

17.03.130 Waterfront Overlay Zone

The purpose of the Waterfront Overlay Zone is to: implement a design concept for the west side of the Nichols Basin in order to create an active recreational area with recreational facilities and some limited commercial development within the Light Industrial (LI) zone; establish urban design standards for new industrial and commercial development within the Overlay Zone consistent with the character of the Port and the City of Hood River to ensure an attractive and pedestrian friendly street character; and improve local access and visibility to and along the waterfront by protecting public access to the Waterfront Trail.

A. Boundary

The following land is included within the Waterfront Overlay Zone:

- 1) All land north of Portway Avenue including The Hook and 3N10E25 Tax Lots 112, 113, 114, 122 and a portion of 100;
- 2) Portway Avenue and all lots/parcels adjacent to the southern boundary of the Portway Avenue right-of-way that are located east of North 8th St. including 3N10E25 Tax Lots 124, 125, 126 and 127;
- 3) All lots/parcels adjacent to the western boundary of the North 2nd Street right-of-way that are located south of Portway Avenue and north of Riverside Drive including 3N10E25 Tax Lot 127 (Parcel 2 of CS No. 2012-031); the eastern 363.98 feet of Tax Lot 128 (Lot 5 of the Waterfront Business Park Subdivision, CS No. 2009-055), the eastern 165 feet of Tax Lot 108 (CS No. 2009-012); and Tax Lot 132;
- 4) 3N10E25 Tax Lot 120 (CS No. 2009-012) located north of Riverside Drive and west of North 2nd Street;
- 5) 3N10E25DB Tax Lots 500, 600, 700, 800 and 900 located south of Riverside Drive and east of North 2nd Street (CS Nos. 97068 and 2014-007);
- 6) All lots/parcels between North 2nd Street and the Nichols Boat Basin including 3N10E25 Tax Lots 102, 109, 115 and 133.

The boundary of the Waterfront Overlay Zone is shown on the City of Hood River Zoning Map and also is depicted in Figure 17.03.130-1, below.

Figure 17.03.130-1 Boundary of the Waterfront Overlay Zone

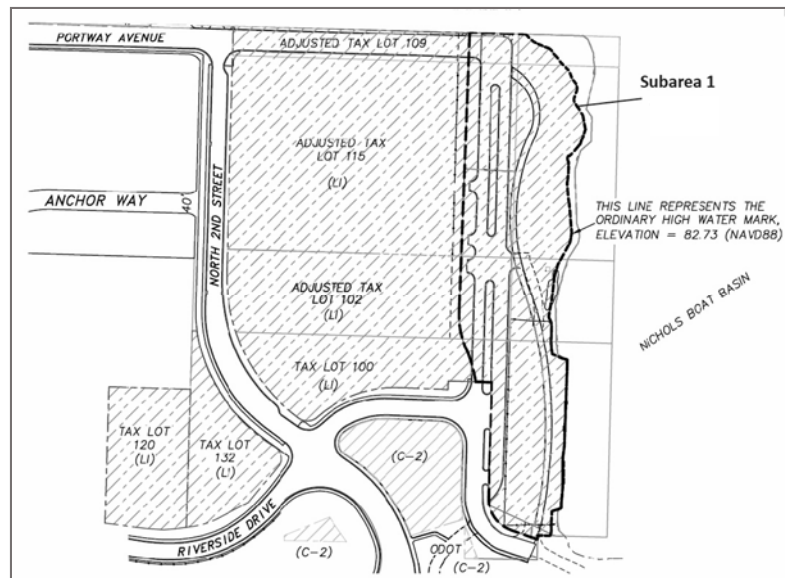


B. Subareas

The following subareas are established within the Waterfront Overlay Zone:

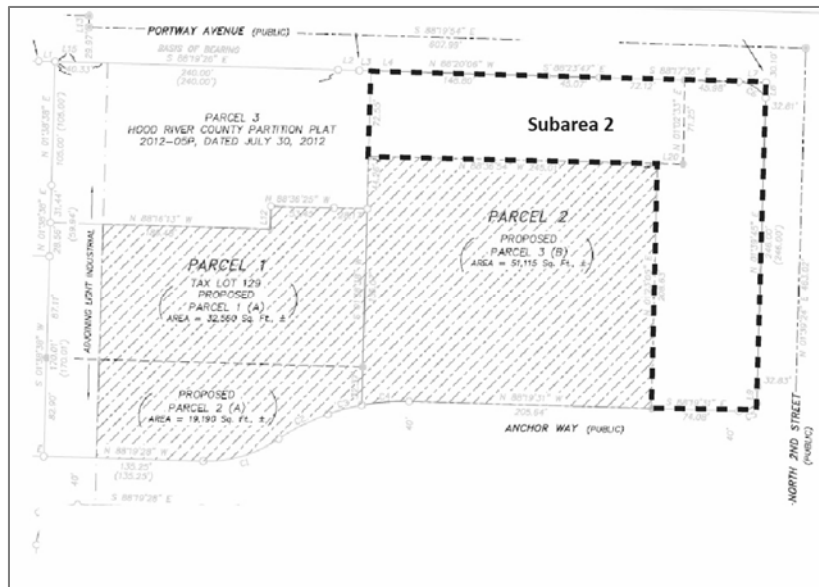
1. Subarea 1. The boundary of Subarea 1 is depicted in Figure 17.03.130-2.

Figure 17.03.130-2 Boundary of the Waterfront Overlay Zone - Subarea 1



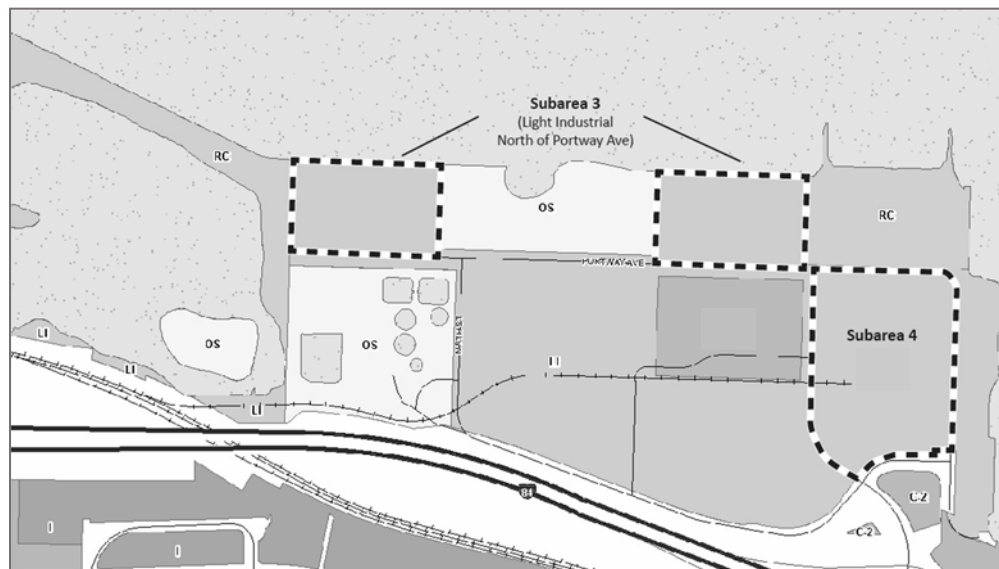
- 2. Subarea 2. The boundary of Subarea 2 is depicted in Figure 17.03.130-3.

Figure 17.03.130-3 Boundary of the Waterfront Overlay Zone - Subarea 2



- 3. Subarea 3 and Subarea 4. The boundaries of Subarea 3 (Industrial land north of Portway Avenue) and Subarea 4 are depicted in Figure 17.03.130-4.

Figure 17.03.130-4 Boundary of the Waterfront Overlay Zone - Subarea 3 and Subarea 4



C. Applicability

The provisions of this section shall apply to any land use application pursuant to Section 17.09 that is for a parcel within the Waterfront Overlay Zone, as defined by Section 17.03.130.A. Any conflict between the standards of the Waterfront Overlay Zone and those contained within other chapters of the Zoning Ordinance shall be resolved in favor of this chapter.

D. Permitted Land Uses.

Uses allowed in the underlying zoning districts are allowed within the Waterfront Overlay Zone subject to applicable provisions in the Zoning Ordinance and in Title 16, Subdivision Ordinance. In addition, the following uses are restricted or permitted within Waterfront Overlay Zone as described below.

1. Waterfront Overlay Zone.
 - a. Commercial drive-up and drive-through uses and facilities are not allowed within the Waterfront Overlay Zone.
2. Subarea 1 Uses.
 - a. Additional Permitted Uses. Within the area identified as Subarea 1 on Figure 17.03.130-2, the following additional uses are allowed:
 - i. Launch sites for non-motorized water sports.
 - ii. Transient vending carts subject to the size limitations in 17.03.130-F.
 - iii. Open space.
 - iv. Non-motorized water sport schools and rentals, excluding any permanent structures.
 - b. Additional Permitted Uses subject to Site Plan Review. Within the area identified as Subarea 1 on Figure 17.03.130-2, the following additional uses are allowed subject to Site Plan Review:
 - i. Commercial retail uses, including the provision of goods and/or services for sale to the public, which are not accessory and essential to a permitted light industrial use provided (a) the standards of 17.03.130-F are met; and (b) over-night lodging facilities are prohibited.
 - ii. Parks and playgrounds.
 - iii. Storage facilities for non-motorized watercraft/recreational equipment.
3. Subarea 2 Uses.
 - a. Additional Permitted Uses subject to Site Plan Review. Within the area identified as Subarea 2 on Figure 17.03.130-3, the following additional uses are allowed subject to Site Plan Review:
 - i. Commercial retail uses, including the provision of goods and/or services for sale to the public, which are not accessory and essential to a permitted light industrial use provided: (a) commercial retail uses which are not accessory and essential to a permitted light industrial use shall not exceed 1,500 square feet or 10% of the gross floor area within the building, whichever is less; and (b) in no case

shall the total commercial retail square footage in the building (accessory to industrial and non-accessory) exceed 2,500 square feet or 25% of the gross floor area within the building, whichever is less.

- ii. Professional office uses which are not accessory and essential to a permitted light industrial use provided they do not exceed 25% of the gross floor area within the building.

E. Development and Design Standards for Commercial and Industrial Development.

In addition to the standards of the base zone and the Site Plan Review criteria, the design standards of this section shall apply to all industrial and commercial development within the Waterfront Overlay Zone. Buildings and developments in existence on [date of ordinance] are not subject to these standards and shall not be made non-conforming by their adoption provided that any remodel, addition or new construction, which requires Site Plan Review, complies with the applicable standards.

- 1. Façade Variation. All buildings shall incorporate design features. Design features include offsets, balconies, projections, window reveals, or other similar elements to preclude large expanses of uninterrupted building surfaces in areas which are visible to the public. Design features shall occur at a minimum of every thirty (30) feet for all building facades within thirty (30) feet of the street, plaza, or other public open space within the Waterfront Overlay Zone; and a minimum of every fifty (50) feet for other facades which are visible to the public from a street, plaza, or other public open space within the Waterfront Overlay Zone.

The facade shall contain at least two (2) of the following features:

- a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of six (6) feet;
- b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet;
- c. Offsets or breaks in roof elevation of two (2) feet or greater in height; and/or
- d. Natural wood, weathering steel or patinated copper trim/accents with a minimum dimension of four (4) feet by six (6) feet.
- e. Other similar façade variations approved by the review authority (planning staff or planning commission).

- 2. In order to avoid façade variations that are out of scale with the building, on buildings that are less than 3,000 square feet, the minimum dimensions (e.g., depth and width) of the features described in a – d, above, may be reduced by up to 50%.

3. Required Windows.

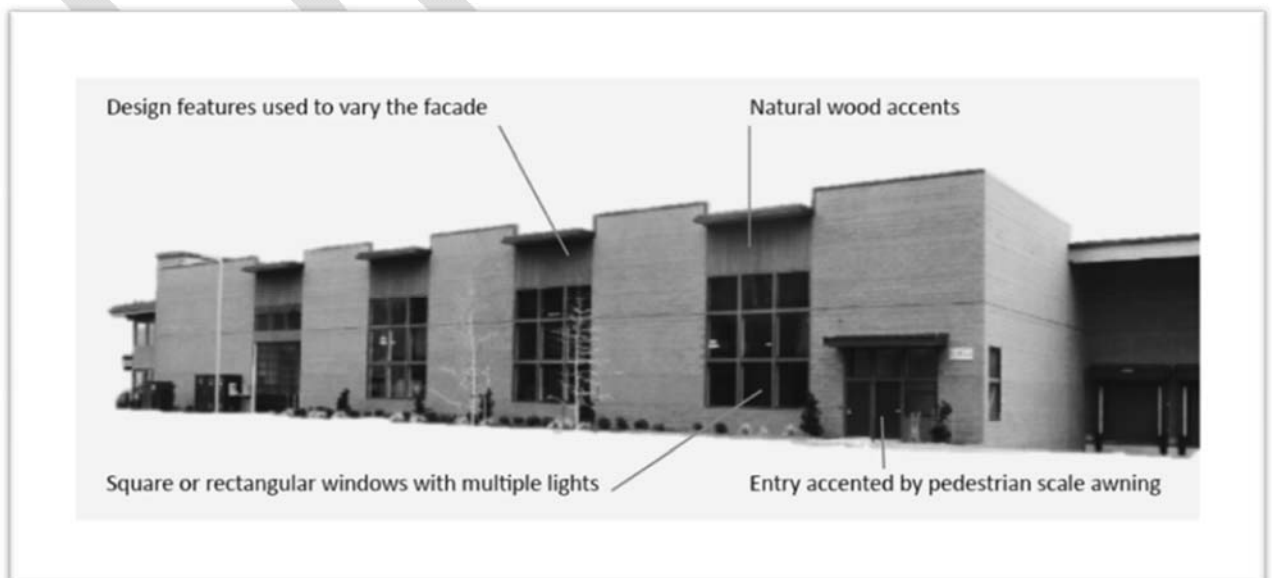
- a. Any facade which is within thirty (30) feet of the street, plaza, or other public open space within the Waterfront Overlay Zone shall contain at least the minimum percentage of windows specified in Table 17.03.130-1, below. For buildings in which all facades are within thirty (30) feet of the street, plaza, or other publicly accessible open space, the percentage of windows required by Table 17.03.130-1 may be reduced by 50% on two of the four sides.

Table 17.03.130-1 Required Windows for Certain Facades

Location	Ground Floor Wall	Total Wall Area
Buildings in Subarea 1	50% of the length	40% of the total wall area
Buildings in Subarea 2	40% of the length	30% of the total wall area
All other buildings	20% of the length	15% of the total wall area

- b. For all other facades which are visible to the public from a street, plaza, or other publicly accessible open space at least 15% of the façade shall contain windows.
 - c. Windows must allow views into ground floor working areas or lobbies, pedestrian entrances, or display areas.
 - d. Windows should be square or rectangular with multiple lights. Windows with applied muntins which have no profile, or smoked glass or mirrored glass are prohibited.
4. Building Entries. The primary entrance shall be highlighted with architectural features (e.g. windows, recesses, canopies, etc.) and shall have an awning or other protection from natural elements.

Figure 17.03.130-5 Design Standards for Industrial and Commercial Development



5. Exterior Building Materials. Buildings shall be constructed using high quality and long-lasting exterior building materials. A “primary material” is the predominant building material(s) that covers a minimum of sixty (60) percent of the building’s exterior walls. An “accent material” is not the predominant building material. Any one accent material shall not cover more than forty (40) percent of the building’s exterior walls. Permitted materials are as follows:
 - a. Brick, natural stone (e.g. basalt), split- and ground-faced concrete masonry units, tilt-up concrete (concrete form liner w/color-integral or stain) or a combination of these materials may be used as primary or accent materials.
 - b. Glass (other than smoked glass or mirrored glass) may be used as primary or accent material.
 - c. Wood may be used for soffits, overhangs, entrance canopies and as an accent material.
 - d. Metal (e.g., weather steel or patinated copper) may be used for roofs and as an accent material.
 - e. Stucco may only be used as an accent material.
 - f. Other similar materials that are approved by the review authority (planning staff or planning commission) may be used as primary or accent materials.

6. Building Placement and Orientation. Except as provided in this section, buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.
 - a. All buildings in Subarea 2 shall have a primary entrance oriented to a street. For purposes of this subsection, “Oriented to a street” means that the building entrance faces the street. Buildings shall have an entrance for pedestrians directly from the street to the building interior. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Other buildings within the Waterfront Overlay should meet this standard to the extent practicable.
 - b. Publicly accessible sidewalks shall be provided adjacent to public or private street along the entire street frontage.
 - c. A building shall be setback not more than twenty (20) feet from a public sidewalk. This standard is met when a minimum of fifty percent (50%) of the front (street-facing) building elevation is placed no more than twenty (20) feet back from the sidewalk of a public or private street, whichever is applicable. The setback may be increased to allow for usable public space(s) with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park).
 - d. Parking is prohibited between the front elevation of the building and the street.

7. Parking Regulations for Commercial and Recreational Uses in the Light Industrial Zone. The following parking standards apply to commercial and recreational uses. All other uses are subject to the standards of the base zone.
 - a. Commercial/Retail Uses: One (1) space for each 300 square feet of gross floor area.

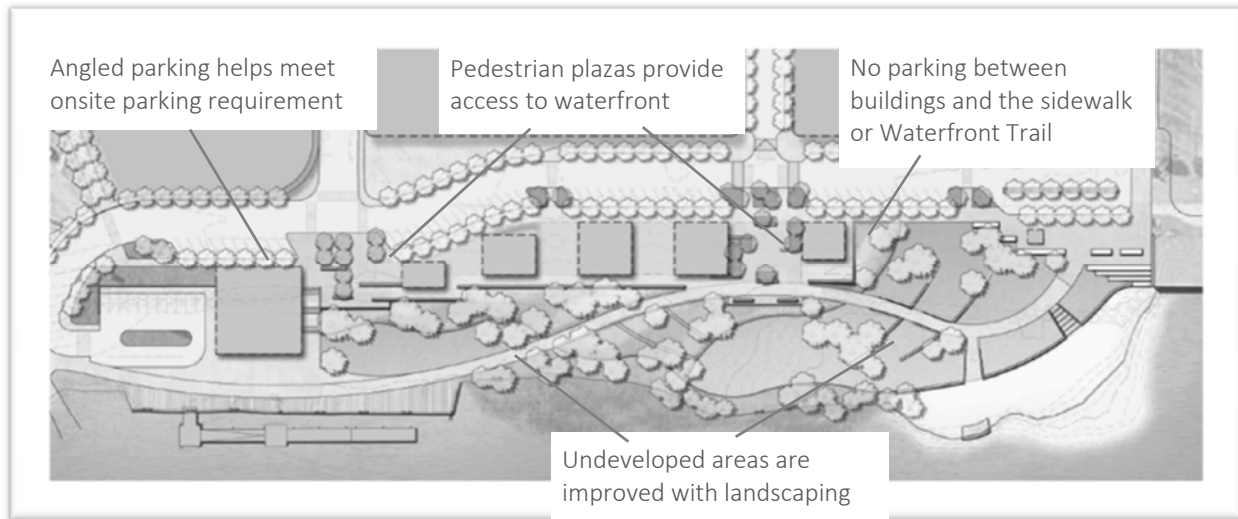
- b. Drinking and eating establishments: One (1) space for each 200 square feet of gross floor area, including any outside seating areas.
- c. Open space, trails, parks and similar uses: No minimum number of parking spaces is required.
- d. Bicycle parking as required by 17.20.040.

F. Development and Design Standards for Subarea 1.

In addition to the standards in 17.03.130.E, the following standards apply to Subarea 1 as identified on Figure 17.03.130-2. Any conflict between the standards of the 17.03.130.E and those contained within this subsection shall be resolved in favor of this subsection.

1. Total Square Footage: The total building floor area within Subarea 1 shall not exceed 16,000 square feet.
2. Total Commercial and Industrial Floor Area. The total commercial and industrial floor area within Subarea 1 shall not exceed 10,000 square feet.
 - a. The exterior dimensions of transient vending carts shall be included in this calculation.
3. Community Boat House Floor Area. A community boat house is a facility utilized by a non-profit entity for the storage of non-motorized watercraft. The square footage within the Subarea 1 associated with a community boat house shall:
 - a. Be included in the calculation of the total square footage limit of 16,000 square feet;
 - b. Not be included in the calculation of the total commercial and industrial square footage limit of 10,000 square feet; provided that any rental or retail sale components in the boathouse building shall count against allowable commercial and industrial floor area.
4. Maximum Building Footprint Size. 3,000 square feet except for that one building housing the community boat house may have larger building footprint if necessary to accommodate that use.
5. Maximum Building Height. Twenty (20) feet as measured from the highest elevation of North First Street adjacent to the building.
6. Public Access. Public access to the waterfront and recreational areas from streets, pedestrian and bike paths, and public dedicated rights of way must be provided. Each public access shall be a minimum of fifty (50) feet wide. The distance between each access shall not exceed 360 feet and shall be designed to encourage public access to the waterfront and Waterfront Trail.
7. Open Space. All undeveloped areas shall be improved with landscaping and open space amenities or retained with native vegetation. Open space areas may be dedicated to the public.

Figure 17.03.130-6 Subarea 1 Development Standards



8. **Minimum and Maximum Setbacks.** No minimum setback is required. The maximum setback shall be ten (10) feet. This standard is met when a minimum of fifty percent (50%) of the front building elevation is placed no more than ten (10) feet back from the sidewalk of a public or private street, whichever is applicable. The setback may be increased to allow for usable public space(s) with pedestrian amenities (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area, or town square with seating).
9. **Parking Regulations.**
 - a. Required parking may be provided on adjoining parcels provided if it is within 1,000 feet of the proposed use.
 - b. **Credit for On-Street Parking:** On-street parking spaces may be counted toward required parking where angled on-street parking is constructed as a part of the development.
 - c. No parking or vehicular circulation is permitted between a building and the sidewalk or the building and the Waterfront Trail.

G. Development Standards for Subarea 3 and Subarea 4.

In addition to the standards in 17.03.130.E, the following standards apply to Subarea 3 and Subarea 4 as identified on Figure 17.03.130-4.

1. **Maximum Building Height on Subarea 3.** The maximum building height within the area designated as Subarea 3 on Figure 17.03.130-4 is twenty-eight (28) feet.
2. **Maximum Building Footprint on Subarea 3 and Subarea 4.** The maximum building footprint within the area designated as Subarea 4 on Figure 17.03.130-4 is 50,000 square feet.

H. Street Trees, Landscaping and Fencing.

In addition to the standards of Chapter 17.17, the following street tree and landscaping standards shall apply to development within the Waterfront Overlay Zone.

1. One street tree chosen from the City's street tree list shall be placed along the perimeter of the site or parcel fronting the street for each thirty (30) feet of frontage for that portion of the development facing the street.
2. Parking areas shall be shaded on the interior and exterior by deciduous trees and buffered from adjacent uses. A ratio of one (1) tree for each seven (7) parking spaces shall be required to create a canopy and windbreak effect. The tree species shall be selected from a street tree list provided by the City. Landscaped areas shall be fairly evenly distributed throughout the parking area and parking perimeter at the required ratio, but can be grouped around the perimeter to reduce the total area of the parking lot. The number of street trees and parking area trees shall be calculated separately.
3. Landscaping and open areas shall:
 - a. Emphasize the use of native trees, shrubs, or other plants adapted for survival or growth in this area. Shrubs and/or living groundcover shall be planted to assure fifty percent (50%) coverage within one (1) year and ninety percent (90%) coverage within five (5) years.
 - b. Provide for the planting of trees as windbreaks.
 - c. Include street trees and parking area trees that are in scale with the development.
 - d. The tree species selected shall be selected from a street tree list provided by the City, or as otherwise approved by the City.
4. Shoreline Stabilization Standards. [placeholder]
5. Chain link fences shall include a top rail for security and maintenance and shall have a black, dark brown, or dark green powder coating and shall have a minimum of three (3) feet of landscaped screening along street frontages.

I. Lighting.

1. Lighting throughout the development shall be subdued with the exception of parking areas. Lighting levels shall be reduced when the businesses are not in operation, except where necessary for security and safety.
2. Façade lighting shall be limited to facade illumination from building-mounted fixtures.
3. Pedestrian scale lighting is required for the public walkways, plazas, and courtyards.

4. Street lights shall be provided on all public streets and private streets with public access. Unless waived by the City Engineer, the applicant shall provide street lights consistent with the “classic” style at the spacing recommended by the City Engineer.

J. Screening and Storage.

1. All exterior storage, recycling, garbage cans, and garbage collection areas shall be screened from view from the Waterfront Trail, public plazas and open space, streets, sidewalks, and any adjacent properties. Trash and recycling receptacles for pedestrian use are exempt.
2. All truck loading areas shall be screened from view from the Waterfront Trail, streets, and sidewalks to the extent feasible.
3. Roof-mounted mechanical (e.g., HVAC) equipment shall be screened from view as follows:
 - a. Rooftop mechanical equipment screens shall be required at a height that is as high as the rooftop equipment being screened.
 - b. Screening shall be provided in a manner that is architecturally integral to the overall appearance of the building.
 - c. Required rooftop screening of mechanical equipment (not including silos or other storage facilities) shall not be included in the calculation of building height provided it is the minimum size necessary to screen the equipment and does not exceed the height of the equipment by more than one (1) foot.
 - d. Solar panels are exempt from the screening requirements, above.

K. Design Standards for Waterfront Trail Improvements.

The following standards apply to the Waterfront Trail as shown on Figure 17.03.130-7.

Figure 17.03.130-7 Existing and Future Waterfront Trail



1. Public access shall be provided paralleling the waterfront and around the waterfront area via the Waterfront Trail as shown on Figure 17.03.130-7 and as provided in this section.
2. The Waterfront Trail shall be open to the public in accordance with rules and regulations established by the City and the Port.
3. Where a subject parcel includes a portion of a Waterfront Trail, as shown on Figure 17.03.130-7, the layout, location, construction, and maintenance of the Waterfront Trail shall be reviewed for approval as part of the site plan review.
4. The Waterfront Trail shall be constructed to the following standards:
 - a. The Waterfront Trail shall be a minimum of (10) feet wide except along the area identified as the “Hook” on Figure 17.03.130-7 and in other locations where natural resource impacts preclude development of the full width. In no case shall the width be reduced below eight (8) feet.
 - b. The Waterfront Trail shall be constructed of an all-weather material (e.g., asphalt or concrete, preferably concrete).
 - c. Pedestrian scale (e.g., bollard lights) night lighting shall be provided along the Waterfront Trail.
 - d. The Waterfront Trail shall be Americans with Disabilities (ADA) accessible.
 - e. Seating shall be provided at periodic intervals.
 - f. Except for the area identified as the “Hook” on Figure 17.03.130-7, the Waterfront Trail shall be landscaped. This should include a variety of trees, shrubbery, and groundcover at least eight (8) feet wide on the landward side where possible.

5. The Waterfront Trail shall be located substantially as shown on Figure 17.03.130-7, although the exact location of the Waterfront Trail may vary from Figure 17.03.130-7. Safety considerations for Waterfront Trail users shall be a principal consideration in the siting and configuration of the Waterfront Trail.
6. The Waterfront Trail may be public or private. If the proposed portion of the Waterfront Trail is private, a recorded easement in a form approved by the City must be provided, and the Waterfront Trail must be open to the public and shall not be restricted to public access except as allowed by City and Port rules and regulations pursuant.

L. Signs.

All signs shall be in conformance with the sign regulations of Title 18.

M. Adjustments to the Standards.

The Review Authority may grant a variance to the standards in subsections 17.03.130.D through 17.03.130.K if the following approval criteria are met. For each standard for which an adjustment to the standards is sought, the applicant shall demonstrate that at least one of the following circumstances is met:

1. The physical characteristics of the site or existing structures (e.g., steep slopes, wetlands, other bodies of water, trees or other significant natural features of the site, buildings or other existing development, utility lines and easements, etc.) make compliance with the standard infeasible; or
2. The alternative design better complies with the purpose and intent of the Overlay Zone to establish urban design standards for new industrial and commercial development consistent with the character of the Port and the City of Hood River; to ensure an attractive and pedestrian friendly street character; and to improve local access and visibility to and along the waterfront by protecting public access to the Waterfront Trail.

The variance shall be processed in accordance with the procedures, but not the approval criteria, in Chapter 17.18.