

**Chapter 17.127****HOLLERING PLACE DISTRICT (HP)**

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**17.127.010 Intent.**

The area encompassed by the Hollering Place zoning district is intended to be developed as a planned unit development (PUD) based on the guidelines and requirements outlined below and the Hollering Place master plan. A cohesive design celebrating historic seaside architecture, reclamation of native shoreline habitats, sustainability, interpretation of local history and reconnection to the water are unifying elements relevant to the zoning district.

Development on the site must complement and connect with the existing business district to the east and act as a catalyst to help spur additional development and investment in the Empire area. A small-scaled gateway development near the intersection of Newmark Avenue and Empire Boulevard should act as a connection to the existing business district and as an entry statement signaling the presence of the remainder of the project. Preserving and enhancing views is a key component and must be balanced with achieving the right development mix and ensuring access for people and vehicles. The myriad of weather and environmental factors is also significant as is making sure the new development is complementary to adjacent uses.

The master plan referred to herein was prepared not as a detailed requirement, but as an example of the uses, property organization and development, site design, and architectural form and composition that can meet the intent of this code. [Ord. 432 § 3 (Exh. B), 2010].

**17.127.020 HP zoning subdistricts.**

The Hollering Place (HP) district shall be made up of two subdistricts described as follows:

(1) HP-1, Upper Bluff Area. The upper bluff area encompasses the area west of Empire Boulevard, south of Newmark Avenue for a distance of approximately 225 feet, and east of the HP-2 subdistrict at the bottom of the bluff. This area contains approximately 0.84 acre (36,779 square feet).

(2) HP-2, Lower Bench Area. The remainder of the zoning district includes the area at the bottom of the bluff east of Mill Street for a distance of approximately 260 feet south of Newmark and the area west of Mill Street, south of Newmark Avenue, east of the mean high water line and north of Holland Avenue. This area contains approximately 2.11 acres (92,049 square feet). The area west of Mill Street and east of the mean high water line is also designated Coos Bay Estuary Management Plan 54-UW (urban water-dependent). [Ord. 432 § 3 (Exh. B), 2010].

**17.127.030 HP-1, upper bluff area.**

(1) As described in the Hollering Place master plan, connection to the existing Empire business district is critical. This should be achieved by using small-scaled gateway development near the intersection of Newmark Avenue and Empire Boulevard to serve as an anchor and entry statement signaling the remainder of the project. Preserving and enhancing views is a key component along with ensuring access for people and vehicles.

Based on this, suggested uses in the area include, but are not limited to, the following:

- (a) Dining establishment – Fast order food and sit-down;
- (b) Drinking establishment;
- (c) Food and beverage retail sales;
- (d) Visitor information service;
- (e) Retail sales;
- (f) Office/reservations for lower bench area uses;
- (g) Library service and cultural exhibit.

Not more than 15 percent of the HP-1 area shall be occupied by structures. A structure must occupy a footprint of not more than 1,500 square feet; however, area may be used for incidental use of the structure, such as outdoor seating and viewing.

At least 75 percent of the HP-1 area must be dedicated to preserving and enhancing the views,

and without cost to the user, parking and open space (trails, interpretive signage, kiosks, landscaping, etc.) for the outdoor enjoyment of the view and surrounding area.

(2) Architectural Character. A main building is intended to be a landmark on the bluff near the intersection of Newmark Avenue and Empire Boulevard and serve as an attractor for the activities on the lower portion of the site without compromising views of the bay from Newmark Avenue and Empire Boulevard.

Commercial uses should open onto Empire Boulevard with functional doors and windows, canopies/awnings, recessed entrance doors, and attractive signage at an appropriate scale to the building. Parking is to be located to the south of the landmark building. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.040 HP-2, lower bench area.**

(1) To engage the community and visitors alike, the master plan for the HP-2 area anticipates a range/mix of uses: commercial, residential, overnight lodging, hands-on/educational and recreational. Development in this area should:

(a) Capitalize on views, the bayfront and recreational opportunities;

(b) Serve as a catalyst for the Empire business district and other, nearby developments; and

(c) Raise the standards for quality development.

Uses such as but not limited to religious assembly, lodge, club or fraternal/civic organizations which are not intended for the general public are not appropriate in this zone.

(2) Phased development of the area is allowed within the constraints of an overall development program and approval of a PUD which must include both HP-1 and HP-2. Since Hollering Place is not intended to be a single-type use development (that is, all residential or all commercial) each phase of development must:

(a) Contain a reasonable balance of use types that will advance the intent of the Hollering Place as a whole; and

(b) Advance the historical element as delineated in the PUD.

(3) Architectural Character. Structures, which are limited to a footprint of 1,500 square feet, should evoke a village feel that is created through

the buildings' design, scale, massing, connection to public space and relationships to each other.

Structures east of Mill Street must be designed so as not to obscure the view from the upper bluff area, HP-1.

Residences are encouraged on the second floor of structures in the area west of Mill Street. Retail/cottage units may be mixed-use or live/work structures with retail or workshop spaces on the ground floor and a loft-style residential cottage unit above. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.050 Conditional uses in HP-2.**

The following uses are permitted in the HP-2 subdistrict if authorized in accordance with the provisions of Chapter 17.355 CBMC and adequate findings can be made to show the proposed use is complementary to the master plan.

(1) Commercial Use Types.

(a) Limited manufacturing. (See Chapter 17.280 CBMC.)

(2) Any civic, commercial, or agricultural use which is proposed to exceed a 1,500-square-foot footprint in gross floor area. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.060 Estuarine uses and activities.**

The uses and activities set forth in Coos Bay Estuary Management Plan 54-UW may be permitted if, by allowing the use/activity, the intent of the HP zoning district is met. In addition, the use/activity must satisfy Chapter 17.340 CBMC and the provisions of this chapter. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.070 Property development requirements.**

The property development requirements shall apply to all development in the HP district:

(1) Building Height. Buildings shall be arranged and built to maximize the view of the bay, water and water access, and the North Spit.

(a) HP-1 Zoning Subdistrict. Buildings shall be no more than 25 feet in height from grade to the highest point on the roof.

(b) HP-2 Zoning Subdistrict. Buildings shall be no more than 35 feet in height from grade to the highest point on the roof.

(2) Yards. Setbacks are regulated by state building codes. Setbacks from the line of non-

aquatic vegetation are regulated by Coos Bay Estuary Management Plan Policy 23.

(3) Screening. Mechanical equipment, outdoor storage areas, utility vaults, refuse storage, fuel storage tanks, fire check valves, service and loading areas, and the like, shall be located out of view from the general public and shall be screened in a manner so that they are not visible from adjacent streets, public pedestrian walkways, the water, or the upper bluff area. Satellite dishes and mobile communications cell sites shall be screened and located in such a manner so as to reduce visibility from adjacent roadways, pedestrian ways and the bluff.

Screening devices must be designed to directly relate in materials, character, finish, color and detail to the primary structure. Landscaping may assist in screening enclosures and equipment/utility storage areas. Screening should not result in hiding places or entrapment areas.

(4) Utility Lines. Utility lines, including, but not limited to, those used for electricity, communications, street lighting and cable television, shall be placed underground. The design review board may waive the requirements if topographical, soil or other conditions make such underground installation or screening of above-ground equipment impracticable.

(5) Drive-through windows are prohibited.

(6) Murals. Murals are prohibited.

(7) Site Plan and Architectural Review (SPAR). A PUD, as required for the HP zoning district, requires, in part, approval of a site plan and architectural review, as set forth in Chapter 17.345 CBMC. Likewise, after approval of the PUD, a SPAR may be required to ensure an improvement is suitably related to its site and surrounding site and structures.

(8) Architectural Design Review. Approval of an architectural design review, as set forth in Chapter 17.390 CBMC, shall be required for all development. For the purposes of this chapter, "development" is defined as any new structure or an extension or increase in floor area or height of an existing structure, or change to the style, signage, color, window (size/pattern/material), siding, or detailing on the exterior of any existing building.

(a) The provisions of this chapter shall not prevent construction, reconstruction, alteration, restoration, demolition or removal of any buildings

or portion of a building when the building official or fire marshal determines that such an emergency action is required for the public safety due to an unsafe or dangerous condition.

(b) Ordinary maintenance or repair of the exterior of a structure that does not involve a change in design or external appearance is exempt from design review. Similar or like materials must be used for the maintenance or repair.

(9) Historical Elements. The "story trail" concept set forth in the master plan, which provides information about the Hollering Place and its history, shall be exhibited at different interpretive points of interest throughout the HP zoning district. Developers will be required to set aside space to accommodate historical elements such as the "story trail" and interpretive signs. The location of the elements must be determined at the time of the PUD.

(10) Parking. All parking areas must be supported by landscape buffers. Parking in HP-1 must be located on the southern portion of the area and visually subdued from Empire Boulevard with low-growing plant material.

Except for residential uses, off-street parking requirements as set forth in CBMC 17.200.040 do not apply for the HP zoning district.

(11) Partitioning to allow for separate financing of individual components of the development may be done as part of the planned unit development process. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.080 Site design, guidelines and standards.**

All development in the HP district shall be consistent with the intent of the master plan and with the site design, guidelines and standards listed in this section. Site design shall respond to environmental, cultural and historic site features by taking advantage of existing view corridors, land use patterns, landforms, prevailing winds, and water-related activities. Long-term sustainable practices should be a focus, including marine resource protection, native plant communities, and habitat enhancement.

(1) Vehicle Circulation. The existing street patterns, access points and rights-of-way off of Empire Boulevard shall remain. The primary entry point to the lower development will be from Newmark Avenue with a secondary access along Mill

Street off of Michigan Avenue. Access to existing businesses and uses will remain, but will be modified to support on-street parking. Existing access to the boat ramp and parking lot shall remain. Parking along Holland Avenue, the south property line of the subject property, shall remain as boat ramp parking.

(2) Pedestrian Circulation. Pedestrian connectivity and continuity should be provided throughout the project with clear crosswalks, curb cuts that meet code, and adequate lighting. High-quality site furnishings suitable for coastal environments with long life and low maintenance should be provided.

(3) Historic Elements. The installation of interpretive panels are to celebrate early Hanisitch settlements and stories; early settlers and industries; estuary and wildlife themes, etc. During the PUD process, the developer will be required to set aside designated space where the panels and “story trail” will be located. The creation, installation and maintenance of panels and trail will be the responsibility of the city as development occurs.

(4) Landscape. All landscaping plans, including the plan for irrigation, shall be approved by the approving authority and installed and subsequently maintained in good condition and in perpetuity by the owner of the property. The landscape plan should reflect a theme (continuity) to be carried out throughout the development. For example, two to three large tree types, four to six shrub types, evergreen and deciduous framework, and color and highlights. Maintenance shall include, but not be limited to, watering, pruning, trimming, mowing, debris and weed removal, and, if necessary, replanting or replacement of failed landscape elements. Failure to maintain the landscaping in good condition shall be considered a violation of this code. Landscaping must not result in hiding places or entrapment areas or create a danger to pedestrians.

(a) Landscaping should be in scale with adjacent buildings and be of appropriate size at maturity. Trees and shrubs used shall be selected from varieties compatible with the southern Oregon coast climate and which do not have destructive root systems which could damage either buildings or paved surfaces. Where parking lots abut buildings, foundation plantings are required.

(b) The landscaped area shall be planted with shrubs and/or ground cover to assure 50 percent

coverage within one year and 90 percent coverage within five years. All landscaped areas should be planted and uniformly mulched. [Ord. 432 § 3 (Exh. B), 2010].

#### **17.127.090 General design guidelines and standards – Architectural form and composition.**

Visual linkages shall be established between the Empire business district and development on the bluff along Empire Boulevard, the various development areas on the lower site, views to the bay, and potential future development on adjacent sites. Buildings shall be designed and located to minimize the effects of undesirable bay winds at ground level. The following design guidelines and standards are provided for all development in the HP zoning district.

(1) Development shall respond to public streets and public spaces. Development along pedestrian routes shall be designed to encourage use by pedestrians by providing a safe, comfortable, and interesting walking environment.

(2) Architectural Character. The desired architectural character of the Hollering Place project is that of vernacular maritime or fishing villages. Examples of this include the many seaside villages and destinations in New England, such as Nantucket, and some of the small towns on the Oregon coast, such as Cannon Beach and Nye Beach, and the Oregon Institute of Marine Biology (OIMB).

Buildings should be designed and appropriately scaled for their function and with respect to their context. Building elevations shall be articulated; long, continuous, unbroken wall and roof planes should be avoided. Architectural detailing and ornamentation, such as cornices, eaves, recessed or covered entryways, and awnings, are encouraged.

(a) Attention shall be paid to the following architectural elements:

- (i) Building form and massing;
- (ii) Building height;
- (iii) Rooflines and parapet features;
- (iv) Special building features (e.g., towers, porches, entries, canopies, signs, and artwork);
- (v) Window size, orientation, and detailing;
- (vi) Materials and color; and

(vii) The building's relationship to the site, climate, topography and surrounding buildings.

(b) Building Entries.

(i) The main entrances to buildings shall be prominent, interesting and pedestrian-accessible.

(ii) The orientation of building entries shall:

(A) Orient the primary entrance toward the street, pedestrian walkway, public plaza or courtyard rather than the parking lot;

(B) Connect the building's main entrance to the sidewalk with a well defined pedestrian walkway; and

(C) Primary entrances shall be designed as inviting architectural features so they are clearly identifiable and offer a sense of arrival.

(c) Building Facades.

(i) Building frontages shall include architectural elements such as, but not limited to: bay windows, recessed entrances and windows, display windows, porches, balconies, or other architectural details or articulation, so as to provide visual interest in addition to creating community character and pedestrian scale. The overall design shall recognize that the simple relief provided by window cutouts or sills on an otherwise flat facade, in and of itself, does not meet the requirements of this subsection.

(ii) The dominant feature of any building frontage that is visible from the public area shall be the habitable area with its accompanying windows and doors.

(iii) Developments shall be designed to encourage informal surveillance of the public areas by maximizing sight lines between the buildings, public spaces and streets. This includes views both at ground level and from upper level balconies and windows.

(iv) The exterior walls of all building facades shall be of suitable durable building materials. All facades of any given building should be of consistent building materials. Side and rear building facades must have a level of detail and finish compatible with the front facade. If windowless walls are proposed, appropriate wall articulation is to be incorporated into the design to be compatible with the more prominent facades of the building.

(v) A preliminary review by the city is required if the following materials are contemplated:

(A) Unfinished concrete (painted or unpainted);

(B) Unfinished concrete block (painted or unpainted);

(C) Unarticulated board siding (e.g., T1-11 siding, plain plywood, sheet pressboard);

(D) Concrete block, split-face block, and cinder block.

(vi) Appropriately scaled architectural detailing is encouraged.

(vii) Awnings or canopies are encouraged. Backlit awnings are prohibited.

(d) Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows;

(e) Use muted and naturally occurring colors as predominant building colors.

(f) Building rooflines shall be designed to create architectural interest and contribute to the overall identity of the area.

(g) Lighting of a building facade shall be designed to complement the architectural design. Lighting shall not draw inordinate attention to the building.

(h) Service Zones.

(i) Building and sites shall be organized to group the utilitarian functions away from view of the public area.

(ii) Delivery and loading operations, mechanical equipment (HVAC), trash compacting/collection, and other utility and service functions shall be incorporated into the overall design of the building(s) and the landscaping. Because of views from the wayside in HP-1, roof-mounted equipment as HVAC, etc., shall be prohibited unless incorporated with architectural screening.

(iii) The visual and acoustic impacts of these functions, along with all wall or ground-mounted mechanical, electrical and communications equipment, shall be out of view from adjacent properties and the public realm.

(iv) Screening materials and landscape screens shall be architecturally compatible with the principal materials of the building.

(3) Signs. The standards in this subsection are in addition to the standards in Chapter 17.230 CBMC. If the provisions conflict, the stricter shall

apply. Signs on the building facade should be clear, informative and made of high-quality, durable materials for longevity. Oversized, glaring and excessive signage is prohibited. Signs should take into account the scale of the building and the viewer, particularly the pedestrian. All signage unless specifically stated is subject to review by Chapter 17.390 CBMC, Architectural Design Review. General standards for signage follow:

(a) Size, materials, style, position and color shall complement the building facade and shall be compatible with the surrounding area. Signs may be illuminated by very low level lighting during evening hours and the lighting shall not flow onto the adjacent property or street.

(b) Signs on a business front are limited to a building sign on each building face (identifying the building name) and a sign for each business entry (vehicular or pedestrian).

(c) Sign Types.

(i) Wall-mounted signs are permitted not exceeding two feet in height. Letters shall not exceed 18 inches in height or width and one inch in relief. A wall/fascia sign must not extend across two storefronts or across separate buildings.

(ii) Building plaques bearing an appropriate thematic decorative motif, or an owner's or building's name may be placed in the building's cornice wall or under the eaves, and above the upper story windows.

(iii) Street addresses (building numbers) shall be placed above street entry doors and be visible to the pedestrian and emergency services. In instances where the entry doors are not clearly visible from the street, the street address shall be affixed to a permanent structure at the primary entranceway to the property.

(iv) Building identification shall include signage at the pedestrian level, clearly visible from the adjacent sidewalk. This can include one or more of the following: window and door signs, projecting signs and awning signs as described below.

(v) Temporary window signs may be allowed on storefronts. The area of the text and graphics shall not cover more than 30 percent of the window area.

(vi) Door signs of wood, bronze, metal, stone or glass may be placed on either or both sides of the entry doors with the street address located

above the door. They shall not exceed two square feet and one inch in relief.

(vii) Awning Sign. Advertising material attached to an awning is an awning sign. Signs may be hung from or located on the face of any overhang or awning.

(viii) Projecting Sign. A projecting sign is a sign where the message area is displayed perpendicular to the building facade. The sign should be hung from the building face below upper floors so as to be visible to pedestrians.

(ix) Freestanding signs, such as, but not limited to, a sandwich board, pedestal sign holder, and other types of freestanding signs shall be included as part of the maximum allowable area for signs and are prohibited in the right-of-way without a right-of-way use permit.

(x) Neon Sign. Any sign where neon or other gas contained in tubing is illuminated by the application of electric current. Signs such as "open" or "closed," which are no more than two square feet in size, are permitted without review.

(xi) Miscellaneous. In addition to the above sign types, other types of signing may be appropriate if they meet the criteria listed under subsections (3) and (3)(a) of this section.

(xii) Prohibited Signs.

(A) Pole-mounted signs and billboards;

(B) Electrical or Mechanical Signs. No sign shall contain or be illuminated by any flashing, blinking, moving or rotating light;

(C) Internally illuminated sign (neon tubing signage shall not be considered as internally illuminated sign);

(D) Readerboards;

(E) Electric message display signs;

(F) Roof signs;

(G) Attraction devices (strings, groupings, or pinwheels). [Ord. 432 § 3 (Exh. B), 2010].

### **17.127.100 Hollering Place master plan.**

The Hollering Place master plan, adopted December 2, 2008, by the Coos Bay urban renewal agency, follows. [Ord. 432 § 3 (Exh. B), 2010].

Code reviser's note: The online code links to a color version of the master plan.