

CHAPTER 617
RIVERFRONT OVERLAY ZONE

- 617.001. Purpose
- 617.005. Definitions
- 617.010. Riverfront Overlay Zone Boundary
- 617.015. Uses
- 617.020. Development Standards
- 617.025. Design Review
- 617.030. Design Review Guidelines and Design Review Standards

617.001. Purpose. The purpose of the Riverfront Overlay Zone is to identify allowed uses and to establish development standards to promote a mixed-use residential and commercial district with an emphasis on office development and pedestrian access to and along the Willamette River. (Ord No. 31-13)

617.005. Definitions. Unless the context otherwise specifically requires, as used in this Chapter, the following mean:

- (a) Side street: Any public street that intersects Front Street. (Ord No. 31-13)

617.010. Riverfront Overlay Zone Boundary. The boundaries of the Riverfront Overlay Zone are shown in Figure 617-6. (Ord No. 31-13)

617.015. Uses. Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Riverfront Overlay Zone.

- (a) **Continued Uses.** Industrial uses, including but not limited to canned, frozen, and preserved fruits, vegetables, and food specialties, existing within the Riverfront Overlay Zone that were allowed as permitted, special, or conditional uses on December 1, 1998, but which would otherwise be made non-conforming uses by this Chapter, are hereby deemed continued uses.

The owner shall have the burden to demonstrate continued use status under this subsection.

- (1) A continued use may be intensified, and buildings or structures housing a continued use may be may be enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards of the Industrial Commercial (IC) zone.
- (2) A continued use may be extended onto vacant land. The extension of a continued use onto vacant land must comply with all applicable standards for the Industrial Commercial (IC) zone.
- (3) Change of use to a non-industrial use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Riverfront Overlay Zone.
- (4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Riverfront Overlay Zone.
- (5) Continued uses are exempt from the development standards and the design review guidelines and design review standards of this Chapter. Upon termination of continued use status, the development standards and the design review guidelines and design review standards of this Chapter shall apply.

- (b) **Additional Permitted Uses.** The uses set forth in Table 617-1 are additional permitted (P) uses in the Riverfront Overlay Zone.

**TABLE 617-1
ADDITIONAL PERMITTED USES**

Table 617-1: Additional Permitted Uses		
Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial Parking	P	Only the following Commercial Parking activities are allowed as additional permitted uses: <ul style="list-style-type: none"> ▪ Parking structures.
Wholesale Sales, Storage, and Distribution		
Self-Service Storage	P	Self-Service Storage is allowed as an additional permitted use provided that it is located within a building or structure existing on March 1, 2016, occupies not more than 50 percent of the total building floor area, and is not located on building floors that have street-facing facades built at sidewalk grade, street grade, or any grade up to 8 feet above sidewalk or street grade.

(c) **Additional Conditional Uses.** The uses set forth in Table 617-2 are additional conditional (C) uses in the Riverfront Overlay Zone.

TABLE 617-2
ADDITIONAL CONDITIONAL USES

Table 617-2: Additional Conditional Uses		
Use	Status	Limitations & Qualifications
Lodging		
Non-Profit Shelters	C	Relocation of an existing Non-Profit Shelter from the CB zone serving more than 75 people, provided the shelter continually existed in the CB zone as of September 1, 1993.

(d) **Additional Prohibited Uses.** In addition to the uses prohibited in the underlying zone, any permitted, special, or conditional use within the Riverfront Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(e) **Adaptive Reuse of Existing Industrial Buildings and Structures.** In order to allow for greater flexibility in the use of existing industrial buildings and structures within the Riverfront Overlay Zone, the adaptive reuse of industrial buildings and structures existing on May 14, 2014 is allowed as set forth in this subsection.

(1) **Uses.** Any use within the Industrial use classification that is a permitted, special, or conditional use within the Industrial Commercial (IC) zone shall be a permitted, special, or conditional use within an existing industrial building or structure within the Riverfront High Density Residential Overlay Zone.

(2) **Development Standards; Design Review.** The exterior of the existing industrial building or structure may be altered, but shall not be enlarged. The exterior alteration shall comply with all applicable standards of the Industrial Commercial (IC) zone. The exterior alteration shall not be subject to the development standards, or the design review guidelines or the design review standards, of this Chapter.

(3) **Termination.** Adaptive reuse of an existing industrial building or structure shall

terminate as provided in this paragraph. When the adaptive reuse of an existing industrial building or structure has terminated, the property shall thereafter only be used for uses allowed in the Riverfront Overlay Zone.

- (A) Change of use to any use that is allowed in the Riverfront Overlay Zone shall terminate the adaptive reuse of the building or structure.
- (B) Determination by the Building Official that the building or structure is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the adaptive reuse of the building or structure.
- (C) Substantial damage or destruction of the building or structure by any cause, to the extent that the cost of repair or restoration would exceed 60 percent of the building or structure replacement cost using new materials and conforming to the current building codes, shall terminate the adaptive reuse of the building or structure. Cost of repair or restoration, and replacement cost, shall be determined by the Building Official. The Building Official’s determination is appealable as provided in SRC 20J.240-20J.430 for contested case proceedings. (Ord No. 31-13; Ord 19-14; Ord No. 7-16)

617.020. Development Standards. Development with the Riverfront Overlay Zone must comply with the development standards applicable in underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) **Dwelling Unit Density.** Dwelling unit density within the Riverfront Overlay Zone shall conform to the standards set forth in Table 617-2.

**TABLE 617-3
DWELLING UNIT DENSITY**

Table 635-3: Dwelling Unit Density			
Use or Activity	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single Family, Two Family, and Multiple Family	20 dwelling units per acre	None	

(b) **Height.** Buildings and accessory structures within the Riverfront Overlay Zone shall conform to the height standards set forth in Table 617-4. (Ord No. 31-13; Ord No 19-14)

**TABLE 617-4
HEIGHT**

Table 617-4: Height		
Requirements	Standards	Limitations & Qualifications
HEIGHT		
Buildings		
All Uses	Max. 70 ft.	
Accessory Structures		
Accessory to All Uses	Max. 70 ft.	

617.025. Design Review. Design review under SRC Chapter 225 is required for development within the Riverfront Overlay Zone as follows:

- (a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 617.030 is required for all development within the Riverfront Overlay Zone.
- (b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SR 617.030. (Ord No. 31-13)

617.030. Design Review Guidelines and Design Review Standards.

(a) Building Location, Orientation, and Design.

(1) Building Location.

(A) Design Review Guidelines.

- (i) Building setbacks from the street shall be minimized.

(B) Design Review Standards.

- (i) **Setback Abutting Street.** Buildings shall have the following setbacks abutting a street:

(aa) Minimum: 0 feet.

(bb) Maximum: 12 feet.

- (ii) **Interior Side Setback.** Buildings shall have no minimum interior side setback.

(2) Building Orientation and Design.

(A) Design Review Guidelines.

- (i) The riverfront and Mill Creek, where applicable, shall be incorporated into the proposed development as public amenities.
- (ii) Building facades adjacent to the riverfront shall facilitate pedestrian interaction by incorporating pedestrian arcades and plazas.
- (iii) Ground floor building facades facing the riverfront shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm. (see Figure 617-1)
- (iv) Ground floor building facades facing a street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.
- (v) Upper floors of buildings facing the riverfront shall incorporate decks and balconies. (see Figure 617-1)
- (vi) New buildings shall be designed to minimize noise impacts from surrounding industrial uses and streets.

(B) Design Review Standards.

- (i) Buildings adjacent to the riverfront shall include at least one primary building entrance facing the Willamette River.
- (ii) A primary building entrance shall be provided on each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect. (see Figure 617-2)
 - (aa) **Alternative Standard for Existing Buildings.** Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on December 1, 1998, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.
- (iii) Ground floor building facades facing the riverfront shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum Visible Transmittance (VT) of 37 percent.

(aa) Alternative Standard for Existing Buildings. Notwithstanding subsection (a)(2)(B)(iii) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing the riverfront, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iv) Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum Visible Transmittance (VT) of 37 percent.

(aa) Alternative Standard for Existing Buildings. Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing a street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iv) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(v) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale. Building offsets

shall be a minimum of 4 feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage.

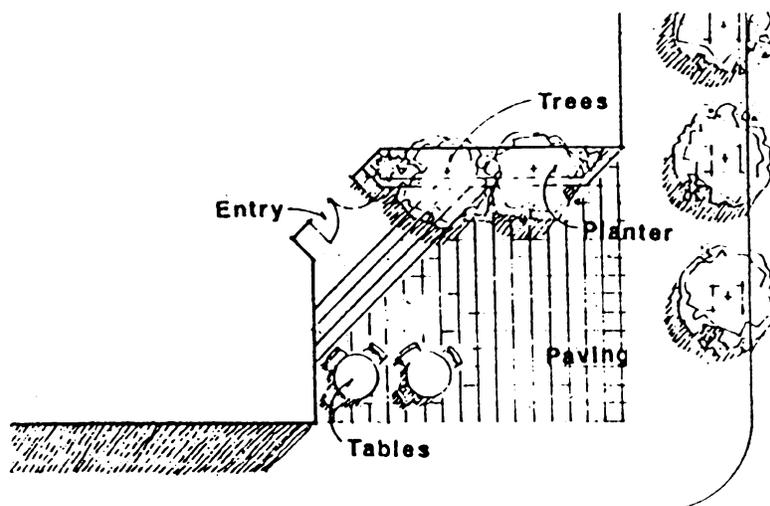
(vi) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of 8 feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) Alternative Standard for Existing Buildings. Notwithstanding subsection (a)(2)(B)(vi) of this section, where a building existing on December 1, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of a ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(vi) of this section may be added without meeting the minimum weather protection standard of 50 percent.

FIGURE 617-1
BUILDING DESIGN ADJACENT TO THE WILLAMETTE RIVERFRONT

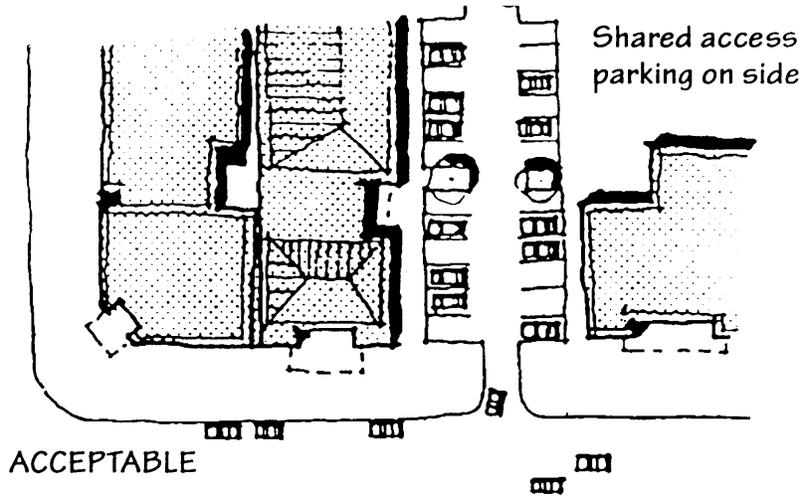


FIGURE 617-2
BUILDING CORNER ENTRY



- (b) **Open Space.**
 - (1) **Private Open Space**
 - (A) **Design Review Guidelines.**
 - (i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.
 - (B) **Design Review Standards.**
 - (i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than 6 feet and shall be directly accessible from the dwelling unit through a doorway.
- (c) **Site Access.**
 - (1) **Vehicle Access.**
 - (A) **Design Review Guidelines.**
 - (i) Vehicle access and driveway approaches onto Front Street shall be minimized. Joint use driveways providing access to Front Street are preferred. (see Figure 617-3)
 - (ii) Public pedestrian access shall be provided between the river and Front Street to create an interconnected pedestrian circulation system.
 - (B) **Design Review Standards.**
 - (i) Public pedestrian access, in the form of a sidewalk, street, or alley, shall be provided between the river and Front Street at least every 400 feet. The public pedestrian access shall not be less than 12 feet in width.

FIGURE 617-3
VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS



- (d) **Off-Street Parking and Loading.**
 - (1) **Off-Street Parking**
 - (A) **Design Review Guidelines.**
 - (i) Off-street parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district. (see Figure 617-4)
 - (ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.
 - (B) **Design Review Standards.**

- (i) Off-street surface parking areas shall be located behind or beside buildings and structures. (see Figures 617-4 and 617-5)
- (ii) Off-street parking shall not be located within the Willamette Greenway riparian buffer set forth in SRC Chapter 600.
- (iii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:
 - (aa) Where a lot has frontage on two public streets, including a side street, an off-street surface parking area may occupy more than 50 percent of the side street frontage.
 - (bb) On lots abutting Front Street, multi-level parking structures may occupy more than 50 percent of the Front Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Front Street frontage.

**FIGURE 617-4
PARKING AREA SUPPORTIVE OF A PEDESTRIAN ORIENTED RETAIL AND
RESIDENTIAL DISTRICT**

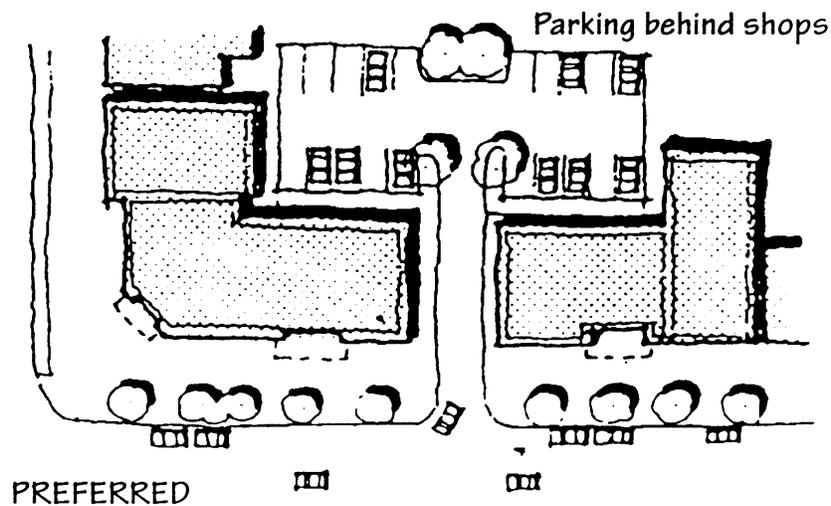
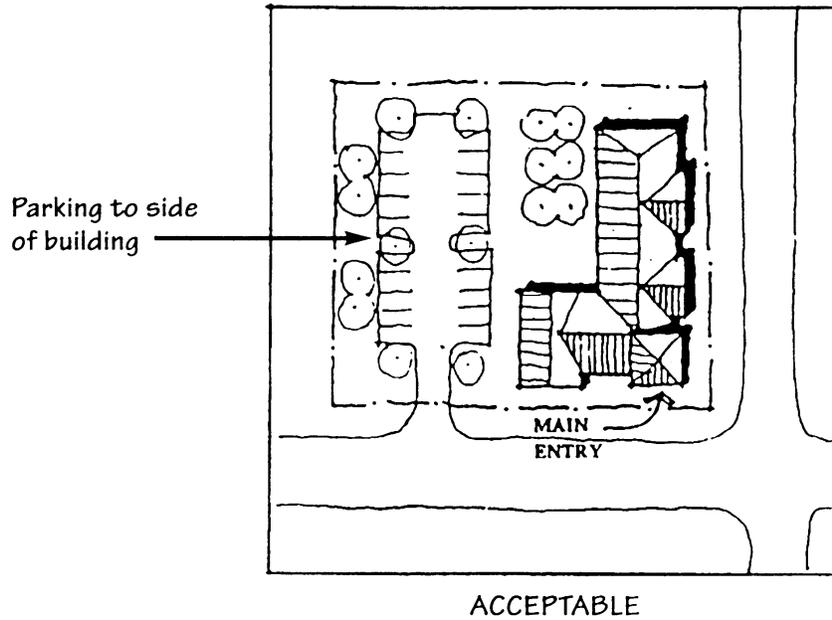


FIGURE 617-5

PARKING LOCATED TO SIDE OF BUILDING



(2) Off-Street Loading

(A) Design Review Guidelines.

- (i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) Design Review Standards.

- (i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street. (Ord No. 31-13)

**FIGURE 617-6
RIVERFRONT OVERLAY ZONE**

