

Zoning Ordinance

Recommendations

for the Riverfront District

Introduction

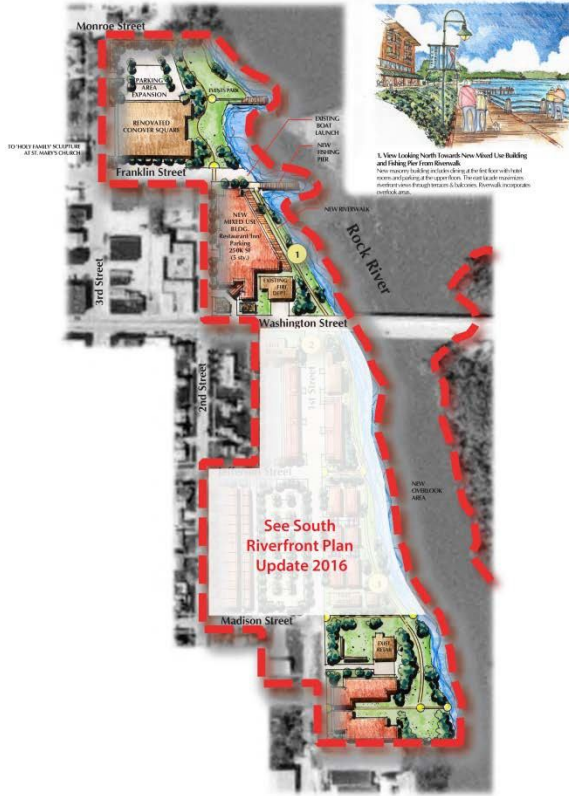
Over the past year, the City of Oregon has updated its Comprehensive Plan aimed at promoting the vitality and economic health of the community. One of the key elements of City's economic plan is the redevelopment of the Riverfront area as an attractive, pedestrian-friendly mixed-use district providing for new commercial, residential, recreational, hospitality and arts oriented businesses and activities.

The City's recently adopted Comprehensive Plan includes a number of implementation tasks. A priority project identified in the Plan is creating new zoning standards to provide the City with sufficient control of over the future redevelopment of the Riverfront district planning area addressed in the Plan.

Teska Associates, Inc. (Teska) examined the Zoning Ordinance to determine if it has the authority and capacity to ensure the desired transformation of the Riverfront. We found that zoning district regulations would, in many cases, either prohibit or be in conflict with the recommendations of the Comprehensive Plan (see Riverfront District Zoning Options memo – 7.14.16). We examined various alternative amendments to the Zoning Ordinance to determine if they would ensure the desired development. The various options included: amending the zoning district regulations; amending the planned development procedures; creating new zoning districts; creating an overlay district. It was determined that the creation of a new zoning district that would not require special zoning approvals. The key to this type of 'by-right' zoning is that developers do not have to seek special zoning approvals from the City if they meet the standards of the zoning district. This approach provides developers greater certainty over the outcome if standards are met, and reduces approval time, therefore, making development in Oregon easier to pursue and less costly.

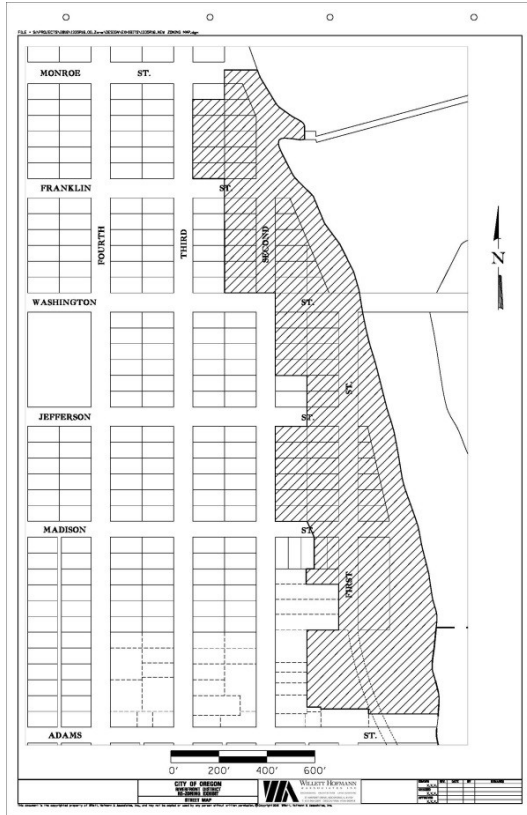


This document provides the specific zoning amendment recommendations for the Riverfront areas as identified in the City's Comprehensive Plan, and as described on the map below. We also provide commentary on the background and potential consequences of those recommendations.



<ul style="list-style-type: none"> 1. New Building for Brew Pub/Restaurant (7,500 s.f.) - Center Outdoor Patio and Covered Terrace 2. Retail (4,200 s.f.) 3. Retail (3,700 s.f.) 4. The Center (11,000 s.f.) - 250 person theatre/wedding (3,000 s.f.) - Adjacent 100 person banquet (1,200 s.f.) - 2 Story Conference, 4 rooms each 50 person/Office (2,000 s.f.) - Restaurant/Bar/Private Dining/Outdoor Deck (4,500 s.f.) 5. 3-Story Hotel with 50 Rooms (22,000 g.s.f.) 	<ul style="list-style-type: none"> 6. New/Revised Streetscape - One Way Traffic South with Diagonal Parking (77 spaces) - 10' Walkways with Landscape Planters and Lighting 7. Riverwalk and Overlook - Overlook Shelter with Seating - 10' Boardwalk 8. Surface Parking Lot - One Way Traffic, Pattern (130 spaces) 9. Story Parking Deck (120 spaces) - 1st Floor (52 spaces) - Roof (68 spaces) 	<p>PARKING DATA: New Off-Street Surface: 174 spaces Parking Deck: 120 spaces On-Street: 77 spaces Total: 371 spaces</p> <p>PARKING DEMAND: Hotel (50 rooms, 1 per room plus 1 per 10 rooms): 55 spaces Retail (5,700 s.f., @ 4 per 1000): 15 spaces Retail (4,200 s.f., @ 4 per 1000): 10 spaces The Center (theatre/banquet @ 3 per 500 cap): 165 spaces Restaurant/Bar (5,500 s.f., @ 10 per 1000): 35 spaces Brew Pub (7,500 s.f., @ 10 per 1000): 35 spaces Total: 363 spaces (- 8 spaces)</p>
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Boundaries of Riverfront District

The suggested text amendments use the same structure and format of the existing Division 3 –Commercial District.

Create a New

Riverfront Zoning District

The amendments recommended below are based on the organization structure and standards provided in the City’s current B-1 Commercial District. The provisions are intended to provide the City with control over the shape, form, and uses of future development, and provide developers a degree of certainty over what aspects of proposals will be favorably received. The standards will apply to all new development and redevelopment. Maintenance and improvement of existing business and residential uses that does not alter the basic shape or form of structures is exempt from compliance with the new standards.

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Zoning Ordinance Recommendations – Article 5

Division 1: Generally

Sec. 7-165. - Use Districts.

In order to carry out the purposes and provisions of this article, the city is hereby divided into the following districts:

- (1) Residential districts;
 - a. Residential R-1 one (1) family.
 - b. Residential R-2 one (1) and two (2) family districts.
 - c. Residential R-3 multifamily district.

- (2) Commercial district; and
 - a. B-1 Commercial Highway Business
 - b. RF – Riverfront Commercial
- (3) Industrial district.

Division 3: Commercial Districts

Section 7-211 Riverfront Commercial District

(Comment: The following is a new section containing all the regulations for the Riverfront District)

a) Purpose

The Riverfront Commercial District is established to promote a compatible mixture of commercial, recreational, cultural and residential uses in a compact, pedestrian-oriented, as an extension of its traditional setting invoking the historic character of Oregon’s Downtown. Development form and land use arrangements shall be consistent with the Riverfront Plan that is part of the official Comprehensive Plan, as amended, and other plans that the City may adopt from time to time. The map symbol and short name for this district shall be RF – Riverfront District. Land use and design objectives for development within the RF include:

- (1) Maintain rectilinear patterns of connected streets and blocks;
- (2) Mixed-use buildings, shops and workplaces located in close proximity to each other and to the public right-of-way to encourage walking;
- (3) Accessible and pedestrian oriented Riverfront greenway with usable public gathering places and landscaped streets dedicated to collective social activity, pedestrian movement, recreation and visual enjoyment;
- (4) On-street parking and centralized parking facilities to collectively support business uses; and
- (5) Cultural buildings that act as landmarks, symbols, and activity centers that serve as anchors and activity generators for local businesses.

b) Lot and Yard Requirements.

The following table of building standards indicates the requirements and parameters of new development and major reconstruction.

Table of Building Standards for the RF District	
A. Building Orientation and Setbacks	
Building orientation	The principal building facades and the primary public entrances shall face a public street or walkway.
Front setback - minimum	No minimum requirement.
Front setback - maximum	New primary structures shall be located no more than 10 feet from the right-of-way of an adjoining street. When secondary buildings are part of a unified planned development, these buildings may be set back greater than 10 feet.
Side setbacks	No minimum requirement, except when adjoining the Riverwalk path which shall be 10 feet, and when adjoining a single-family residential property in a residential zoning district which shall be 15 feet.
Rear setback	No minimum requirement, except when adjoining the Riverwalk path which shall be 10 feet, and when adjoining a single-family residential property in a residential zoning district which shall be 15 feet.
River Edge setback	All principal buildings and accessory structures shall be setback a minimum of 20 feet from the river edge.
B. Permitted Overhangs	
Balconies and oriels	May extend over sidewalk or right-of-way by 12 inches
Turrets and eaves	May extend over sidewalk or right-of-way by 24 inches
C. Building Bulk and Appearance	
Building height	Minimum height shall be two stories; Maximum height shall be three stories; towers, turrets, or other decorative devices may extend beyond the three-story height.
Maximum lot coverage	No maximum requirement
Building proportions and elevations	Building facades and elevations facing a public street shall not be flat or devoid of articulation. Facades and street-facing elevations shall incorporate such elements as projections, recesses, and offsets in order to divide flat expanses of buildings. In general, the overall design objective shall be one where building, or building segment height appears to be two times building width. (see illustrations below)
Building details	Pedestrian-scale elements shall be included in the façade of all building elevation fronting a public right-of-way other than an alley. Examples of such pedestrian-scale elements are: sconce lighting, gooseneck lighting, planters, and awnings. (see illustrations below)
Building mechanicals	Mechanical units shall be hidden from views from public rights-of-way (except for alleys); HVAC ductwork shall not be placed on the exterior of walls.
Awnings	Awnings are encouraged.
Doors	Public entrances should be articulated with portals that are recessed into the building. Such recesses, when used, shall be limited to no more than four feet behind the shop-front windows. Front doors and main entrances must face a public street and be connected to the public sidewalk. (see illustrations below)
Roofs	Parapets are required for flat roof structures; mansard roof types are prohibited. (see illustrations below)
Shutters	Shutters, if used, shall be sized and mounted appropriately for the window.



Building proportions and elevations: Recommended
 Building facades and elevations facing a public street shall not be flat or devoid of articulation. Facades and street-facing elevations shall incorporate such elements as projections, recesses, and offsets in order to divide flat expanses of buildings.

c) Permitted Uses.

The following uses of land are permitted in the RF District. Uses not listed are prohibited unless a recommendation is made by the Planning Commission to the City Council that a use not listed below is similar to and compatible with a permitted use. The City Council will either approve or deny the use.

Antique shops.
Art studios and retail shops.
Bakery, fresh food or meat market (under 5000 sq. ft., and limited to sales of goods produced for sale onsite only)
Bookstores.
Conference facilities.
Entertainment rental: video/DVD.
Farmers market, and fruit and vegetable stand.
Financial institutions/services, not including drive-through facilities.
Furniture stores.
Gift, souvenir shops.
Private professional or continuing education schools, or schools offering instruction in the arts or personal fitness.
Hotels/motels.
Medical, dental, and chiropractic offices.
Live theater or entertainment venue.
Offices or office buildings.
Outdoor sales, if associated with a principal use.
Outdoor seating, if associated with a principal use.
Pet store—Pet services, outdoor kennels are not permitted.
Restaurants, not including drive through facilities.
Salons, spas, haircare facilities.
Taverns, pubs, with or without food service.
Wind energy systems, up to 35 ft. in height.

- (1) Those uses existing on a parcel on [effective date] shall be permitted uses on that parcel of property, and shall not be considered a nonconforming use. If a conflict exists between this provision and any other provision of this Chapter, this provision shall apply.

(Comment: Sub-paragraph (1) is intended to prevent any existing use within the Riverfront District from becoming nonconforming.)

d) Special Uses.

The following Special Uses may be considered to be appropriate uses in the RF District subject to the application and review procedures and standards in Section 7-173 of this Chapter.

Bakery, fresh food or meat market (under 5000 sq. ft.).

Carryout or fast food, as part of a principal use, not free standing.

Dry cleaners, which may include accessory equipment serving not more than the principal retail outlet for which this is a part.

Package liquor store,

Wind energy systems, if ≥ 35 ft. in height.

e) General Development, Site Plan, Landscape Improvement and Lighting Standards.

The general development and site plan review development standards in the B-1 Highway Commercial District (Sections 7-207, 7-208, 7-209, and 7-210) shall apply to all new construction, and major modifications to existing uses, with the following exceptions. All development within the RF District may be reviewed and approved by a planning and landscape professionals selected by the City.

(1) B-1 General Development, Site Plan and Landscape Improvement Standards Exceptions:

- a. There shall be no requirement to provide a minimum percentage of a property as landscaped open space, except for properties abutting the Riverwalk setback and properties abutting a residential use. All parking areas shall comply with the landscape requirements.

f) New Construction and Reconstruction Procedures.

(Comment: New construction and major reconstruction must comply with the RF District standards. Minor reconstruction, however, is exempt from zoning review, but must comply with all other applicable City codes. This approach is meant to ensure the adequate review of complex projects, or projects that may have impacts on surrounding land uses, while not overburdening existing business and property owners. It also allows property owners to make basic repairs to the site without the burden of obtaining City zoning approval (beyond normal building permitting requirements).

- (1) All construction of new structures within the RF District shall be approved in accordance with the provisions of this Division 3, and all other relevance requirement of the Zoning Article 5 of the City code.



(2) All major remodeling or reconstruction of a previously existing structure, except for those structures used as a single-family residence, shall be approved in accordance with the provisions of this Division 3, and all other relevance requirement of the Zoning Article 5 of the City code.

Major remodeling or reconstruction is:

- a. A change in the height of the structure; or
- b. A change -- either an increase or decrease -- in the footprint of the building; or
- c. A change in the materials used on the exterior elevations; or
- d. A change in the site layout (e.g. a reconfiguration of parking; a reduction in the amount or change in the type or extent of landscaping); or
- e. The addition of a new land use that would increase the amount of parking as required under this chapter.

(3) Minor remodeling or reconstruction is exempt from the provisions of this section. Minor remodeling or reconstruction is:

- a. Interior renovations; or
- b. Re-painting of exterior or interior, re-roofing of structure, or other work undertaken to maintain the structure in good repair (e.g. replacement of gutters, tuck-pointing).

(4) Changes to the exterior that do not alter the character or bulk of the structure and are primarily for upkeep or to incorporate new technologies (e.g., replacement of windows when the new windows are the same size as the previous windows).

g) Architectural Design Standards.

The standards set forth in this section shall be applicable to all new structures, all major remodeling as defined in Section 7-211 f) above, and the use of all land within the RF District. Existing single-family detached residential structures are exempt from the provisions of this section. The use of the word "shall" or "must" indicates required compliance with the standard. The use of the word "should" indicates that the incorporation of the standard is desired, but compliance is not required.

Architectural Design Standards for the RF District (cross-reference City design manual)	
Construction Materials	
For walls visible from public right-of-way (other than an alley)	Over 70 percent of each elevation (excluding windows) shall be of brick or limestone; other permitted materials for the remainder of the walls are native stone, and wood or wood equivalent (hardy board). Copper or metal treated to imitate a copper patina is allowed as part of architectural details. The use of concrete block, stucco or dryvit is prohibited. Buildings with limestone bases are encouraged. The painting of brick, limestone, or other natural stone is prohibited; such materials shall retain their natural colors. Other accent materials and colors shall be considered on a case-by-case basis; when used, they shall be compatible with the other colors, and materials used on the building, and shall be consistent with the architectural style of the building.
For roofs visible from public right-of-way	Roofs visible from the street shall be earth tones (e.g., browns, dark green, sand, red-brown), and shall be composed of clay, faux clay; tile; slate or slate equivalent; asphalt or solar singles
Window frames	Anodized aluminum, wood, vinyl, or steel
Fenestration	
Ground story facade	Ground story facades shall have between 60 and 90 percent fenestration; This fenestration shall be between two and ten feet above the sidewalk.
Upper story facade	Upper story facades shall include between 40 and 70 percent fenestration.
All windows	Upper story windows should incorporate muttons, or multiple divisions in the glass.
Window glass	Ground floor windows shall not be made opaque by any window treatment.
Decorative windows	Stained glass or leaded art glass windows are permitted. They may total up to 30% of the entire window area.
Minimum Floor Area For Mixed Use Buildings Providing Residential Uses	
One-bedroom dwelling unit	Dwelling unit shall be a minimum of 750 square feet
Two-bedroom dwelling unit	Dwelling unit shall be a minimum of 900 square feet
Dwelling units with three or more bedrooms	Dwelling unit shall be a minimum of 1,300 square feet

h) Consistency with City Official Plans.

(Comment: This section ties the Zoning Ordinance to the goals and recommendations of the City's Comprehensive Plan.)

- (1) Additional guidance. Design and architectural guidelines contained in the City of Oregon's Official Comprehensive Plan, and other design guidelines or design manuals that the City may adopt from time to time, shall provide general guidance for and clarification of issues pertaining to the development and redevelopment of land within the RF District.

i) Parking Requirement Reductions.

(Comment: Included within this section are new standards providing options for reducing parking requirements. Such reductions are typical in dense, mixed-use districts that promote a pedestrian-friendly environment. Strict adherence to the current parking standards--which are

more appropriate for uses along highway corridors -- could result in an abundance of surface area devoted to parking, impacting the economic feasibility of constructing desired uses.)

(1) For new development within the RF District, the following parking standards shall also apply:

- a. *Location of off-street parking.* Off-street parking shall not be located between the building façade and the street.
- b. *Adaptive Reuse of Buildings.* Adaptive reuse of buildings, including remodeling and expansions up to 20 percent (20%), shall be exempt from parking requirements, but must maintain existing parking.
- c. *Reduction of parking requirements.* The parking requirements as expressed in Section 7-172 may be reduced if the proposed development substantially conforms to the parking plan and standards provided for in each development district as described in the Riverfront Master Plan element of the City's Comprehensive Plan.
- d. The City Council may authorize the payment of a fee in lieu of a portion or all of the parking required by this Article V. Such a fee schedule may be established from time to time by resolution of the City Council, and money collected from such fees shall be placed into a City parking fund to be used for the acquisition and maintenance of public off-street parking and loading facilities to serve the RF District.

j) Sign Standards.

(Comment: It is important to bear in mind what the sign standards do not regulate: shape, design, corporate logos, or color. Flexibility is provided to property owners. The new sign standards are aimed at improving the visual quality and creating a unified image within the Riverfront area, while allowing property owners adequate flexibility and creativity in selecting sign type, design, shape, and color.)

The standards set forth in this section shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of all signs located within the RF District. All provisions and requirements set forth elsewhere in the City Sign Code inconsistent with the standards set forth in this section shall be inapplicable. Any uncertainty between the applicability of a standard or requirement set forth elsewhere in Sign Code and the applicability of a standard set forth in this section shall be resolved in favor of the standard set forth

in this section. The use of the word "shall" or "must" indicates required compliance with the standard. The use of the word "should" indicates that the incorporation of the standard is desired, but compliance is not required.

Signs within the RF District shall comply with the following standards.

(2) Prohibited Signs.

- a. All signs prohibited in Chapter 3, Article VI; and
- b. Internally illuminated signs
- c. Internally illuminated awnings
- d. Freestanding signs

(3) Permitted signs. Permitted signs and their restrictions are provided in the table below.

<i>Permitted Signs and Sign Standards in the RF District</i>					
Type of Sign	Number	Maximum Display Area	Maximum Height	Location	Other
Awning Sign	One per awning, above ground story window or door	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	Illumination shall be accent lighting attached to the building above the awning (such as "gooseneck" lights)
Marquee & Projecting Sign	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	Internal illumination is prohibited. Plastic or similar material for projecting signs is prohibited.
Portable Sign (Menu board sign)	One per establishment	Six square feet; signage may be on both sides of this area.	Four feet	Shall be placed within two feet of the building facade and shall allow at least four feet of sidewalk clearance between the sign and the curb.	Internal illumination is prohibited. Signs mounted on or attached to sawhorses are prohibited. The duration of display shall be limited and shall conform to the standards of Chapter 3, Article IV, Section 3-62
Temporary Sign	In accordance with Chapter 3, Article IV, Section 3-62				

Wall Sign	In accordance with Chapter, 3, Article IV, Section 3-61	In accordance with Chapter, 3, Article IV, Section 3-58, except the maximum display area per sign shall not exceed 32 sq. ft.	In accordance with Chapter, 3, Article IV, Section 3-58	In accordance with Chapter, 3, Article IV, Section 3-58	May only be externally illuminated with accent lighting.
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k) Sign Design Guidelines: Preferred Examples of Sign Types.

The following examples of sign types in intended to provide direction on the design and materials deemed appropriate and compatible with the traditional historic character of the RF District.

(1) Awning Signs

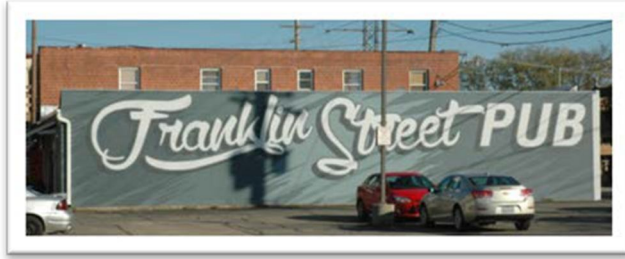


Fabric materials, not externally illuminated. Color consistent with the historic building materials

(2) Wall Signs



The traditional early 20th century commercial buildings are adorned with signage enclosed within signboards. The signboards are of wood and are externally illuminated by gooseneck lighting.



Prohibited Wall Sign: Wall signs should only occupy a portion of a build façade to create architectural interest, and not dominate the building elevation.

(3) Projecting Sign



Projecting signs should build on the historic precedents of the City. Strongly encourage the use of a variety of well-designed and appropriately scaled signs. Encourage sign sizes that fit within the architectural scale of the building façade. Projecting signs should fit within the existing features of the facade and not cover elements such as windows, transoms or cornices. Well scaled, projecting signs that have unique designs and quality craftsmanship can add great value to both historic and modern buildings.

