existing** single-family structures **and accessory structures (including accessory dwelling units)** in the Willamette Historic District (and landmark structures as appropriate),

the Historic Review Board shall use the following **design** standards in reaching a decision. **(Non-Contributing Structures are only required to respond to CDC 25.080 A–G, H, I, Q, R, S, T, U and W):**

- A. Distinguishing original qualities defining a structure's character shall not be destroyed. Removal or alteration of historic (i.e., original) materials or distinctive architectural features should be avoided when possible.
- B. Houses and other structures shall be recognized as products of their own time. Alterations that have no historical basis or which seek to create an earlier appearance shall be avoided.
- C. Distinctive stylistic features, or examples of skilled craftsmanship which characterize a structure, shall be maintained or restored, if possible.
- D. Deteriorated architectural features shall be repaired rather than replaced, whenever possible.
- E. In the event replacement is necessary, new materials should match the material being replaced in composition, design, color, texture, and other visual qualities.
- ~~F. Alterations to the rear of a house, or to other portions not visible from the public right-of-way (exclusive of alleys), need not adhere to the design standards contained herein.~~
- G.F.** Contemporary designs for alterations and additions would be acceptable if the design respects the building's original design, and it is compatible with the original scale, materials, window and door opening proportions of the structure. New additions at the rear of the house shall be designed to make

it clear to discerning viewers where the original house /architecture ends and where the new addition/architecture begins.

H.G. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure could be restored.

I.H. SITING, SETBACKS

1. Front yard:

(a) The front yard setback shall be 20 feet A distance measured **from the front property line** to the dominant vertical face of the building, **exclusive of any porches or front landings.** ~~equal to the average of the front setbacks of adjacent "primary" or "secondary" structures. Where there are no adjacent primary or secondary structures, the setback shall be 15 feet.~~

(b) Unenclosed porches with no living space above may be 15 feet from the front property line.

2. Side yard: Five feet shall be the standard; however, where adjacent structures encroach into the required side yard, the Planning Director may reduce one of the side yards to a minimum of three feet to center a new structure between existing buildings, provided no space between buildings is reduced below eight feet. **To encourage sidewall variation, pop outs including chimneys may intrude 18 inches into side yard setback.**

3. Side Street: 10 feet for both developed and undeveloped street right of way. To encourage sidewall variation, pop outs including chimneys may intrude 24 inches into sidestreet yard setback after every 400 square feet of sidewall.

~~3-4.~~ Rear yard: The rear yard setback shall be a minimum of ~~20~~ 15 feet, except for accessory structures, which may be sited to within 3 feet of the side or rear property lines. See section on ADU's for ADU setbacks.

~~4-5.~~ New home construction on corner lots must face the avenue.

6. Lot Coverage: 50%. Unlike the rest of West Linn, lot coverage shall apply to the primary dwelling, garages, all accessory buildings and ADU's. Underlying zone (e.g. R-5) lot coverage shall not apply.

~~K.I.~~ BUILDING HEIGHT. Buildings in Willamette Town vary in height, most evident are 1-1/2 story Victorians and bungalows. Some buildings reach 2-1/2 two stories, and there are several single story structures as well.



1. No building shall exceed the height of any primary structure in the

district so that the existing neighborhood scale is maintained. 28 feet to dominant gable or roof ridgeline as measured per CDC Chapter 2. This restriction shall apply regardless of the existing or finished grade of the site.

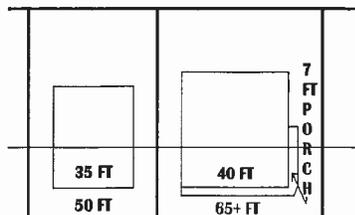
2. In order to transition in scale, new houses that are taller than homes adjacent to them must have the predominant roof ridgeline running perpendicular to the front property line so that the roof slopes down on the sides to effect that transition. Dormers are allowed on that sloping roof area facing the adjacent home(s) but cannot constitute more than 25% of the roof as measured lineally or horizontally. (e.g. if roof is 50 feet long the dormer(s) cannot be more than 25% of that distance or 12.5 feet long in total.) Also, the dormer height must be at least two feet below the gable ridgeline height. The setback of 25.070(I)(1) shall still apply.
3. ~~2. No building shall exceed 2 1/2 stories. Cupolas and towers are **not** excluded from the aforementioned height limitation. ; however, no such structure may exceed the height of any existing cupola or tower in the district.~~
3. ~~Existing building heights should be maintained.~~
4. ~~Alteration of roof pitches or raising or lowering a structure's permanent elevation, when constructing a foundation, shall be avoided.~~
- 5.4. The original height of "primary" and "secondary" structures **front elevation** shall be preserved. **Additions to the rear portion of the house shall be allowed where those additions do not compromise the character of the front elevation or the scale or significantly modify the mass of the house as seen from the right of way.**

J. MASSING **The square footage of the principal dwelling/house cannot exceed 125% of the square footage of the smallest of either adjacent home. The adjacent house shall be a house on the either side of the subject house and not a house to the rear of the subject house. The square footage of the adjacent home will be based on Clackamas County Assessor’s data on the City’s GIS system or by actual measurement of all liveable space in the house plus any attached garage (exclude crawl spaces or attic areas with less than five foot vertical clearance plus basement areas)**

Table 25-1

<u>HISTORIC DISTRICT SETBACKS, HEIGHT & SIZE:</u>	
<u>New House/Addition</u>	
<u>Front</u>	<u>20 feet ></u>
<u>Front Porch</u>	<u>15 feet at minimum ^</u>
<u>Rear</u>	<u>15 feet</u>
<u>Side</u>	<u>5 feet <</u>
<u>Side Street</u>	<u>10 feet</u>
<u>Height</u>	<u>28 feet</u>
<u>Massing</u>	<u>125% of square footage of either adjacent house (accessory structures/ADU’s are exempt)</u>
<u>Lot Coverage</u>	<u>50% for the house and all accessory structures/ADU’s.</u>
<u>Sidewall</u>	<u>Max. 400 sq ft of sidewall before an 18 inch indent or pop out on side yard and 24 inch indent or popout on sidestreet.</u>
<p>> <u>Front setback measured to dominant vertical face.</u></p> <p>^ <u>No living space allowed over porch. Porch cannot be enclosed.</u></p> <p>< <u>Sidewall pop outs may go 18 inches into side set back and 24 inches into sidestreet setback. Chimneys may encroach two feet into side and sidestreet setback.</u></p>	

L.K. BUILDING SHAPES AND SIZES.



1. No building on a 50-foot wide lot shall exceed 35 feet in overall width. Lots with a 65 foot width or greater may have a building width of 40 feet plus the porches, eaves or veranda extensions so that the maximum total width is 47 feet.

2. End walls (street facing) should be designed with consideration of scale and aesthetic character of the main facade.

3. Buildings ~~should~~ **shall** avoid a horizontal orientation in their roof and window designs, unless the design can be shown to match the original roof design or responds positively to nearby structures and styles. ~~Buildings in districts other than the Willamette District shall be designed and oriented as appropriate to that area as determined by the Historic Review Board with consideration of Section 25.060(3).~~

4. Sidewalls on the side of new homes shall have minimum 18 inch popout or indent after every 400 square feet of sidewall measured laterally/horizontally. The popout or indent shall be at least six feet wide and shall be at least nine feet tall. (Bay windows could qualify) Sidewalls on the sidestreet side of new homes shall have minimum 24 inch popout or indent after every 400 square feet of sidewall measured laterally/horizontally.



J.L.

FOUNDATIONS AND BASEMENTS

1.-Foundations may be poured concrete or brick faced concrete and shall be exposed at least one to two and a half feet on the front elevation (depending on whether the lot is an uphill or downhill lot) to accommodate front steps and raised porch. Final foundation grade will impact the height of the house. Misrepresentations or errors in determining the height of the house due to site conditions and height of foundation wall cannot be used to justify any house heights in excess of allowed height per 25.070(I).

2. Basements shall be defined as liveable or functional space below the main floor of the principal dwelling/house which is exposed above grade a maximum height of two feet. Windows and window wells are permitted but not on the front elevation. The square footage of the basement shall not count in building square footage (re:ADU's) mass calculations, FAR etc.

~~M. SIGNS AND LIGHTING. Signs, lighting, and other appurtenance such as~~

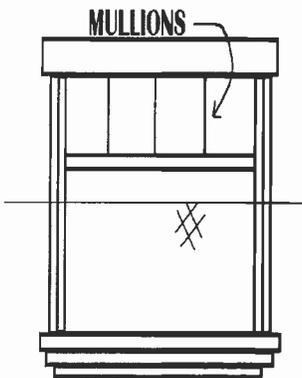
walls, fences and awnings, shall be visually compatible with the scale and traditional architectural character of the historic building.

N.M. HORIZONTAL ADDITIONS.

1. The scale and proportion of building additions, including the relationship of windows to walls, shall be visually compatible with the traditional architectural character of the historic building.
2. Contemporary construction for alterations and additions are acceptable if the design respects the building's original design and is compatible with the original scale, materials, window and door opening proportions of the structure.

Ø.N.

WINDOWS. Window sizes vary considerably in the district. Windows on the primary and secondary structures are wood sash, usually a double hung type. Victorian styled structures typically have narrower, vertically-oriented windows. Bungalow styled structures from the "Craftsman" era (1905-1930) may have wider windows **but they are still vertically oriented** with ~~m~~**Mullions shall be used to separate two side by side windows across the top of larger paned areas.** Most windows have fairly wide trim boards, usually **4.5-5** inches.



Standards:

1. Wood sash windows are preferred.
2. "Mill aluminum" (shiny) windows are prohibited. Matte finish anodized/coated aluminum windows are permitted so long as they meet dimensional standards.
3. Windows shall be surrounded by exterior trim on the top and sides; window trim shall be at least 4-1/2 inches minimum width.
4. Window replacements shall match the visual qualities of original windows as closely as possible; this does not require wood windows. Non-wood window replacements must exhibit similar

visual qualities as their wooden counterparts. The original number of window "lights" (i.e., panes) shall be maintained or restored when replacements are required.

~~5. Alterations to the rear of a house, or to other portions not visible from the public right of way (exclusive of alleys) need not adhere to the design standards contained herein.~~

6.5. Storm windows should follow the standards for windows. Matte finish anodized/coated frames are permitted. The 4-1/2 inch trim is not required for the storm windows. The color should match underlying trim.

6. No shutters or mirrored/tinted glass are allowed.

7. Windows on garages, accessory structures or ADU's shall be single or multi paned windows and ideally match the proportions of windows in the primary dwelling.



P.O. ENTRYWAYS. PORCHES: Porches are a key architectural feature on most homes in Willamette Town. **A porch provides the home's occupants with an "outdoor room": a social space to interact with passersby.** Frequently, the porch and entryway creates a dominant architectural feature on the main facade. On corner lots, the entry usually faces the east-west avenues. Front doors are often notably detailed; many contain glass panes or carvings. Standards:

1. Buildings shall have a permanently protected entry. Awnings are not permanent protection.
2. All main entrances ~~should~~**shall** face the avenues.
3. Flush (flat) doors are prohibited.
4. Doors with windowed areas are recommended.
- 5.** **The F**ront porch ~~enclosure~~ of any dwelling unit ~~may~~ **shall** not be enclosed. Back porches may be enclosed.



6. Porch supports, railings and guards as well as front steps and balustrades (hand rails on stairs) shall be time period appropriate in terms of simple design and use of materials: typically wood. Elaborate woodwork, such as spindlework, (e.g. ornately turned and detailed porch supports) is not permitted unless it is historically appropriate (as in some Queen Anne homes) or a replacement in kind.

7. Decks are prohibited in the front and side yard. Covered wrap around porches are permitted.

Q.P. SIDING AND EXTERIOR FINISH. Standards:

1. Horizontal wood siding (e.g. 1-inch wide X 8-inch tall) shall be the primary exterior finish.

2. Shingles should only be used ~~in conjunction with horizontal wood siding or~~ where consistency with existing materials is clearly demonstrated. **Occasional use of elaborate shingle design (e.g. fishscale) or sunburst patterns of wood in the upper portions of gable end, over windows or similar areas are commonly proposed and may be allowed but only if it is appropriate to the architectural history of the house or a replacement in kind.**
3. Single color exteriors are discouraged. Stained exteriors are not recommended. **All trim must be painted a contrasting color to the main body of the house.**
4. **There are often distinctive design elements in primary or secondary homes such as a sunburst pattern in the gable end or over windows which remodellers try to copy and repeat elsewhere on the new portions of the house. This should be discouraged since it undervalues and mimics the original work which should be the focus of attention. For new houses, these features are fine so long as they are consistent with the house type. Similarly, “belly bands” or horizontal boards that wrap around the house are acceptable within the correct context.**



R.Q. ROOFSCAPE. Standards:



1. Roofs shall have a pitch of at least 8/12 to maintain the pattern of steep roof pitches. The Historic Review Board will consider deviations from the 8/12 to 12/12 standard for additions to the main body of the house so long as it is consistent with a particular architectural style.

The roof pitch of rear kitchens, rear additions and front and rear porches may be shallower than the main roof pitch.

2. Roofing materials should be composite shingles. Cedar shakes were not used in period construction. Milled cedar shingles were used and are permitted.

3. Alternating, patterned or checkerboard shingles are not permitted.

4. Dormer design must be consistent with the architecture of the house. Thus a gabled dormer for a Queen Anne would be

appropriate but an arched or rounded dormer would not.

A Craftsman could have either a gabled or shed dormer.

S.R. ACCESSORY DWELLING UNIT (ADU)

The provisions of CDC Chapter 34 shall not apply to ADU's in the Historic District.

1. ADU's may be allowed in the following configurations:

(a) in conjunction with an existing primary single-family dwelling by conversion of an existing space inside the primary dwelling;



(b) by means of an addition to an existing dwelling's footprint or building envelope;

(c) by means of constructing a new accessory structure;

(d) or by converting or adding to an existing accessory structure, such as a garage or barn, on the same lot as the existing house.

2. The following conditions shall be met:

(a) Public services can serve both dwelling units.

(b) The number of occupants in the ADU is limited to no more than one family as defined by the Community Development Code.

(c) The ADU shall not have more than one bedroom and shall have an area between 250 and 1,000 500 square feet based on the following formula:

If the ADU is located in the house or an accessory structure, then it shall not exceed 30 percent of the gross square footage of the house, except that an ADU may be a minimum of 250 square feet in size regardless of the size of the house.

If the ADU is located in an accessory structure, then it shall not exceed 30 percent of the gross square footage of the house, except that an ADU may be a minimum of 250 square feet in size regardless of the size of the primary dwelling and have a maximum square footage of 500 square feet.

(d) To improve neighborhood compatibility and to help protect the privacy of adjacent homeowners, single story ADUs that are accessory structures that are built at grade (no second floor) may add 100 square feet to the amount calculated by section (c) above but shall not exceed 600 square feet total. ~~One story ADU's that take advantage of this provision shall not have the FAR or lot coverage standards applied to the additional 100 square feet.~~

- (e) No more than one ADU is allowed.
- (f) The following minimum area standards shall be met:

 - 1 person – 250 square feet
 - 2 persons – 500 square feet
- (g) The ADU must be in conformance with the lot coverage requirements of the underlying zone.
- (h) Existing accessory structures such as large workshops, offices, garages, etc., built prior to October 1, 2009 that exceed dimensional standards prescribed above for ADUs may be converted into ADUs so long as the building is behind the house's front building line, preferably in the rear yard. (If the existing structure is in the front yard it cannot be converted to an ADU.) If the applicant proposes to add a story to an existing garage or similar accessory structure the existing garage or accessory structure must meet the setback standards of this chapter for two story ADUs.

Another requirement is that the occupied or inhabited area shall be restricted to less than 500 square feet if using the second floor of a two story building and 600 feet if occupying a one story building .
- (i) The conversion of existing structures are not required to meet the design standards below, with the exception of 3(d) Windows, but shall conform to the standards to the greatest degree possible.

3. Design standards for both attached and detached ADUs are as follows:

- (a) Exterior finish materials. The exterior finish material must be the same or visually match in type, size, and placement, the exterior

finish material of the primary dwelling.

(b) The main exterior entrance including exterior stairs of a detached ADU shall be located either on the side of the ADU that is the furthest distance from any side lot line or on the elevation facing the rear of the primary structure.

(c) Trim.

Trim on edges of elements on the addition must be the same in type, size, and location as the trim used on the rest of the primary dwelling.

(d) Windows.

(i) Windows must match those in the primary dwelling in proportion (relationship of width to height).

(ii) When the dominant roof ridgeline of the two story ADU is perpendicular or at right angles to the front property line then the only windows on the second floor ADU must be at the gable ends. No dormers or skylights are permitted on the roof mass.

(iii) When the dominant roof ridgeline of the two story ADU is parallel to the front property line then the only windows on the second floor ADU must be dormers on the roof mass. No windows are allowed on the gable ends facing the side lot lines. The dormers cannot constitute more than one third of the roof measured in a lineal fashion. The top of the dormers must be at least two feet below the height of the dominant gable ridge line.

(iv) Single story ADUs may have dormers in the roof that allow light into the ADU but the dormers must be at a height where the ADU residents cannot see out of them towards the neighbors. These dormers cannot constitute more than one third of the roof measured in a lineal fashion. The top of the dormers must be at least two feet below the height of the

dominant gable ridge line. Windows are allowed in the upper gable end of single story ADUs but only if the ADU is oriented with the dominant ridgeline running perpendicular to the front property line. This way the gable end windows will be facing the rear of the primary house, not the neighbor's property.

(v) Windows are allowed on all sides of single story ADUs at ground/first floor level.

(vi) Single story ADUs may have sleeping lofts (defined as a small area above the first floor) which may have windows in the gable ends but only if the ADU is oriented with the dominant ridgeline running perpendicular to the front property line. This way the gable end windows will be facing the rear of the house, not the neighbor's property.

(vii) No ADUs may have flat roofs or roofs under a 6:12 slope.

4. Eaves. Eaves must project from the building walls the same distance as the eaves on the rest of the primary dwelling. Eaves and associated gutters must keep one foot from side property lines. Downspouts and gutters must correctly collect and dispose of rainwater to the extent that it shall not flow directly onto neighboring property.

5. Setbacks. The detached ADU shall be in the rear yard. The two story ADU shall be a minimum fifteen feet from the side lot line and a minimum three feet from the rear lot line. Two story ADUs must be at least 10 feet from the house. One story ADUs may be 3 feet from the house. If the ADU is one story tall it may be built with a side and rear setback of 3 feet. Both single and two story ADUs may have a 5 foot setback to the side street. An attached ADU at the rear of the house must meet the standard setbacks for

the primary structure. If the applicant proposes to add a story to an existing garage or similar accessory structure the existing garage or accessory structure shall still meet the setback standards of this chapter for two story ADUs.

6. Height.

- (a) If the ADU is one story tall it may be built to a maximum height of 15 feet.**
- (b) The ADU cannot exceed the height of the primary dwelling. Therefore a single story house cannot have more than a single story ADU.**
- (c) If the ADU is proposed to be a two story structure, as in the typical case of the ADU being above a garage, the maximum height shall be 23 feet as measured per CDC Chapter 2.**
- (d) The dominant ADU roof ridgeline must be either parallel to, or perpendicular to, the front property line. Cross gabled roof designs are not permitted although dormers are permitted per the provisions of this section.**
- (f) The ADU roof must be at a pitch/slope equal or lower than the pitch/slope of the primary house. Flat roofed ADUs are not permitted.**
- (g) Outdoor balconies or decks are not allowed on top, or incorporated in the roofscape, of ADUs.**

<u>HISTORIC DISTRICT ADU SETBACKS, HEIGHT & SIZE</u>		
	<u>One Story</u>	<u>Two Story</u>
<u>Front</u>	<u>Rear yard only</u>	<u>Rear Yard Only</u>
<u>To House</u>	<u>3 feet</u>	<u>10 feet</u>
<u>Rear</u>	<u>3 feet</u>	<u>3 feet</u>
<u>Side</u>	<u>3 feet</u>	<u>10 feet</u>
<u>Side Street</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Height</u>	<u>15 feet</u>	<u>23 feet</u>
<u>Max. Size</u>	<u>30% *+100 sq ft</u>	<u>30%**</u>

(* 30% of total floor area of principal dwelling to max. of 600 sq. ft./min is 250 sq. ft.)

(30% of total floor area of principal dwelling to max. of 500 sq. ft./min. is 250 sq. ft.)**

S. SIDEWALKS. Many of the original sidewalks had the contractors name and date stamp or street names on them while in other areas there are even footprints of cattle as a reminder that Willamette surrounded by farms in its early history (see photo below). Every effort should be made to preserve sidewalk sections with such nomenclature or replace it with facsimile stamps.



Most sidewalks in the residential district are four feet wide. Sidewalks are required on all ROW frontages for lots that are having new houses built or in the case of major remodels where the work represents over 50% of the valuation of the home. New sidewalks shall replicate, to the degree possible, existing sidewalk patterns, texture and coloration. The City Engineer may waive the requirement for sidewalks on street frontages where all other adjacent lots are built out and no sidewalks exist on that street side. Fees in lieu may be required.

T. STREETS. Streets average 20 feet wide with gravel and dirt shoulder and no curb. This design supports the historic character of the area. In the Willamette Neighborhood Plan there was no support for the standard half street improvements (including

gutter and curb) in the residential area. However, street overlay may be required as well as street trees at 30 feet on center in the planter strip.

U. STORM. Storm treatment facilities shall be sympathetic to the historic character of the district. Swales shall be as visually unobtrusive as possible. In ground facilities are preferred in this district.

V. LIGHTING. Lights on the exterior of homes shall be shielded and not produce off site glare. Lighting which is directed at the house to better display the house at night is permitted. Street lights should be part of a historic district wide program with a common style or design that also meets “dark sky” requirements.

W. SIGNS. National Historic Register and Clackamas County signs which identify homes as the “Palmer House 1895” signs are permitted. One sign that identifies a home occupation is allowed. It may either be wall mounted by the front door to a maximum height of four feet as measured from the sill of the front door or freestanding to a maximum height of three feet from grade and five back from the public ROW (e.g. back of sidewalk). All signs are limited to a 6 inch by 12 inch dimension and shall be of a serifated type face similar to those shown in CDC Chapter 58.090. Interpretive signs in the neighborhood, approved by the City Planning Department without fee or permit application, will be allowed to provide the public with better appreciation of the architecture and the history of the Willamette area.

x. PARKING. Parking in Willamette Town traditionally was handled from the alleys or along the "streets" (as opposed to avenues). Detached garages along the alleys or "streets" characterizes many homes in the district. Alleys were established to provide for parking out of view; with this older pattern, garages are much less dominant than in newer residential areas.

1. Standards, Garages:

a. **Garages should be detached structures in the rear yard.**

Garages shall be accessed from the alley. Where no alley exists, access to a garage may be from the **abutting street (in the case of corner lots) or from the street avenue but only as a last resort. In the case of access from the avenue the driveway shall extend across the front yard into the rear yard. The driveway shall be a single dual track brushed surface concrete driveway only to accommodate tandem style parking in the rear. Standard 8-16 foot wide paved driveways are not permitted. No vehicles may be parked in the front yard.**

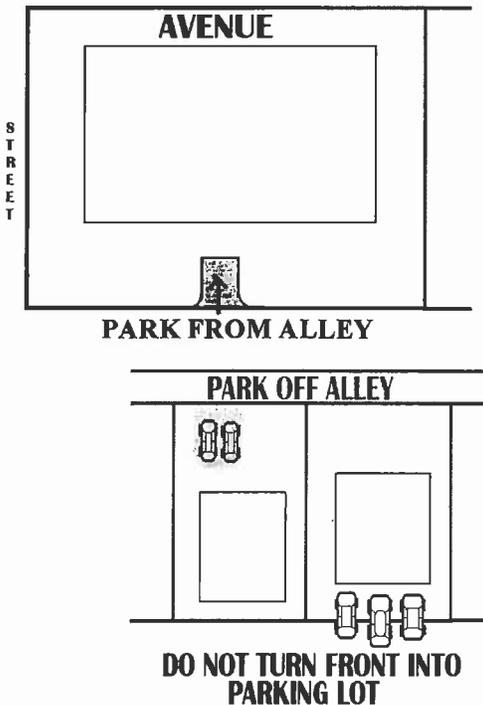


- b. Garage remodels and new construction must match house or existing garage building materials. Damaged or deteriorated non-conforming garages must be reconstructed / relocated in accordance with this Code where remodeling or rebuilding costs exceed 50% of the full replacement cost in current dollars.
- c. Typically, the garage pitch wasn't as steep as the house. Some architectural styles of garages have lower pitched roofs. Garage roof pitch shall not exceed house roof pitch.
- d. Garages located within the rear yard **accessed from the alley** may have a ~~zero~~ **three** foot side **and rear** yard setback. **(See ADU setbacks if ADU is to be incorporated into garage.)**~~so long as it is constructed with one hour fire walls, with no openings in wall and no overhang, per City building standards. The three foot rear setback shall still apply.~~ **Garages on a corner lot may have a three foot side street setback but only**

if they are loaded from the alley. Garages on a corner lot must have a minimum 18 foot side street setback if they are loaded from the street. Garage eaves and gutters must be at least one foot from the side property lines.

e. Maximum garage size is 500 square foot footprint per lot.

2. Standards, Parking:



- a. No residential lot shall be converted solely to parking use.
- b. ~~All~~ No vehicle access-parking and storage (i.e., boats, campers, recreational vehicles, etc.) shall be ~~stored or parked~~ in the rear of the property as opposed to the front or side yards.
- c. On corner lots or where homes face streets, the parking and storage shall be located on the alley side of the house.
- d. No front yard curb cut or access shall be established unless it is determined by City Engineer that all reasonable access alternatives have been exhausted.
- e. The parking provisions of Section ~~26.050(B)~~ 46.090(c) shall apply to any ~~non-conforming~~ uses of a structure (i.e., bed and breakfast.) These provisions would not apply to General Commercial zone uses in the Historic District.
- f. Access driveways to garages and parking pads from the alley or street is limited to water permeable asphalt, grasscrete, gravel or hard surface dual track.
(ORD. 1565)

Y. AIR CONDITIONING UNITS/HVAC. Window mounted air conditioning units which project out from the window are prohibited on the front and side elevations. They may be flush mounted. All exterior heating, ventilation and air conditioning (HVAC) equipment plus powered

exhaust vents shall be in the rear yard and properly muffled.

Z. LANDSCAPING. Front yard and side street landscaping for primary and secondary structures should be dominated by any combination of organic groundcover, gardens, vegetable gardens, bushes, trees and period appropriate garden features. Contemporary landscaping with (e.g.) rock gardens, non organic material, large impervious surfaces are discouraged.

~~25.080~~ ~~ADDITIONAL ARCHITECTURAL SPECIFICS FOR NEW CONSTRUCTION AND REMODELING~~

~~Many houses in Willamette are rich in architectural detail. Certain architectural components are used in fairly specific ways. Standards:~~

- ~~A. Distinguishing original qualities defining a structure's character shall not be destroyed. Removal or alteration of historic (i.e., original) materials or distinctive architectural features should be avoided when possible.~~
- ~~B. Houses and other structures shall be recognized as products of their own time. Alterations that have no historical basis or which seek to create an earlier appearance shall be avoided.~~
- ~~C. Distinctive stylistic features, or examples of skilled craftsmanship which characterize a structure, shall be maintained or restored, if possible.~~
- ~~D. Deteriorated architectural features shall be repaired rather than replaced, whenever possible.~~
- ~~E. In the event replacement is necessary, new materials should match the material being replaced in composition, design, color, texture, and other visual qualities.~~

~~F. — Alterations to the rear of a house, or to other portions not visible from the public right-of-way (exclusive of alleys), need not adhere to the design standards contained herein.~~

~~G. — Contemporary designs for alterations and additions would be acceptable if the design respects the building's original design, and it is compatible with the original scale, materials, window and door opening proportions of the structure.~~

~~H. — Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure could be restored.~~

~~25.090 — COMMERCIAL REMODELS AND NEW CONSTRUCTION~~

~~A. — Construction of new commercial businesses or remodeling of businesses in the Commercial district shall emphasize contextual design, style, material and period consistency. The Historic Review Board may consider applicable portions of Section 25.080, "Additional Architectural Specificies," and Section 25.060, "Criteria for Exterior Alteration and Construction."~~

~~B. — Setbacks should be consistent with adjacent uses or between 0-10 feet.~~

~~C. — Underlying zone provisions of the Commercial zone shall apply except for the off street parking requirements which are waived under Chapter 46.~~

~~25.100 — MINOR ALTERATIONS AND MAINTENANCE~~

~~The Planning Director shall determine the status of a proposed alteration. Minor alterations shall be reviewed and approved by the Planning Director, who may consult with the Historic Review Board, or any member thereof, in applying the provisions of this section. An alteration shall be considered "minor" when the result of the proposed action is to maintain or restore portions of the exterior to the original historic appearance while performing normal maintenance and repairs, such as:~~

~~A. — Replacement of gutters and downspouts, or the addition of gutters and~~

- downspouts, using materials that match those that were typically used on similar style buildings.
- B. — ~~Repairing, or providing a compatible new foundation that does not result in raising or lowering the building elevation.~~
 - C. — ~~Replacement of building material, when required due to deterioration of material, with building material that matches the original material.~~
 - D. — ~~Repair and/or replacement of roof materials with the same kind of roof materials existing, or with materials which are in character with those of the original roof.~~
 - E. — ~~Application of storm windows made with wood, bronze, or flat finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building and match the number of pains of the underlying window.~~
 - F. — ~~Replacement of wood sashes with new wood sashes, or the addition of wood sashes, when such is consistent with the original historic appearance. Non-wood window materials are allowed so long as the visual quality effectively simulates traditional wood windows.~~
 - G. — ~~Additions of solar equipment which, when removed, do not destroy essential elements of the building's character defined features may be allowed if such equipment is not visible from the public right of way. New flush mounted solar panels may be mounted with a southerly aspect, preferably out of sight or screened from the public right of way. Solar panels may be located in the rear of property following the standards for TV satellite dishes of CDC 34.020(A)(3).~~
 - H. — ~~Accessory structures under 120 square feet and 10 feet in height (greenhouses, storage sheds, jacuzzis, spas, structures, gazebos, etc.) are exempt where they are located in the side or rear yard.~~
 - I. — ~~In ground swimming pools are exempt in the side or rear yard.~~
 - J. — ~~Above grade pools must be in the side or rear yard with adequate screening.~~
 - K. — ~~Fences in the front yard should be time period consistent.~~

- L. ~~Other improvements may be determined by the Planning Director to be exempt so long as their impact is no greater than improvements exempted by other sub-sections of 25.100.~~

25.110-090 PARTITIONS AND SUBDIVISIONS

~~The Historic Review Board shall review and make recommendations on all proposed partitions or subdivisions of sites within the district or at the landmark site. Review of the proposed subdivision or partition shall be based on the following criteria:~~

- A. ~~The partition or subdivision does not allow a significant feature of the original site, as identified in the designation action and inventory, to be located on a separate site from the landmark.~~
- B. ~~The partition or subdivision allows adequate setbacks from landmark improvements to provide for buffering and mitigation of impacts associated with development of the new parcels.~~
- C. **The decision making body for minor partitions and subdivisions shall be per CDC Chapter 99, not the Clackamas County Historic Review Board. Minor partition of corner parcels The approval criteria shall be per CDC Chapter 85. The only additional criteria to CDC Chapter 85 is that shall orient the new lots shall be oriented so that they front onto the adjacent avenue rather than onto the adjacent street. All new lots shall be 5,000 to 6,000 square feet in size. All lots shall have a width of 50 to 60 feet. All lots shall be rectangular. No flag lots are permitted in the Willamette Historic District. Lot line adjustments shall maintain side lot lines at right angles to front property lines.**

25.120 100 BUILDING CODE REQUIREMENTS

- A. **Permits Required:** Any alteration or relocation of a Historic Landmark shall be subject to the applicable regulations under the Uniform Building Code or superseding codes of the Building Department.

- B. **Waivers:** As provided in ~~Section 104(f)~~ of the Uniform Building Code, repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of an Historic District structure or Landmark structure, may be made without conformance to all the requirements of the Uniform Building Code when authorized by the Building Official, provided:
1. Any unsafe conditions as described in the Uniform Building Code are corrected;
 2. The restored building or structure will be no more hazardous, based on life safety, fire safety, and sanitation, than the existing building; and,
 - ~~3. The Building Official seeks the advice of the Oregon State Historic Preservation Officer, or designee.~~
- C. **Appeals.** In the case of appeals related to the application of the Uniform Building Code to a Historic District or Landmark structure, the appropriate appeals board should seek the advice of the State Historic Preservation Officer.

25.130110 DEMOLITION

Purpose: ~~The intent of this sub-section is to protect structures within the Historic District from destructive acts, and to provide the citizens of the City time to review the significance of a structure, and to pursue options to preserve such building(s), if historic preservation is deemed in the best interest of the community. Refer to Section 26.080 for provisions relating to demolition. (ORD. 1425)~~

~~25.140 APPLICATION AND SUBMITTAL REQUIREMENTS~~

Standard requirements: ~~All applications for alteration, relocation, development, or demolition made pursuant to this section shall include:~~

- ~~A. A pre-application conference with the Planning Director is required prior to formal submittal. The Director shall determine the appropriateness of the~~

~~proposal and the completeness of the materials to be submitted. The Director may consult with members of the Historic Review Board in this process.~~

- ~~B. The application is made with appropriate fees being paid. The applicant shall submit a written narrative explaining the proposal and how it meets the approval criteria. In cases involving construction, the applicant shall provide scaled site plans, elevations of the structure, and construction plans. A list of materials and proposed colors is required. Material boards/color samples may be needed. Photography may be used in certain cases. The exact requirements shall be explained by staff.~~
- ~~C. The hearing, public notice, appeal, and enforcement provisions of Chapter 99 shall apply.~~

(AMENDED PER ORD. 1474; 9/01)

25.120 VARIANCE PROCEDURES

A. In those circumstances where a design proposal cannot meet the standards, or where an alternative(s) to the standards of this chapter are proposed, the Historic Review Board may grant a variance in those cases where one of the following criteria is met:

- 1. The applicant can demonstrate by review of historical records or photographs that the alternative is correct and appropriate to architecture in the region, and especially West Linn, in 1880-1915.**
- 2. The applicant is incorporating exceptional 1880-1915 architecture into the building which overcompensates for an omission. The emphasis is upon superior design, detail, or workmanship which can be verified reviewing previous works of the architect or builder.**
- 3. The building placement, scale, setback or height fits the site and**

integrates well with adjacent structures with no negative impacts to adjacent homes and the neighborhood at large.

B. The provisions of CDC Chapter 75:Variances would not apply.

(AMENDED PER ORD. 1515; 2-05, ORD. 1538; 6/06; ORD. 1574 2/07
ORD. 1565 4/08)

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