

BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE  
FOR THE COUNTY OF POLK, STATE OF OREGON

An Ordinance Amending the Independence )  
Development Code, Adding Subchapter 34, )  
Downtown Riverfront Zone )

Council Bill #2016-10

**ORDINANCE NO. 1550**

WHEREAS, in 2013, the City of Independence completed a Valley Concrete Conceptual Plan and Report for the Independence Landing site; and

WHEREAS, it is recommended that a new zone be created to implement the City's vision for the site; and

WHEREAS, on September 12, 2016, the Independence Planning Commission conducted a properly noticed public hearing concerning proposed amendments to the Independence Development Code (IDC) to include a new Subchapter 34, Downtown Riverfront Zone and to remove the Independence Landing site from the boundary of the Downtown Overlay Zone, at which time interested parties and the general public had an opportunity to be heard; and

WHEREAS, on September 27, 2016, the Independence City Council reviewed the record and recommendations of the Planning Commission and conducted a properly noticed public hearing, at which time interested parties and the general public had an opportunity to be heard regarding the proposed amendments to the IDC; and

WHEREAS, the Independence Development Code amendments comply with applicable Statewide Planning Goals, provisions of the City of Independence Comprehensive Plan, and the IDC, as shown in the findings attached as Exhibit A.

NOW, THEREFORE, THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. The City of Independence hereby adopts the findings in support of the proposed Independence Development Code amendments contained in the Staff Report attached hereto as Exhibit "A" and incorporated herein by this reference.

Section 2. The Independence Development Code, Subchapter 33, MUPC and Downtown Overlay Zone, Subsection 33.010, Downtown Overlay Zone is hereby amended as contained in the attached Exhibit "B", incorporated herein by this reference.

Section 3. The Independence Development Code is hereby amended to add a new Subchapter 34, Downtown Riverfront (DR) Zone, as contained in the attached Exhibit "C", incorporated herein by this reference.

Section 4 All unamended provisions of Independence Development Code shall remain in full force and effect.

Section 5. This ordinance shall become effective thirty days after final passage and its signature by the Mayor.

First Reading to the Council this 11<sup>th</sup> day of October, 2016  
Second Reading to the Council this 11<sup>th</sup> day of October, 2016  
Adopted this 11<sup>th</sup> day of October, 2016  
Signed by the Mayor this 11<sup>th</sup> day of October, 2016



JOHN McARDLE, MAYOR

ATTEST:  
  
Karin Johnson, MMC, City Recorder



**CITY OF INDEPENDENCE**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF REPORT  
DEVELOPMENT ORDINANCE AMENDMENT**

**TO:** Independence Planning Commission

**FILE:** FILE # LA-01-2016

**HEARING:** September 12, 2016 at 7 pm,  
City Council Chambers, 555 South Main Street

**APPLICANT:** City of Independence

**SUBJECT** 8428AB 02600, +/- 9.21 ac  
8428AC00100, +/- 5.50 ac

**EXHIBITS:** EXHIBIT A: Proposed Development Ordinance Amendments –  
Subsection 34 Downtown Riverfront Zone

**REQUEST**

The City is proposing a legislative amendment to the City of Independence Development Code.

**BACKGROUND/PURPOSE**

The City has initiated Development Code amendments in order to implement the recently completed Concrete Valley Conceptual Plan & Report.

Adjacent to Downtown – between Main Street and the Willamette River – is the Valley Concrete site, an 18-acre, industrially-zoned property that was home to a ready-mix concrete operation. City master plans as early as the 1996 Downtown Development Plan and 1996 Parks and Open Space Master Plan have envisioned the redevelopment of the Valley Concrete Site. The City's 2020 Vision Plan (adopted in 2009) included concepts for housing and mixed-use development

on the Valley Concrete site that would bolster the City's restored Downtown. In 2013 the City, through the TGM program developed the Valley Concrete Conceptual Plan & Report. The goals for the conceptual plan were to:

- Develop new, illustrative, conceptual architectural and site plans for the Valley Concrete site consistent with TGM objectives. Concepts will meet the City's development goals and standards.
- Determine the market feasibility of various types and sizes of mixed-use development products in the Project Area, and identify barriers to, and potential incentives for, development consistent with City and TGM objectives.
- Determine what transportation improvements may be needed to accommodate and support mixed-use development on the Valley Concrete site.

In order to implement the City's vision for the Valley Concrete site the following amendments are proposed:

- Amend City of Independence Development Code with a new Subchapter 34, Downtown Riverfront Zone with new provisions regulating the proposed uses and providing siting standards.
- Amend City of Independence Development Code to remove the subject site from boundary definition of the Downtown Overlay Zone in order to implement proposed commercial and residential design standards (new Subchapter 34) while maintaining pedestrian oriented design, consistent with Valley Concrete Concept Plan.

New Subsection 34 - Downtown Riverfront Zone, applies to the Valley Concrete site property redesignated/rezoned from Industrial/Heavy Industrial to High Density Residential/ Downtown Riverfront Zone only.

#### **FINDINGS AND CONCLUSIONS INDEPENDENCE DEVELOPMENT CODE AMENDMENTS:**

1. Text Amendment, FILE #LA-01-2016 is a Legislative Amendment to the Independence Development Code (IDC). The IDC does not include approval criteria for text amendments to the IDC, but it does include procedural items that are addressed in Findings 2 – 4 below. Oregon Revised Statute 197 and the Independence Development Code govern legislative amendments and post acknowledgement plan amendments and require that legislative amendments comply with the Independence Comprehensive Plan and Statewide Planning Goals. Findings 5 and 6 address the applicable Comprehensive Plan Policies and the Statewide Planning Goals, respectively.

2. The IDC, Section 11.002.D, Type IV Actions, states a Type IV action must be initiated by the Planning Commission or the City Council. At its March 8, 2016 meeting, the Independence City Council voted to initiate a zone change and comprehensive plan map amendment to the Valley Concrete property site. The IDC proposed amendments comply with Section 11.002.D.

3. IDC Section 11.015.F, calls for the Planning Commission to hold a public hearing to make a recommendation to the City Council. The City Council shall also hold a public hearing to hear the Planning Commission's recommendation on the proposed amendments. The City Council public hearing and recommendation from Planning Commission, if applicable, is scheduled for September 27, 2016

4. IDC Section 11.025.B, Type IV Actions, calls for the public hearing before Planning Commission or Council relating to a legislative amendment to be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. The notice of the Planning Commission public hearing on September 12, 2016 was published in the Itemizer Observer on August 31, 2016. Notice was also provided to the Department of Land Conservation and Development a minimum of 35 days prior to the first evidentiary hearing.

5. Findings related to the Comprehensive Plan Policies.

The Independence Comprehensive Plan Policies were reviewed and it was concluded that the proposed amendments are consistent with the following goals and policies in the Independence Comprehensive Plan.

#### **Citizen Involvement**

*To provide opportunities for citizen involvement and to encourage participation by area residents.*

The City followed the public process as outlined in the Oregon Revised Statutes and Independence Development Code, including advertising and posting on the internet the proposed changes and making them available for public review.

#### **Land Use**

*To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.*

- 1. Independence shall update and revise land use designations when necessary to accommodate demonstrated need for changing circumstances.*
- 2. Independence shall establish and utilize low, medium, and high density residential land use designations*
- 3. Independence shall, by use of land use designations and proper zoning techniques, establish the downtown central business district as the primary commercial area within the City and encourage its continuation as such.*

**Finding:** The City's 2020 Vision Plan (adopted in 2009) is a community-wide visioning process that includes a set of Goals and specific Action Items towards building a vibrant downtown. Specifically the Plan has called out a specific action item to "develop strategies for redeveloping gravel processing site." In 2013 the City, through the TGM program developed the Valley Concrete Conceptual Plan & Report that includes concepts for housing and mixed-use development and walking trails along the river on the Valley Concrete site that would bolster the

City's restored Downtown. The legislative amendments will implement the new vision for the site.

**Finding:** The proposed legislative amendments will implement and regulate a mix of high density residential and commercial uses, which will encourage new commercial development and support existing commercial development within the downtown central business district ensuring downtown continue as the primary commercial area within the City.

### **Economy**

*To provide for and maintain a viable and diverse economy while preserving the present sense of community and high level of environmental quality.*

### **Policies**

- 1. The City of Independence shall encourage a wide variety of commercial activities in convenient and desirable locations to serve residents.*
- 2. The City of Independence shall retain downtown areas as dominant retail commercial area of the City with the Talmadge Road area shopping center and North Independence areas serving as supportive roles.*
- 3. The City of Independence shall key an overall downtown redevelopment plan to emphasize the waterfront and historic structures."*

**Finding:** The proposed amendments to the Comprehensive Plan Map and Zoning Map will allow the site to be developed with a mix of residential and commercial uses serving existing residents as well as future residents living near downtown. The redevelopment of the Valley Concrete Site with a mix of uses would complement Main Street development and support downtown as the dominant retail commercial area. The amendments do not propose restrictions that would hinder or impact economic viability or diversity within the City.

**Finding:** The proposed amendments designate roughly seven (7) acres, within the floodway, to Public Service. This area of the site is intended to be developed with recreational amenities, plazas, and open space, providing access to and views of the waterfront.

### **Housing**

*To ensure everyone has the opportunity to live in safe and healthy housing and to provide a choice of housing types and densities.*

### **Policies**

- 1. Independence shall encourage adequate numbers of housing at various price ranges and types.*
- 2. Independence shall require high trip generation multi family units have nearby access to nearby arterial and collector streets."*

**Finding:** The proposed amendments to the Development Ordinance will allow for a variety of higher density housing types and prices such as townhomes, row houses and multi-family units.

**Finding:** The subject site (Valley Concrete Site), is adjacent to Independence Highway, providing nearby access to a major arterial for future multi-family units.

**Transportation Policies**

*To provide and encourage a safe, convenient, and economic transportation system*

**Policies**

1. *Independence shall develop a coordinated street network which facilitates the mobility and accessibility of community residents.*
3. *Independence shall promote the development and maintenance of alternative transportation modes, such as bikeways, pedestrian ways and public transit.*
6. *Independence shall promote and give high priority to pedestrian ways in the downtown area.*

**Finding:** As part of the proposed amendments, the City is required to complete a Transportation Impact Analysis to satisfy Statewide Planning Goal 12. The TIA included a transportation system network that provides access to the site from the surrounding network and allows for circulation within the site. The proposed network extends the City of Independence downtown street grid into the site in order to maximize levels of accessibility and connectivity. This street network is intended to promote compact, mixed-use, low-impact, pedestrian-friendly development, consistent with the policies of the City's Transportation element of the Comprehensive Plan.

**Finding:** The proposed amendments include a development cap on the number of multi-family, rowhouse and townhome housing units, lodging rooms, and commercial square footage that can be developed at full build out of the site. This is to ensure traffic impacts can be mitigated so desired safety and mobility on the local and state transportation system is achieved.

Comprehensive Plan Policies for Agricultural Lands; Forest Lands; Natural Resources; Air, Water and Land Resources; Natural Hazards; Recreational Needs; Public Facilities; Energy Conservation; Urbanization; Willamette River Greenway; Estuarine Resources; Coastal Shorelands; Beaches and Dunes; and Ocean Resources were found not to apply.

Staff finds the proposed amendments meet applicable Comprehensive Plan Policies.

6. Findings related to the Statewide Planning Goals.

**A. Goal 1 - Citizen Involvement**

The purpose of Statewide Planning Goal 1 is, "to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

The City of Independence has provided several opportunities for public involvement. The Vision 2020 Plan began with a year long vision process in 2008 with the help of a Public Advisory Committee (PAC). The PAC was a diverse group of leaders in the Community

appointed by the Mayor. The PAC met monthly to review plan materials, to provide input, and help guide the Independence 2020 process. The PAC advised the City on how to best inform and involve the public. PAC members also served as ambassadors for the plan, sharing information with community members, participating in briefings and public meetings, and helping to articulate a vision and identify action items. The Valley concrete site concept plan, partially funded by a TGM grant, was developed over the winter of 2013-14. Several community stakeholder meetings were held on December 17, including downtown business owners. A Full-day design charrette was held on February 20th, 2014 to select a preferred conceptual plan. The draft plan was presented to City Council on May 13th, 2014 for approval.

The public hearings process provided additional opportunities for public comment including public hearings before the Independence Planning Commission and the Independence City Council. Public notice for each of these events was provided through the local newspaper, the City's web page, and by mail to interested parties. Copies of the draft amendments to the Comprehensive Plan, Development Code and the findings in support of the UGB expansion were made available for public review at City Hall and the city's web site.

Notice was published in the Itemizer Observer on August 31, 2016. Notice was also provided to the Department of Land Conservation and Development, Independence Public Works, and Independence Community Development Director. As of the date of this report, no comments or concerns were received from these entities. Planning Commission held a public hearing to take testimony on the proposed amendment on September 12, 2016. Staff finds Goal 1 has been met.

The proposed amendments have been processed in a manner that complies with Statewide Planning Goal 1.

#### **B. Goal 2 - Land Use Planning**

Goal 2 (Land Use Planning) outlines the basic procedures of Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and that effective implementation ordinances must be adopted.

The City's 2020 Vision Plan was adopted into the City's Comprehensive Plan in 2009 and included concepts for housing and mixed-use development on the Valley Concrete site that would bolster Independence's restored Downtown. The City is proposing Map amendments and Development Code amendments that will implement and regulate the proposed uses.

The proposed amendments have been processed in a manner that complies with Statewide Planning Goal 2.

**C. Goal 5 - Natural Resources, Scenic and Historic Areas, and Open Spaces**

The purpose of Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. Goal 5 addresses a number of natural and cultural resources and requires local governments to adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations.

The proposed amendments do not change existing Comprehensive Plan policies that address Goal 5 resources.

The proposed amendments are consistent with Goal 5 requirements.

**D. Goal 6 - Air, Water and Land Quality**

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water and land resource quality policies in the Independence Comprehensive Plan, Goal 6 will be properly addressed.

**E. Goal 7 - Areas Subject to Natural Disasters and Hazards**

The purpose of Goal 7 is to protect life and property from natural disasters and hazards. Goal 7 addresses development in locations subject to natural hazards such as floods or landslides. It requires that jurisdictions apply “appropriate safeguards” when planning for development in such areas. The major natural hazard concern in the Independence area is flood hazards associated with the Willamette River, Ash Creek and the South Fork of Ash Creek. The City of Independence adopted a floodplain overlay zone to manage development in flood hazard areas consistent with FEMA requirements needed to participate in the National Flood Insurance Program (NFIP). The floodplain overlay zone regulates land use activities within the area designated on the Flood Insurance Rate Map (FIRM) as the 100 year floodplain. Thus, Goal 7 has been properly addressed.

**F. Goal 8 - Recreation Needs**

Goal 8 requires governmental organizations with responsibilities for providing recreational facilities plan for recreational facilities. The City of Independence adopted a Parks and Open Space Master Plan in December 1996, and later adopted an updated Plan in May 2015, to provide for the recreational needs of its citizens and visitors, and contribute to the city's overall quality of life. The updated plan envisions open space along the river with walking paths and amenities. The proposed amendments do not change existing Comprehensive Plan policies that address Goal 8 resources.

The amendments satisfy the intent and purpose of Goal 8.

## **G. Goal 9 - Economic Development**

The purpose of Goal 9 is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

In 2009, as part of the Independence Comprehensive Plan update and expansion (Ordinance No. 1474), the City completed an Economic Opportunity Analysis (EOA) to ensure an adequate supply of commercial and industrial land was available for new and expanding businesses in Independence over the next 20 years. The EOA identified a need for additional commercial and industrial land outside of the existing UGB to meet forecasted employment land needs. The City expanded its UGB to accommodate 43.5 acres of Industrial land. The City chose to meet its commercial land needs by utilizing land within the existing boundaries of the UGB in order to retain the downtown as the dominant retail activity center, while the Central Shopping Plaza and north Independence commercial area serve in supporting roles.

The proposed Comprehensive Plan designations and accompanying rezone does not impact the 20-year supply of employment land. The site was considered developed for the land needs analysis and therefore not counted as land necessary to meet forecasted land demand. The proposed zoning district allows small scale commercial uses and small hotel that will still help retain downtown as the prominent retail activity center.

A development feasibility report was prepared as part of the Valley Concrete Conceptual Plan. The report included a market analysis and development feasibility analysis of major land use types in the area. The report concluded the north end has the most potential for commercial and lodging due to visibility and access and residential uses may be better suited for the south and middle portions. The Development Code Amendments will implement the new Plan Designation (High Density Residential) and Zoning District (Downtown Riverfront Zone) to allow a variety of commercial uses.

## **H. Goal 10 - Housing**

The purpose of Goal 10 is to provide for the housing needs of citizens of the state. Goal 10 requires that cities determine housing need by type and allocate sufficient buildable land within its urban growth boundary to meet identified housing needs.

As part of the Independence Comprehensive Plan update and UGB expansion in 2009 (Ordinance No. 1474), the City completed a housing needs analysis to identify the amount and type of housing needed in Independence over the next 20 years. The housing and land needs analysis identified a need for additional residential land outside of the existing UGB to meet projected housing needs.

The proposed amendments do not affect the residential land supply within the current UGB since the parcels proposed for rezone and redesignation are currently zoned/designated Industrial. The Development Code Amendments will implement the

new Plan Designation (High Density Residential) and Zoning District (Downtown Riverfront Zone) to allow a variety of high density residential uses (multi-family, townhomes and row houses). Therefore the amendments comply with the intent and purpose of Goal 10.

#### **I. Goal 11 - Public Facilities and Services**

The purpose of Goal 11 is to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Goal 11 requires cities to develop public facility plans to address the timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development. One of the main objectives of this goal is to plan public services in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs. Findings demonstrating the efficient and orderly provision of public facilities and services are provided through compliance with the requirements of Goal 14. The intent and purpose of Goal 11 have been satisfied.

#### **J. Goal 12 – Transportation**

Goal 12 encourages the provision of a safe, convenient and economic transportation system. This goal also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in coordination with urban and rural development (OAR 660-012-0060(1)). For purposes of the proposed amendments, the Transportation Planning Rule (TPR) requires additional analysis if the proposed amendments would significantly affect an existing or planned transportation facility, as defined in OAR 660-001-0060(1).

The first step is to determine whether the proposed zone change would “significantly affect” an existing or planned transportation facility. If the answer is yes, then the TPR applies and further consideration or possible mitigation is required. If the answer is no, then no further consideration is required. This initial TPR evaluation can be accomplished through a comparison of the potential number of trips which could be generated from allowed uses under the current designations and zoning against trips which could be generated by allowed uses under the proposed designations and zoning.

The Development Code Amendments implement the land use amendments being proposed (File ZC/CPMA-02-2016) that are evaluated under the provisions of OAR 660-012-0060, as follows:

The proposed rezone will change approximately (11) acres of the Valley Concrete Site from heavy industrial (IH) to High Density Residential/Downtown Riverfront (previously titled Mixed Use Pedestrian Friendly Commercial) and (7) acres from heavy industrial to Public Service to serve as parkland. Since the exact developments are currently unknown, the study assumed a reasonable worst-case scenario for the analysis. The Valley Concrete Site Concept Plan developed a range of concept site plans that were consistent with City zoning requirements and the market analysis. In coordination with

the City and ODOT, these concept site plans were used to develop a reasonable worst-case scenario for this analysis.

The amount and type of land use for a reasonable worst-case under the proposed zoning was determined by City staff, with consideration of the economic and land use analysis prepared as part of the Valley Concrete Site Concept Plan and Report. Based on that evaluation, the following land use amounts and trip generation would result:

The development type and amount would be:

- 200 apartments
- 30 townhomes
- 150 room hotel
- 25,000 square-feet of commercial
- 7 acres of park

The ITE Trip Generation equivalent land uses for a reasonable worst-cost scenario would then be:

- 200 apartments (ITE Code 220)
- 30 condos/townhomes (ITE Code 230)
- 150 room hotel (ITE Code 310)
- 8,000 square feet of general office (ITE Code 710)
- 10,000 square feet of shopping center (ITE Code 820)
- 2,000 square feet of drinking place (ITE Code 925)
- 3,000 square feet of fast food w/o drive-thru (ITE Code 933)
- 2,000 square feet of coffee/donut shop w/o drive-thru (ITE Code 936)
- 7 acres of county park (ITE Code 412)

The resulting total weekday PM peak hour trip generation would be approximately 558 trips. Internal trip and pass-by trip reduction factors would reduce the off-site trip generation to 271 trips. Detailed trip generation calculations are included in Appendix D of the TIA. The results for trip generation analysis indicate an increase of approximately 193 weekday PM peak hour trips under the reasonable worst-case development under the proposed zoning compared to existing zoning.

The Independence Valley Concrete Site Rezone Traffic Impact Analysis shows the worse case scenario for the proposed rezone impacts the intersection of Main/Monmouth. Table 4: 2035 PM Peak Hour Motor Vehicle Operations show the intersection will not meet ODOT mobility standards for the year 2035. However not all traffic at the intersection is attributed to the redesignation/rezone.

The following transportation mitigation measures are recommended to preserve study area roadway performance with the proposed rezone. To meet TPR requirements, the improvements shall be constructed at the time of development or determined to be reasonably likely to be funded by the City.

**Required Independence Transportation System Projects:**

- Construct an eastbound left turn lane at Polk Street/Main Street

**Recommended TSP Projects:**

- Consider installing a directional circulator (Main Street to Monmouth Street) to accommodate southbound to westbound traffic (not required to meet TPR requirements).
- Monitor the level of congestion and safety at Main Street/C Street as growth continues and consider traffic control or turn restrictions if necessary as part of future transportation planning efforts (e.g., a City TSP Update).

**Project Mitigation:**

- Capacity improvements at Main/Monmouth are required. A traffic signal and eastbound left-turn lane is one option for mitigating project impacts at this location. Prior to implementing capacity improvements, the City should further study improvement options (e.g., through a TSP Update) to determine the appropriate circulation or traffic control modifications to meet the capacity need and address community values, planning efforts

In addition to the mitigation measures proposed, the proposed Development Code Amendments propose a maximum number of residential units and commercial square footage to preserve study area roadway performance. See Section 34.020 of the proposed amendments (Exhibit A).

**K. Goal 13 - Energy Conservation**

The purpose of Goal 13 is to conserve energy. Goal 13 states, "Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. The site is being redesignated and rezoned to plan for redevelopment, from a previous industrial site (concrete processing) to a site with a mix of residential, commercial, and recreational uses. The site will be able to utilize existing city infrastructure and utilities, therefore conserving energy and resources and maximizing available land with a mix of uses. The purpose of Goal 13 has been satisfied.

**L. Goal 14 - Urbanization**

The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

As this site is within city limits and has already been developed, Goal 14 does not apply.

**M. Goal 15 - Willamette River Greenway**

The purpose of Goal 15 is to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway. The proposed amendments do not affect the existing, City of Independence Willamette River Greenway Overlay Zone.

**Goals 16-19 pertain to coasts and estuaries and are not applicable.**

The proposed amendments are consistent with the applicable Statewide Planning Goals.

SUMMARY OF PROPOSED AMENDMENTS

The following lists the Sections proposed to be added or removed:

1. Subsection 34.050 – 34.060 – Downtown Riverfront Zone. Add new Subsection to the Independence Development Code.
2. Subsection 33.010 Downtown Overlay Zone. Amend language to remove the Valley Concrete site from the Downtown Overlay District boundary.

RECOMMENDATION/SUGGESTED MOTION:

After the close of the public hearing the planning commission may:

1. Make a motion to recommend the City Council approve legislative amendments of LA-01-16 as presented;
2. Make a motion to recommend the City Council approve legislative amendments of LA-01-2014 with further changes;
3. Take no action.

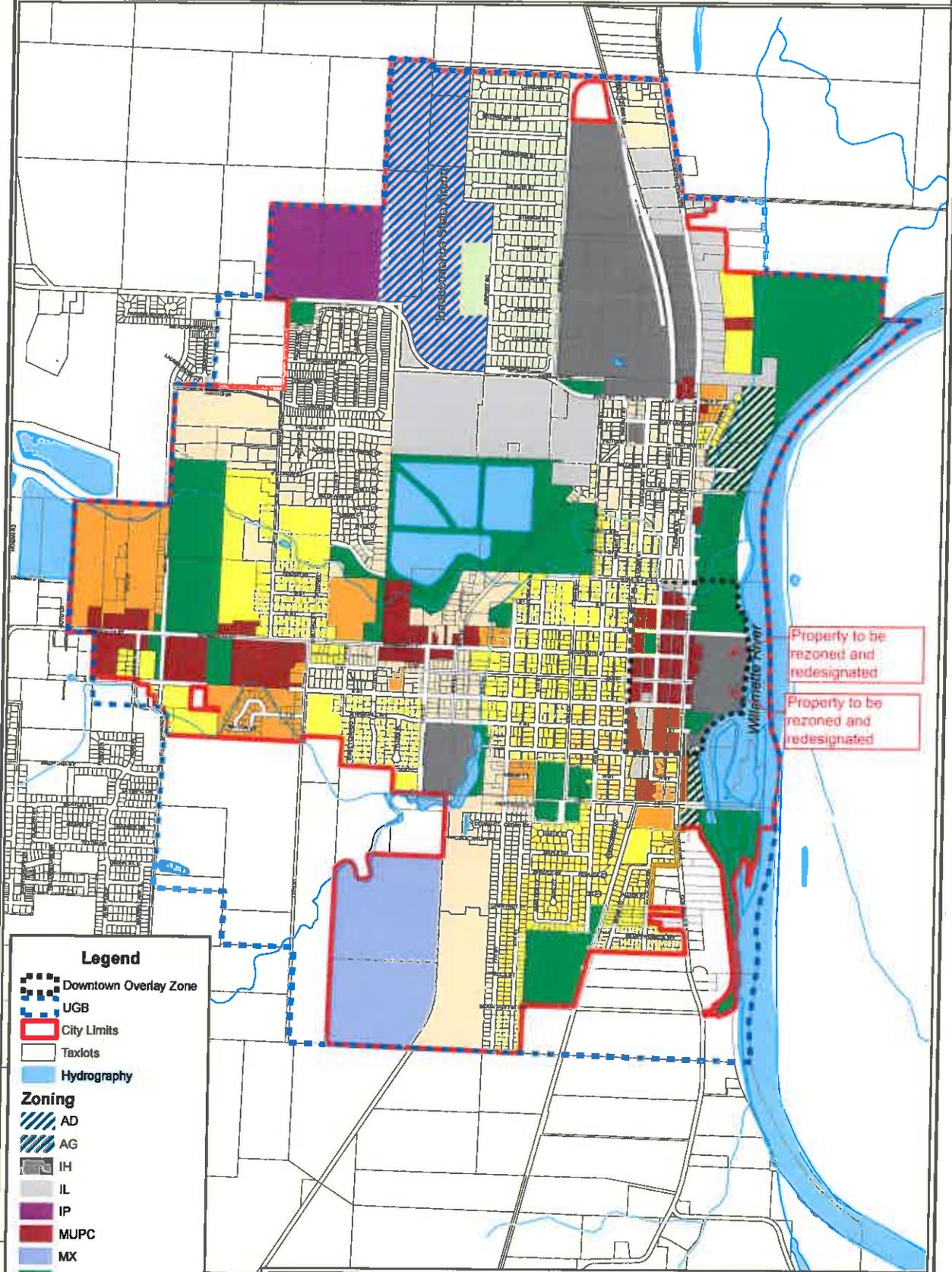
### 33.010 Downtown Overlay Zone

As used in this chapter, the Downtown Overlay Zone is defined as those properties zoned Mixed Use Pedestrian Friendly Commercial (MUFC) within the area described as follows:

-The area bounded on the north by A Street, bounded on the east by the Willamette River, bounded on the south by G Street and bounded on the west by Third Street, excluding Tax Lot No. 8428AC 00100 & Tax Lot No. 8428AB 02600

and as identified as within the Downtown Overlay Zone on the Independence Zoning Map.

# City of Independence Zoning, 2010



**Legend**

- Downtown Overlay Zone
- UGB
- City Limits
- Taxlots
- Hydrography

**Zoning**

- AD
- AG
- IH
- IL
- IP
- MUPC
- MX
- PS
- RH
- RM
- RS
- RSA

This map is illustrative and is intended for planning purposes only.



**Mid-Willamette Valley Council of Governments**  
*Getting things done together!*

Map Date	06/21/10
Author	LH
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**SUBCHAPTER 34  
DOWNTOWN RIVERFRONT ZONE**

**34.005 Purpose**

The purpose of the Downtown Riverfront Zone is to:

- Allow a mixture of complementary land uses that may include retail, offices, commercial services, housing, civic uses, and lodging, to create economic and social vitality;
- Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians;
- Encourage pedestrian orientation while remaining accessible to automobiles;
- Expand and strengthen the downtown commercial core while maintaining and enhancing the historic character of Independence;
- Encourage and promote the redevelopment of downtown, including housing, as a vibrant and successful mixed-use district;
- Emphasize bicycle and pedestrian connections along natural amenities, such as the Willamette River, as a way of moving residents and visitors across town and improving connections to downtown;
- Create a strong link from the commercial core along Main Street to the Willamette River, and from within the zone to the amphitheater and the recreational land uses along the river;
- Maintain and improve natural areas as resources where possible and target environmental initiatives such as recycling programs and green building techniques; and
- Support the continued growth of local and living wage jobs 34.010 Downtown Riverfront Zone.

As used in this chapter, the Downtown Riverfront Zone is defined as properties bounded on the north by C Street, bounded on the east by the Willamette River bounded on the south by the north property line of the Civic Center and bounded on the west by properties facing Main Street, as shown on the Independence Zoning Map.

**34.015 Applicability**

The provisions of this Subchapter apply to the Downtown Riverfront Zone designated on the City of Independence Zoning Map and supersede other requirements called out elsewhere in the Development Code.

**34.020 Special Standards for Downtown Riverfront Zoning District**

The units and square feet for the following land uses are the maximum allowed, at full build out, of the zoning district:

Uses	Standard
Multi-Family	200 units
Townhomes/Rowhouses	30 units
Lodging	150 rooms
Commercial	25,000 square feet

#### 34.025 Permitted Uses

Within the Downtown Riverfront Zone the following uses shall be permitted:

- A. Commercial activity involving retail sales and service;
- B. Commercial activity involving personal or professional services;
- C. Small scale manufacturing and production, including jewelry, candy, wine, beer, spirits, or other similar artisan products, less than 5,000 square feet, where at least 25% of the manufacturing area is dedicated to retail sales;
- D. Office;
- E. Lodging;
- F. Playground or park;
- G. Structure necessary for the city or for a public utility to provide service to the neighborhood in which it is located. Such structures shall include but not be limited to the following:
  1. Electric service meters, lines, transformers, and poles;
  2. Natural gas lines;
  3. Telephone lines and poles;
  4. Water and sewer lines;
  5. Streets and sidewalks;
  6. Projects identified in the Transportation System Plan.
- H. Residential use on the second or third-story of a commercial building;
- I. Attached single family residential dwellings (townhomes, rowhouses);
- J. Multi-family residential dwellings, all floors;

**K. Residential Home as defined in this ordinance**

- L. Accessory uses to multi-family or lodging uses such as clubhouses, open roof coverings, decks or patios for gatherings, outdoor pools or spas, or outdoor activity space.**

**34.030 Conditional Uses**

If authorized under the procedures provided for conditional uses in this ordinance, the following uses will be permitted in a Downtown Riverfront zone:

- A. Church;**
- B. Buildings and structures operated by a governmental agency or by a public utility and necessary for public service. Such facilities shall include but not be limited to fire stations, libraries, electrical substations, and water storage tanks. Such facilities shall not include commercial plants for the generating of electrical power.**
- C. School (elementary, junior high, senior high);**
- D. Trade or commercial school;**
- E. Hospital;**
- F. Veterinary clinic;**
- G. Transmitter station, towers, relay stations and similar facilities for electronic communications;**

**34.035 Lot Requirements**

- A. In the Downtown Riverfront Zone, the following lot size and density requirements apply:**

**34.040 Development Standards**

- A. Purpose and Applicability: The Development Standards include required land use regulations that guide how sites and buildings can be developed. The standards are intended to encourage a similar pedestrian orientation as that found downtown while**

remaining accessible to automobiles.

B. Standards: The Commercial Development Standards include three (3) main topics. The topics reflect the manner in which buildings are designed and developed.

1. Topic 1, "SITE" specifies the key development standards that impact the potential use and dimensions of the site.
2. Topic 2, "HEIGHT/BUILDING MASSING", specifies the development standards that impact the potential height and building massing.
3. Topic 3, "ARCHITECTURAL FEATURES", specifies development standards that require architectural details to the building. 34.045 TOPIC 1: SITE

A. Density Requirements

1. A minimum average density of nine (9) dwelling units per net acre
2. Lot Coverage: The following maximum lot coverage standards apply: 50%.

B. Setbacks shall be provided as follows:

1. Commercial Buildings:
  - a. Front: Between 0 and 20 feet
  - b. Side: No requirement.
  - c. Back: No requirement.
2. Lodging Buildings:
  - a. Front: Between 0 and 30 feet
  - b. Side: 5 feet minimum, no maximum
  - c. Back: No requirement
3. Attached single-family dwellings (townhouses and rowhouses):
  - a. Front: Between 0 and 25 feet. Attached garages shall be set back 19-21 feet. In no case shall attached garages be set back less than 4 feet from the façade of the dwelling unit.
  - b. Side: end units shall set back 5 feet.
  - c. Back: No requirement
4. Multi-family dwellings:
  - a. Front: Between 0 and 20 feet
  - b. Side: 5 feet minimum, no maximum
  - c. Back: No requirement

C. Build-to Line: In the Downtown Riverfront Zone, 40% of the overall development length of a building shall be placed along a build-to-line located at the front edge of

the setback. This standard applies to multiple buildings on a single lot.

**D. Site Landscaping**

1. A minimum of 15% of the site shall be landscaped. Interior parking lot landscaping may be applied to meet this minimum. No maximum landscaping shall be required in the Downtown Riverfront Zone.
2. Landscaping shall be provided in the form of a dedicated landscape zone that has, at a minimum, a rate of 1 tree and 3 shrubs per every 1,000 square feet of contiguous open space. Remaining area within the 1,000 square foot open space area shall be planted with ground cover, including grass that fills the area after 3 years.
3. Up to 30% of the landscaping requirement for the site may be dedicated to hardscape – walkways, plazas and small gathering areas. Every attempt shall be made to use permeable materials such as grasscrete, gravel or pervious asphalt.

**E. Standards for Drive-Through Facilities:** Drive-in and drive-through facilities are prohibited within the Downtown Riverfront.

1. Exceptions: Lodging uses are allowed to provide temporary short-term covered parking to allow for pick-up/drop-off and brief transactions.

**F. Parking shall be provided as follows:**

1. Required number of parking stalls based on use:
  - a. Residential: 1 stall per unit minimum, 2 stalls per unit maximum. No requirement for visitor parking.
    - i. A loading zone in the public right-of-way directly adjacent to the building prime entrance shall be provided for each multi-family dwelling structure.
  - b. Lodging:
    - i. 1 stall per unit minimum, 2 stalls per unit maximum.
    - ii. 2 visitor parking stalls.
    - iii. 1 parking stall designated for loading.
  - c. Commercial:
    - i. Retail and service oriented uses: none required
    - ii. Restaurants and bars: 1 space per 500 square feet minimum, no

maximum.

- iii. A loading zone in the public right-of-way directly adjacent to a building entrance shall be provided for each commercial building.
- d. Live-Work: 1 stall per unit minimum, 2 stalls per unit maximum. No requirement for visitor parking.
- e. Uses not described above shall be provided as per SubChapter 73.010.

2. General requirements for parking

- a. All parking shall be constructed of a hard surface such as concrete, asphalt, or brick/concrete paver as recommended by the Civil Engineer-of-Record in accordance with Geotechnical Engineering recommendations based on soil borings and data.
  - i. Consideration of alternate pervious paving materials may be approved by the Planning Director.
- b. No off-street loading zones are to be required unless a building greater than 10,000 square feet is not directly abutting a right-of-way where a loading zone can be accommodated in the public realm.
- c. Parking stalls shall be provided within 300' of the building in which it serves.
- d. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or times). In that case, the total requirements shall be reduced accordingly.
- e. Lighting of the parking areas shall be directed entirely onto the parking and pedestrian areas and shielded from view from adjacent properties.
- f. All parking stalls shall be parallel or 90 degree
- g. At least 40% of required number of parking stalls must be standard size.
- h. Stall length for 90 degree parking stalls may be reduced by 2'-0" where wheel stop or curb allows for overhang.
- i. Drive aisle size: 20 feet
- j. Stall size:
  - i. Parallel: 8'-0" wide by 22'-0" long.
  - ii. Standard 90 degree: 9'-0" wide by 18'-0" long.
  - iii. Compact 90 degree 8'-6" wide by 16'-0" long for compact stalls.

**G. Bike Parking:**

1. For commercial and lodging uses, provide 1 parking space for every 10 vehicle parking spaces.
2. For residential uses, provide an interior secure bike parking area at the rate of 1 space for every 4 units. Additionally, provide 1 exterior bike rack spaces for every 10 residential units.
3. Locate exterior bike parking within 50 feet of main residential and commercial entries for each building.
4. Exterior bike parking areas shall paved with hard surface materials.
5. Exterior bike racks, frames, posts, or other devices shall be durable and made of metal or concrete.

**H. Parking and Access**

1. Parking shall be prohibited between the front of the building and the street.
  - a. Exception: For townhouses or rowhouses, one parking stall per unit may be allowed to comply with SubParagraph 34.025 B Setbacks.
2. Parking must be landscaped per the Off- Street Parking Lot Landscaping Standard found in Section 34.030(I) below.
3. Internal pedestrian connections shall be provided in parking lots with greater than ten (10) spaces such that no stall is further than 75' from a pedestrian connection. These connections shall be a minimum of five feet wide and distinguished from vehicular areas through changes in elevation or materials.

**I. Off-Street Parking Lot Landscaping:** In regulating off-street parking lots, the following landscape standards shall apply:

1. Perimeter landscaping:
  - a. In all parking lots a minimum perimeter of six (6) feet shall be landscaped within the front and side yard setbacks in order to buffer the parking lot. This six (6) foot wide strip shall be landscaped with noninvasive ground cover (including grass), shrubs that are a minimum of three (3) feet high after two (2) years and form a continuous screen, and approved street trees that are a minimum a 2.5" caliper and planted at a rate of one (1) every 25 feet.
  - b. A 3-foot high wall or planter constructed of either concrete or

masonry may be substituted for ground cover to screen the sidewalk from parking.

2. Interior landscaping:
  - a. In parking lots that have more than ten (10) parking spaces, there shall be a minimum of 150 square feet of landscaping per every ten (10) spaces that includes one (1) shade tree for every ten (10) spaces.
  - b. Perimeter landscaping may not serve as a substitute for interior landscaping.
3. All planting must be approved by the City of Independence in accordance with the landscaping requirements found in Subchapter 54.

#### 34.045 TOPIC 2: HEIGHT/BUILDING MASSING

A. Height: No building height shall exceed three (3) stories or 40 feet in height.

1. Exceptions:
  - a. Rooftop penthouses, equipment and stair towers for roof access or rooftop decks may extend up to 52 feet in total height from the ground floor.
  - b. Buildings containing lodging uses shall not exceed four (4) stories or 55 feet in height.
  - c. Equipment and stair towers for roof access or rooftop decks may extend up to 60 feet in total height from the ground floor for buildings containing lodging uses.

B. Main Entrance/Front Door: A direct pedestrian connection shall be provided from the main entrance on the front facade of the building to the sidewalk.

C. Ground Floor Windows:

1. Transparent windows shall be required along a minimum of 50% of the length of the ground-level street-facing façade and 60% of the overall ground floor street-facing wall area, defined as the first floor of a building that is used and directly accessible from the exterior finished grade.
2. On other facades, provide windows along 25% of the length of the facade and 20% of the overall façade area. The back of the building has no windows requirement.

3. Commercial doors facing the street shall consist of a minimum of 40% transparent glazing. No glazing is required for ground floor doors in residential uses.

D. Exterior Display: The following exterior activities shall be allowed in the proposed Downtown Riverfront Zone, provided that they leave a five (5) foot clear pedestrian path for unrestricted movement and are an extension of the interior use:

1. Outdoor eating or gathering
2. Outdoor produce markets and flower stands
3. Temporary displays of merchandise or wares (limited in duration to one week).

#### 34.050 TOPIC 3: ARCHITECTURAL FEATURES

B. Roof Forms: There is no requirement for either flat or sloped roofs other than they meet the following standard of design:

1. For flat roofed buildings:
  - b. Parapets shall be a minimum of two (2) feet in height.
  - c. Cornices shall meet the following requirements:
    - i. The top of the cornice is a minimum of six (6) inches from the face of the building and the base of the cornice is a minimum of two (2) inches from the face of the building
    - ii. The total height of the cornice on buildings 15 feet or less is a minimum of 12 inches, on buildings between 15 and 30 feet is a minimum of 18 inches, and on buildings taller than 30 feet is a minimum of 24 inches.
2. For pitched roofed buildings:
  - a. Slopes roof should be between 3:1 and 1:1.
  - b. Eaves should overhang a minimum of 12 inches.

#### C. Building and Parking Lot Lighting

1. Colored light bulbs and internally lit awnings or canopies shall be prohibited for buildings and within parking lots, except for temporary holiday displays.
2. The following standards shall apply to lighting on buildings and within parking lots:

- a. Building lighting shall be integrated with the architecture.
- b. Parking lot lighting shall emit on average 0.6 to 0.8 foot candles and shall not exceed an average height of 30 feet.
- c. Interior display windows shall be designed to be illuminated in evening hours, with provisions for reduced illumination late in the evening.

### 34.055 Townhomes, Rowhouses and Multifamily Standards

#### A. Single-family Attached Townhomes, Rowhouses, and Duplexes.

Single-family attached housing (townhome units on individual lots), and rowhouse developments shall comply with the standards in 1-4, below. The standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

1. **Windows.** All detached single-family dwellings, townhouses, rowhouses and duplexes shall have vertically-oriented windows. Square or horizontal windows shall be formed by combining multiple window sashes into groupings. Transom windows, and other windows placed above a door or window for ornamental or decorative purposes are exempt from this requirement.
2. **Building Mass Supplemental Standard.** Within the Downtown Riverfront Zoning District, the maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed four (4) units, or 100 feet (from end-wall to end-wall), whichever is less.
3. **Townhome, rowhouse and duplex subdivisions (4 or more lots)** may receive vehicle access from a rear alley. Alley(s) shall be created at the time of subdivision approval. As necessary, the city shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks).
4. **Street Access Developments.** Townhomes, rowhouses and duplexes receiving access directly from a public or private street shall comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management.
  - a. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4

feet.

- b. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garaged facing the street.
  - c. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, before building permit issuance.
5. **Common Areas.** "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city before building permit approval.

#### **B. Multifamily housing.**

**Multifamily housing means housing that provides three (3) or more dwellings on an individual lot. New multifamily developments shall comply with all of the following standards:**

1. **Common open space standard.** Inclusive of required setback yards, a minimum of 15 percent of the site area shall be designated and permanently reserved as usable common open space in developments that are at least three (3) acres in size with more than 10 multi-family or attached single-family dwellings. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
2. **Private open space standard.** Private open space areas shall be required for ground-floor and upper-floor housing units based on all of the following standards:

- a. A minimum of 50 percent of all ground-floor housing units shall have front or rear patios or decks measuring at least 48 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
  - b. A minimum of 50 percent of all upper-floor housing units shall have balconies or porches measuring at least 24 square feet. Upperfloor housing means housing units that are more than 5 feet above the finished grade; and
  - c. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking and drives to the greatest extent practicable.
3. Exemptions. Exemptions to the common open space standard may be granted for multi-unit developments of up to 10 units. Exemptions may be granted for the first 20 units of a larger project when these developments are within one-quarter mile (measured walking distance) of a public park; and there is a direct, accessible (i.e., Americans With Disabilities Act-compliant), lighted, and maintained pedestrian trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby park provides active recreation areas such as play fields; children's play area, sports courts, walking/fitness course, or similar facilities.
  4. Landscaping. All development is subject to the landscaping provisions in Subchapter 54, except as amended in subsection 34.055(B). Recreation areas may be included as part of the required landscaping. All exterior garbage collection areas, recycling areas, and mechanical equipment shall be screened with a sight obscuring fence, wall and/or sufficient landscaping. Unsightly garbage collection areas, recycling areas and mechanical equipment shall be located away from the street.
  5. Design Review. All new developments and expansion of an existing development shall be subject to the Site Design Review procedures of Subchapter 80.

#### 34.055 Additional Development Standards

In addition to the standards described above, all developments in the Downtown Riverfront Zone shall comply with the following specific standards:

A. Signs. Signs shall be subject to the provisions of Subchapter 58 as amended below.

1. Projecting signs may be up to 45 feet above the floor level at the main entry into the building for lodging uses.
2. Supporting structure for signage may be exposed if it is of an architecturally designed quality.

B. Landscaping. All development is subject to the landscaping provisions in Subchapter 54 as amended below:

1. Subchapter 34 shall identify where buffering and screening is required and the size of each element. Subchapter 54 governs the requirements for buffering and screening where required.
2. Subchapter 34 shall govern setback requirements.
3. Subchapter 34 shall govern lot coverage and minimum/maximum landscape area requirements.
4. Subchapter 34 shall govern the minimum number and placement of trees required.

C. Access. Access points to property from a street shall be located to minimize traffic congestion, and maximum effort shall be made to avoid directing traffic into residential areas. Existing access roads and access points shall be used to the maximum extent possible to serve the greatest number of users. All access roads and driveways shall be surfaced with asphaltic concrete or similar permanent surfacing.

#### 34.060 Downtown Riverfront Zone Design Standards and Guidelines

A. Purpose. In an effort to protect and enhance the downtown core area of Independence, the City has adopted a special set of commercial design standards and guidelines. The Downtown Riverfront Zone Design Standards and Guidelines shall apply only to commercial and mixed use commercial/residential properties that are in the Downtown Riverfront Zone.

B. The design standards and guidelines are intended to:

1. Provide a structure to explain to developers, property owners, architects, planners, elected officials, and citizens what types of projects comply with the community's vision for a vibrant and active downtown riverfront.
2. Ensure that future development is consistent with the downtown core's existing pedestrian-oriented scale of buildings while also addressing the unique opportunity of the riverfront.

3. Strengthen the downtown as the heart of the community, and as the place for people and business.
4. Enhance the physical appearance of downtown through high-quality design.
5. Maintain and enhance the historic character of Independence.
6. Connect downtown more directly with the riverfront through pedestrian and biking connections.

C. **Applicability:** All new construction and all remodels costing more than 60 percent of the existing building's assessed value are required to meet the Downtown Riverfront Design Standards or Guidelines in addition to, the development standards and additional development standards found in this subchapter. When a conflict exists between this subchapter and the Independence Development Code, standards contained in this subchapter shall apply.

D. **Design Standards and Guidelines:** The design standards and guidelines help guide the development and redevelopment of properties within the Downtown Riverfront zone. They are intended to provide a framework for how Downtown Independence should look, function and feel.

E. The design standards and guidelines consist of two primary elements:

1. **Intent Statement/Design Guideline:** Presents the big idea or goal to be accomplished through the standard (ex. "Create a streetscape at the ground floor that is active and inviting")
2. **Approach(es):** Lays out the methods which applicants can use to meet the Intent Statement (ex. "Divide the ground floor into architectural bays").

F. **Application Process:** Planning staff or the Planning Commission (as described below) shall approve, approve with conditions, or deny an application based upon compliance with the design standards or guidelines. Approval shall be obtained from the review authority prior to the issuance of a building permit for all non-exempt development. Non-exempt development in the Downtown Riverfront zone has two tracks for obtaining development permits.

1. **Track 1 - Administrative Review of Compliance with Design Standards.**
  - a. Under the Track One process, the applicant is provided with a "menu" of clear and objective approaches that they can chose in order to meet the design standards and guidelines intent statements. A Track 1 application is reviewed administratively by City of Independence Planning Staff as a Type 1 Action.

- b. In many cases, the same approaches are presented as a means to achieving different design standards. In the event that a specific approach has already been used to meet a previous design standard, the applicant is required to choose an alternative approach for another design standard or another requirement within the design standard. The applicant is required to meet all of the design standards.

**2. Track 2 – Discretionary Review of Compliance with Design Guidelines.**

- a. If an applicant chooses not to respond to the design standards and instead proposes a more creative response to meeting the intent statements, they follow a Track Two process. The intent statements become the criteria for determining whether or not the objective of the design standard is being accomplished. The applicant is required to explain via a narrative and basic drawing set (site plan, building elevations and materials board) how the project meets the design guideline/intent statements.
- b. Applicants who opt for the Track Two approach are required to meet all of the intent statements/design guidelines i.e. they must go through design review, a discretionary process, to explain how their project will meet all the design guidelines. The project shall be reviewed by the Planning Commission for compliance with the design standards and guidelines as a Type II action.

**D. Approval Process.** Under the Track One process, the City of Independence Planning Staff shall use the standards in this section to ensure compliance with the development and design standards. Under the Track Two process, the City of Independence Planning Commission shall use the intent statements in this section to ensure compliance with the development standards and design guidelines.

**E. Design Standards and Guidelines.**

**1. Building Divisions**

- a. **Intent Statement/ Design Guideline:** Build upon Independence's historic downtown architecture by creating an attractive and unified tripartite façade that celebrates the ground floor and the middle and top of the building.
- b. **Approaches:** Create street-facing building facades that articulate a clear and distinct base, middle, and top to break up the vertical

massing of the building. Utilize banding and changes in color and/or material to emphasize horizontal breaks in the building plane. This standard applies to buildings of all heights and number of stories.

- i. **Ground Floor Base:** The base of the ground floor extends from the top of the finished grade or sidewalk to the bottom of the window sill. In order to create a discernible base that anchors the building, applicants shall include at least one of the following elements in the base of the ground floor:
  - Projected window sills (12 - 24 inches above grade)
  - Masonry or finished concrete plinth
  - Bulkhead constructed of concrete, brick, or stone
  
- ii. **Ground Floor Middle:** The middle of the ground floor is typically compromised of a storefront window. The middle section of the ground floor should contain at least one of the following elements:
  - Integrated horizontal and vertical window mullions
  - Window planter box
  - Decorative building light fixture or wall sconce.
  
- iii. **Ground Floor Top:** The top of the ground floor façade is the area between the storefront and the upper stories of the building. The top of the ground floor should contain at least one of the following elements:
  - A marquee or projecting blade sign (8'-12' above grade)
  - Sign frieze
  - Storefront awning or canopy (8'-12' above grade)
  - Storefront cornice or belt course
  - Transom Window
  
- iv. **Middle:** The middle of the building often contains smaller, vertically-oriented windows to reflect changes in use on upper floors. To distinguish the middle of the building from the top and base, applicants should incorporate two of the following types of elements:
  - Vertically oriented windows

- Changes in color
- Stepbacks
- Horizontal band(s)/signage bands
- Bay windows
- Balconies
- Brick reveal/soldier course (vertically oriented brick)

*Note: Horizontal bands should be a minimum of 8 inches high (the length of a standard brick) and can be formed by a change in materials, color, brick orientation, or by projecting materials from the face of the building.*

- v. Top: The top of the building shall include a “cap” element at the upper most portion of the facade in order to visually terminate the building face and emphasize a distinct profile. To create visual interest at the top of the building, applicants shall incorporate one of the following elements:

- Cornice or projected parapet
- Hipped or gabled roof
- Roof top gardens that consist of plant materials visible from the sidewalk and street
- Roof overhang that unifies the façade over articulation in the middle zone of the building.

*Note: Roof gardens represent a unique and beneficial approach to treating the top of the building. Beyond their aesthetic benefits, rooftop gardens help manage stormwater run-off that would otherwise go into storm sewers, aquifers, and streams. In addition, rooftop gardens help mitigate the heat island effect by reducing the temperature and, therefore, providing energy savings and air quality. Green roofs can also provide a food source.*

## 2. Pedestrian Engagement

- a. Intent Statement/ Design Guideline: Create a streetscape at the ground floor level that is active and inviting to passing pedestrians, bicyclists, and motorists by incorporating vertical and horizontal divisions, cohesive and repetitive architectural elements, and welcoming entries into the street-facing facade that are understandable at the human scale.

- b. **Approaches:** Architectural bays are the larger “building blocks” of a pedestrian- oriented ground floor. They create a sense of rhythm and break down a large building into pieces. Repetitive architectural elements within these bays further create a sense of rhythm and offer components that can be understood at a human scale. When paired with prominent entries, these elements translate into an inviting storefront presence along the sidewalk that is easily accessible and reflects historic precedents of gracious retail spaces. As pedestrians pass, there are many parts of the building upon which the eye can linger that help establish a sense of scale.
- i. Divide the ground floor of commercial storefronts into distinct architectural bays that are a maximum of 30 feet wide measured from the center line of the columns. For the purposes of this standard, an architectural bay is defined as the zone between the outside edges of an engaged column, pilaster, post, or vertical wall area.
  - ii. Provide a minimum of two of the following architectural and decorative elements that are to be repeated within each distinct architectural bay:
    - Clerestory or transom windows
    - Overhangs (canopies, awnings)
    - Plinths or columns (minimum of a pair)
    - Decorative lighting (minimum of a pair)
    - Signage (awning, blade, wall or window)
    - Canopies or overhangs
    - Storefront frieze, horizontal sign band, or a belt course above transom window on a mezzanine level
    - Window plant box (minimum of one per window)
    - Medallion (minimum of a pair).

*Note: The depth of all canopies and awnings shall be a minimum of 5 feet measured from either the face of the column or the street-facing elevation.*
  - iii. Create a prominent entry by incorporating three or more of the following elements:
    - Glass entry doors
    - Clerestory or transom windows
    - Glass windows that flank the door

- Recessed entry bays
- Signage (awning, blade, wall or window)
- Decorative lighting (minimum of a pair)
- Pavers and colors that mark entry to the building
- Awnings or canopies

*Note: Awning and blade signs shall be a minimum of 8' 6" off the ground and not exceed 12% of the building elevation area, with a maximum sign face area of 60 square feet. Wall signs shall not exceed 8% of the building elevation on the primary frontage, with a maximum sign face of 60 square feet. Window signs shall not exceed 15% of total window area.*

### 3. Corner Reinforcement

- a. Intent Statement/ Design Guideline: Emphasize the intersection of streets to provide dynamic public spaces where people's paths intersect, articulate gateways into and within a district, provide a means of way finding, and reflect historical structures of import in the downtown.
- b. Approaches: Street corners where two streets intersect and paths meet should be designed as a node of social and economic activity. This should be achieved through a distinctive architectural treatment. Incorporating strong architectural elements at street corners not only creates a more visually interesting built environment but also helps pedestrians read and understand city blocks by creating memorable design elements at the corner of each block. Choose one or more of the following architectural and site planning strategies to emphasize the corner:
  - i. Locate the primary entry to the building at the corner of the building or within 50 feet of the corner of the building
  - ii. Incorporate prominent architectural elements, such as increased/decreased height or massing, a cupola, a turret, or a pitched roof, at the corner of the building or within 50 feet of the corner of the building
  - iii. Chamfer the corner of the building (i.e. cut a corner at a 45 degree angle at a minimum depth of 10 feet from the corner) and incorporate a combination of paving materials that are not concrete, street furnishings, and plantings.

### 4. Transitions from the Public Realm

- a. Intent Statement/Design Guideline: Design safe and friendly semi-public transitions between the public and private realms (between the sidewalk and building) that allow people to gather informally and interact with pedestrians in a more intimate space.
- b. Approaches: To reinforce the pedestrian realm and encourage people to gather, applicants shall implement one of the following:
  - i. Courtyards: incorporate a small courtyard into the design of the street-facing facade. Further embellish the space by incorporating exterior lighting, paving, benches, and planter boxes.
  - ii. Recessed zone: create a small, covered transition zone between the sidewalk and the front door. Define this space with lighting, paving, and storefront windows and doors.
  - iii. Corner of buildings: create meeting places at the corner of the building by chamfering the corner of the building. Define the space with special paving and lighting.
  - iv. Arcade/porch: Set the front door and the primary street-facing facade a minimum of 5 feet clear behind an arcade.

*Note: When approaches above are used in buildings along Main Street, their use shall not prevent an applicant from meeting the Build-to-Line Standard requiring 100% of the building being placed along the front-edge of the property line.*

*Note: Where possible, windows should be incorporated into all walls that face courtyards. These windows should be large enough to encourage interaction between inside and outside.*

*Note: Arcades are typically located on the front property line. Other architecture and landscape architecture elements that allow people to gather include pergolas, moveable planters, and wrought iron or other types of transparent decorative metal fences. For arcades, spacing between detached columns or posts forming the arcade along buildings less than 50 feet in length should be a minimum of 5 feet apart and a maximum of 10 feet apart. Columns for buildings greater than 50 feet in length should be spaced a minimum of 10 feet apart and a maximum of 20 feet apart.*

## 5. Materials

- a. Intent Statement/ Design Guideline: Promote the use of traditional and contemporary architectural materials that provide a sense of permanence and reflect the history of the City without replicating

traditional building practices.

- b. Approaches: The applicant shall incorporate one of the following primary building materials into the street-facing facade, covering a minimum of 40% of the street-facing facade or greater:

- Brick
- Stone
- Stucco

*Note: Where possible, use local materials found within the region.*