



**BINGEN POINT BUSINESS PARK
COVENANTS, CONDITIONS, AND RESTRICTIONS**

**Adopted March 18, 2003
Resolution 5-2003**

OBJECTIVES

These Conditions, Covenants and Restrictions have been prepared for the purpose of guiding development at Bingen Point Business Park. The implementation of these standards is intended to promote compatibility, continuity of design and help facilitate orderly development.

These CC&Rs shall run with the land and bind all future landowners and their successors, assigns, lessees and sub-lessees. The development of all sites at Bingen Point Business Park shall conform to the standards of Klickitat County Port District #1, consistent with regulations and ordinances of other governing bodies granted jurisdiction at Bingen Point.

The Port considers these standards to be minimum, assuming firms and individuals locating at Bingen Point Business Park will wish to do the finest possible job in their own self-interest.

PART I

PLAN REVIEW

A. POLICY

The Klickitat County Port District #1 will review all plans submitted in order to insure conformance with the Port's Standards for Development. The Port will accept, conditionally accept or reject the proposed plans based upon its review of the intent of the standards, the available facts regarding the particular project and the best interest of all concerned property owners. The review process will consider the unique aspects of each of the tenant's requirements and allow flexibility within the intent of the document.

As outlined in this section, the Port will review both the preliminary and final plans. The review of plans will consider two distinct areas:

1. A review of conformance to the sections of the standards that outline detailed requirements such as setbacks, height restrictions and other specific requirements.
2. A review of subjective design elements such as buildings, site layout and landscaping to insure compliance with the intent of the Port to provide a quality development in a "Harbor Town" theme as described in Section II of this document. Design will be reviewed with respect to compatibility with the surrounding development, use of indigenous materials and functional efficiency.

B. PORT CONTACT

All plans and correspondence concerning submission plans for original construction, as well as additions or remodeling, shall be made to The Klickitat County Port District #1 Executive Director. The following sections outline the review process and identify those materials that are to be submitted to the Port for approval.

C. REVIEW PROCESS

The Port review process involves three (3) steps:

1. Pre-Submission Conference: Project Preliminary Site Plan is submitted to the Executive Director with a general review of Project detail and a determination of additional information or graphics is necessary before scheduling the Preliminary Site Plan Review before the Port District's Site Plan Review Team.
2. Preliminary Site Plan Review: The Executive Director schedules a formal Preliminary Site Plan Review before the Site Plan Review Team. Careful evaluation is made of the Preliminary Site Plan and commentary/recommendations for revision, additions, deletions, and for approval or denial of the Project Site Plan. The Plan must conform with the Port's adopted Binding Site Plan for Bingen Point. It is generally good to have the project developer or his representatives at the Preliminary Site Plan Review.
3. Final Site Plan Review & Approval: The Executive Director presents the Preliminary Site Plan (as may be adjusted or revised) to the Commission of the Klickitat County Port District No. 1. The Commission may make recommendations of revision to the Project Site Plan, approve the Site Plan as submitted or revised, or deny the Site Plan.

After the Port approves and stamps the final plans, the Port will notify the applicant. **The applicant may then proceed to apply for permits such as planning (zoning), building, construction and utility permits from the proper local, state or federal jurisdiction.**

D. MATERIALS FOR SUBMISSION

1. Preliminary Plans (3 copies of each of the following except one material board)
 - a. Detailed site plan. (minimum scale of 1 inch equals 20 feet; (minimum print size 11 inches by 17 inches) showing:

The site plan shall clearly indicate the location, size, and dimensions of all proposed uses of the subject site, including buildings, paving, landscaping and other surface features. The drawing shall be based on an existing conditions boundary/topographic survey in keeping with the Port's Binding Site Plan and shall be drawn to industry design standards.
 - b. Utility Plan

The utility plan shall indicate all existing and proposed utilities including storm and sanitary sewer, domestic water, electricity/communications and any other utilities required by the development. Plans shall indicate elevation grades consistent with standard engineering design.
 - c. Landscape Plan

The landscape plan shall indicate the size, specie and spacing of all plant materials.
 - d. Basic floor plans and elevations.
 - e. Color and material board for exterior materials.
2. (3 copies of the following)

The final plan submittal shall include the final version of the preliminary documents, with revisions required as a result of the Port's initial review, plus details for signage and landscape irrigation, and a construction schedule. **It is intended that this document package is the same as that which will be submitted for building permits to the appropriate jurisdiction.**

E. CONSTRUCTION REQUIREMENTS

1. Underground Utilities

As-built drawings of the underground utilities within any required utility easement area shall be furnished to the Port.
2. Inspection of Facilities

The Klickitat County Port District #1 or its agent will conduct inspections of the site during and after the construction period to determine conformance with the approved final plans. Changes made after the Port's Notice To Proceed is issued that affect the previously approved plans shall be submitted to the Port for approval.

3. Future Remodeling & Additions

Plans shall be submitted to the Port for approval prior to remodeling or alterations to approved development. The review of such plans shall be accomplished in the same manner as new development.

Additional inspections and plan reviews related to permits from proper local, state or federal jurisdictions might also be required.

PART II

DEVELOPMENT STANDARDS

A. LAND USE AND ZONING

The Bingen Point Business Park is under the jurisdiction of Klickitat County. While the applicable zoning is "General Industrial," Section 2.14:10 of the Zoning Code provides that the Port District may establish its own set of land uses which may be allowed on land under its jurisdiction.

Property no longer under the Port District's ownership shall be reviewed under Klickitat County's jurisdiction in conjunction with these Conditions, Covenants & Restrictions; the more restrictive may apply.

While the Port is primarily charged with economic development and job creation, Bingen Point has been identified as a site that can provide extensive public access and amenities in an attractive, mixed-use, business environment.

It is the intent of the Port of Klickitat that the Bingen Point Business Park will be developed with a mix of light industrial and commercial activities. Examples of suitable uses include the manufacture or assembly of light products, wholesale/distribution business, and office/retail. Heavy industrial uses that require substantial truck traffic and have the potential to create significant noise, light, or emissions are not suitable. Limited amounts of residential development may be acceptable based on the Port's satisfaction that future land use conflicts will be avoided.

Any residential uses that may be approved at Bingen Point shall require all owners and tenants to sign an INDUSTRIAL AND BUSINESS ZONE MANAGEMENT EASEMENT to ensure continuing compatibility with neighboring primary uses.

The Port does not desire to list specific compatible or non-compatible uses, but will rather evaluate specific proposals based on the above general guidelines.

B. SITE DESIGN STANDARDS

1. Building Setbacks:
 - a. Front yard including all street frontages: 25 ft. minimum
 - b. Side yard: 10 ft. minimum
 - c. Rear yard: 5 ft. minimum; except 20 ft. minimum adjacent to the Columbia River and Bingen Lake, or as required by the Klickitat County Shoreline Master Plan, whichever is greater
2. Parking Setbacks:
 - a. Front yard including all street frontages: 10 ft. minimum
 - b. Side yard: 5 ft. minimum
 - c. Rear yard: 5 ft. minimum
 - d. Joint access: Approval by the Port of a joint property access includes deviation from the required parking setbacks based on the specific site design
3. Parking Area Layout:
 - a. Minimum stall size: 9 ft. X 20 ft.; a 2' landscape or sidewalk overhang is permissible; handicapped per Uniform Building Code.

- b. Interior landscape islands: parking spaces shall be grouped in sections containing not more than 20 spaces, defined by landscape islands at least 5 feet in width. At least 3% of the interior area shall be landscaped (does not include required perimeter landscaping).
 - c. Aisle width: 24 ft. minimum for two-way/90 degree parking areas. Angle parking and/or one-way aisles will be considered on a case by case basis, if the Port finds that 90-degree parking is not appropriate for the specific site design in question.
 - d. Pedestrian connections consistent with the Pedestrian Master Plan Loop are encouraged.
- 4. **Parking Area Surfacing:**
Parking and driveways shall be concrete or asphaltic paving, designed to accommodate the anticipated vehicle loading.
- 5. **Off Street Parking Minimum Quantities:**
 Industrial.....1 spaces per 1000 gross square feet of building
 Office.....2.5 spaces per 1000 gross square feet of building
 Residential.....2 spaces per unit
 The minimum number of spaces is calculated by applying the above ratios to the area devoted to each use within a building. The quantity of handicapped spaces is based on Uniform Building Code. No on-street parking is allowed within Bingen Point Business Park.
- 6. **Access:**
 - a. Number of access points: maximum of 2 per lot for lots with less than 500 feet of street frontage; for lots with over 500 feet of frontage the Port will evaluate proposed access on a case by case basis.
 - b. Access width: 15 ft. minimum for one-way access; 24 feet for two-way access. Maximum width: 38 ft.
 - c. Location: access point spacing shall be 100 ft. minimum, measured between centerlines or from centerline to right-of-way point of tangent for corner lots.
- 7. **Landscaping and Screening:**
 - a. All required setbacks and additional setback area that may be included shall be landscaped. Areas designated for future development shall be provided with temporary ground treatment (gross or alternate subject to Port approval).
 - b. Landscape plans shall provide at least 30% coverage of the landscaped area in perennial living plant materials such as ground covers, shrubs, hedges, trees and turf. Decorative rocks and annual plants may be added in addition. A mixture of deciduous and evergreen plant materials is encouraged. There shall be a minimum of five trees per acre on each lot. Vegetative ground cover or turf shall be provided in proximity to each tree. The use of berms, varying ground covers and lawn is encouraged wherever practical. The plant materials list in "Part 1 – Roadway Landscaping" of The Bingen Point Landscape Master Plan identifies the material likely to survive in the local climatic conditions and categorizes the size and habit of the plants.
 - c. Plant materials shall be sized and installed to normal industry standards.
 - d. Permanent underground irrigation shall be provided.
- 8. **Outside Storage**
 - a. Outside storage areas shall be screened from view from public streets either by placement on the site or by sight obscuring fencing and/or vegetation.

9. Utilities
 - a. Utilities shall be placed underground, except for equipment such as meters or transformers, which must be screened from view from the public right-of-way.

C. BUILDING DESIGN STANDARDS

1. Design Concept:

It is the intent of the Port District that buildings in the Bingen Point Business Park all share a common theme related to the “Harbor Theme” concept. In general, this will be represented by designs that reflect the port-based enterprises in the area, and indicate a relationship to the river as well as the Gorge design cues. Each design approved by the Port will add definition to this overall theme, which should be built upon by future proposals.
2. Materials:

Exterior materials should respond to the nature of the area, and may include concrete, concrete block, stone, wood or brick. Steel panels may be opposed depending on the finish color and relationship to the building design. Sufficient glass should be included to clearly present a building “front” commensurate with the business park atmosphere.
3. Colors:

Colors shall be selected to be complementary with the materials and the surroundings. Non-glare finishes, particularly on roofs, are required.
4. Height:

The maximum building height measured from finished grade to top of parapet or peak is 50 feet. Mechanical units may exceed this height if screened to the satisfaction of the Port. In all uses, mechanical units on rooftops must be screened.
5. Coverage:

The maximum building coverage, based on gross floor area divided by lot area, is 60%.
6. Temporary buildings:

Temporary buildings (modular units, trailers, etc. that are not placed on a permanent foundation and subject to a building permit) are prohibited except for during initial construction of the permanent building.

D. SIGNS (OTHER THAN PORT SIGNS)

1. Freestanding signs:

Maximum of one per lot, indicating only the name and address of the on-site tenant(s); maximum height 4 ft.; maximum area 16 sf.; flashing and rotating elements are prohibited.
2. Wall signs:

Maximum of one each on two building walls per lot; maximum size of each 50 sf. or 3% of the wall surface on which it is located, whichever is less. Wall signs must be painted on or not over 4 inches from wall surface.
3. Directional signs:

Maximum area 4 sf. recommended; quantity and location at Port discretion.
4. Temporary signs:

Maximum of one temporary real estate sign per street frontage; maximum area 16 sf. per side (two sides per sign).

5. Multiple tenant signage:
In multi-tenant buildings one additional wall sign per tenant noting only the tenant name may be provided; maximum area 12 sf.
6. Sign location:
No sign may protrude above the highest point of the building on which it is located. Free-standing signs shall be located to preserve adequate vehicular sight distance.

E. AREA LIGHTING

The objective of lighting is to illuminate landscaped areas, signs, buildings, parking areas, storage areas and operation areas for decorative or security reasons. The light must not dominate the buildings or landscape, but blend as an integral part of the total development. All lighting shall be shielded from properties and higher elevation properties. All utility service for lighting shall be underground. The minimum illumination levels shall be:

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|-------------------------|-----------------|
| Parking areas | 1.0 foot-candle |
| Vehicle exits/entrances | 2.0 foot-candle |
| Walkways | 1.0 foot-candle |
| Storage areas | 0.5 foot-candle |

Light fixtures shall be of a design consistent with the building design concepts described above, and shall be specified in the materials presented for Port approval.