



City of Warrenton Planning Commission
Regular Meeting Agenda
Thursday, February 12, 2026 – 6:00 PM
City Hall, 225 S. Main, Warrenton, OR 97146

*****The meeting will be broadcast via Zoom at the following link*****

<https://us02web.zoom.us/j/5332386326?pwd=VHNVVXU5blkxbDZ2YmxlSWpha0dhUT09#success>

Meeting ID: 533 238 6326 | Passcode: 12345 | Dial-in Number: 253-215-8782

Below are the methods to provide public comment and/or public testimony on a public hearing:

1. In-person: Complete a comment card and submit to the Secretary prior to the start of the meeting.
2. Via Zoom: Register with the Secretary, at planning@warrentonoregon.us no later than 3pm the day of the meeting. Please ensure that your zoom name matches the name registered to comment.
3. Written comments: Submit via e-mail to the Secretary, at planning@warrentonoregon.us, no later than 3:00 p.m. the day of the meeting.

Public Comment: To provide public comment, participants should register prior to the meeting. All remarks will be addressed to the whole Commission and limited to 3 minutes per person. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter. Once your public comment is submitted it becomes part of permanent public record.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
 - A. Planning Commission Regular Minutes - 01.08.2026
4. **Reports**
5. **Public Comment**
6. **Public Hearings**
 - A. DCR-24-6 Residential Code Audit
7. **Business Items**
8. **Discussion Items**
9. **Good of the Order**
10. **Adjournment**

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Hanna Bentley, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.



City of Warrenton Planning Commission

Meeting Minutes

City Hall, 225 S. Main Warrenton, OR 97146

Thursday, January 08, 2026

City Commission meeting called to order at 6:00 pm and Pledge of Allegiance

Attendance

Commission Members	Present	Excused
Tony Faletti	X	
Dan Heath	X	
Brooke Terry	X	
Carla Gonzalez	X	
David Burkhart	X	
Colin Atkinson	X	
Nicole Bian	X	

Staff Members Present	
City Manager Esther Moberg	Planning Commission Secretary Judith Stich

Approval of Minutes

- A. Planning Commission Special Minutes and Planning Commission Regular Minutes
12.11.2025

Motion:	I make a motion to approve the minutes				
Moved:	Bian				
Seconded:	Terry	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Burkhart	X			
	Atkinson	X			
	Bian	X			
Passed:	7/0				

Public Comment – None

Public Hearings

- A. CUP-25-5

Warrenton Planning Commission

Meeting Minutes 01.08.2026

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Chair Tony Faletti opened the hearing. The staff report was presented by City Manager, Esther Moberg. Ms. Moberg mentioned that there were a couple clerical error corrections in the packet and that the one before them was different from the one that was sent to them prior. Ms. Moberg continued to describe the nature of the conditional use permit as being a vacation rental in a commercial mixed-use zone. Ms. Moberg mentioned that the application was almost identical to the previous applications that the applicant had submitted, the only difference was the address.

Chair Faletti asked if there were any questions that the commissioners had for staff. There were only a few clarifying questions regarding the nature of short-term rentals and the other units that this applicant had already approved through the conditional use process. There were no more questions for the staff, and Chair Faletti asked if the applicant would like to speak but the applicant, Mark Hansen, was not in attendance. Chair Faletti then asked if there was any public comment, there was none, and so the Commissioners deliberated amongst themselves.

Motion:	Based on the findings and conclusions of the January 8th, 2026, staff report I move to approve cup-25-5 subject to the conditions of approval included in the staff report				
Moved:	Terry				
Seconded:	Heath	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Hayward	X			
	Atkinson	X			
	Bian	X			
Passed:	7/0				

B. DCR-25-3

Chair Faletti opened the hearing. The staff report was presented by Ms. Moberg. Ms. Moberg mentioned that there were a couple clerical error corrections in the packet and that the one before them was different from the one that was sent to them prior. It was mentioned that this revision had already had work sessions and in the works for more than a year now.

The Staff Report touched on improper grading causing issues around the city. Ms. Moberg mentioned that some grading had created flooding onto other neighboring properties, and that this revision would speak to the issues that had been observed over the years. There were a few questions from the commissioners, Ms. Moberg answered in lieu of a planner. The code revision was brought forward by the City of Warrenton, so Ms. Moberg answered questions as both staff and as the applicant.

There was no public comment, and so the commissioners deliberated amongst themselves. The commissioners mentioned that clarity of the code and holding people accountable were good things. The deliberations were short in nature due to the number of questions that were asked of staff. Chair Faletti asked for a motion.

Motion:	Based on the findings and conclusions of the January 8th, 2026, staff report I move to recommend changes to the development code as described recommending the attached drafted ordinance and forward to the City Commission for proposed public hearing with recommendation to adopt				
Moved:	Bian				
Seconded:	Atkinson	Aye	Nays	Absent	Recused
Vote:	Faletti	X			
	Heath	X			
	Terry	X			
	Gonzalez	X			
	Hayward	X			
	Atkinson	X			
	Bian	X			
Passed:	7/0				

Business Items - None

Discussion Items - None

Good of the Order

- A. Ms. Moberg briefly updated the Commissioners on the status of the City Planner and that the city would be starting the recruitment process.

Adjournment

There being no further business, Chair Faletti adjourned the meeting at 6:55 pm.

Approved:

Attest:

Tony Faletti, Chair

Judith Stich, Secretary



City of Warrenton

Planning Department

225 S Main Avenue ■ P.O. Box 250 ■ Warrenton, OR 97146

Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: The Warrenton Planning Commission
FROM: Scott Fregonese, Consulting Planner
DATE: February 2, 2026
SUBJECT: Comprehensive Plan Text Amendment (DCR-24-6)

BACKGROUND

The city of Warrenton received a grant from the State of Oregon Department of Land Conservation and Development (DLCD) to update its development code to comply with and exceed housing-related statutes and facilitate housing production, affordability, and choice. Amendments include allowing duplexes on all single-family detached lots in accordance with House Bill 2001. Other amendments include revisions to single-family housing (accessory dwelling units, manufactured homes) and the other middle housing types (tri/quadplex, townhomes, cottage clusters).

PUBLIC PROCESS, PROCEDURES & PUBLIC NOTICE

Notice of the proposed amendments was submitted to DLCD on February 3, 2025 and updated on February 3, 2026. Notice of the public hearing was published in The Astorian on January 29, 2026.

DEVELOPMENT CODE, COMPREHENSIVE PLAN, STATE LAW AND FINDINGS

The applicable Warrenton Municipal Code (WMC) chapters for review of this application are:

- 16.208.060 Type IV Procedure (Legislative and Map Amendments)
- 16.232 Amendments to Comprehensive Plan Text and Map, Rezone, and Development Code

Development Code Chapters updated include:

- 16.12 Definitions
- 16.25 Low Density Residential (R-40) District
- 16.28 Intermediate Density Residential (R-10) District
- 16.32 Medium Density Residential (R-M) District
- 16.36 High Density Residential (R-H) District

- 16.92 Airport Operations Overlay District
- 16.112 Growth Management (GM) Zone Standards
- 16.114 Neighborhood Master Plans
- 16.120 Access and Circulation
- 16.128 Vehicle and Bicycle Parking
- 16.168 Manufactured Home Design Standards
- 16.180 Accessory Structure, Accessory Dwelling, Garage, and Carport Design Standards
- 16.184 Townhouse, Triplex and Quadplex Design Standards
- 16.188 Multifamily Housing Design Standards
- 16.202 Cottage Cluster Housing
- 16.224 Planned Unit Developments

Comprehensive Plan Articles updated include:

- 3- Land and Water Use
- 5- Columbia River Estuaries and Estuary Shorelands

The proposed amendments must also result in the continued compliance of the Warrenton Comprehensive Plan with the 19 Oregon statewide planning goals.

Findings addressing each of the specific Warrenton Municipal Code provisions and the 19 statewide planning goals are identified below.

Unless discussed below, the proposal has met the requirements of the applicable review criteria fully, and/or the Code's criteria are not applicable to this proposal and therefore do not warrant discussion. Where conditions are necessary for the proposal to meet the provisions of the Warrenton Municipal Code or Statewide Planning Goals, the provisions are included beneath the findings for the applicable section. Subsections of specific criteria not applicable to the proposal are omitted from this report and indicated with a triple asterisk (***) .

Chapter 16.208 Types of Applications and Review Procedures
16.208.060 Type IV Procedure (Legislative and Map Amendments)

C. Notice of Hearing.

1. Required Hearings. A minimum of two hearings, one before the Planning Commission and one before the City Commission, are required for all Type IV applications.

2. Notification Requirements. Notice of public hearings for the request shall be given by the Community Development Director in the following manner:

- a. At least 20 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the Comprehensive Plan or any element thereof, or to adopt an ordinance that proposes to rezone***

property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

- ii. Any affected governmental agency.***
- iii. Recognized neighborhood groups or associations affected by the ordinance.***
- iv. Any person who requests notice in writing.***

b. At least 10 days before the scheduled Planning Commission public hearing date, and 10 days before the City Commission hearing date, notice shall be published in a newspaper of general circulation in the City.

d. The Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed Comprehensive Plan and development code amendments pursuant to ORS 197.610, as amended.

STAFF FINDING: This criterion is met. This proposed Type IV application is scheduled before the Warrenton Planning Commission on February 12, 2026. The Planning Commission will make a recommendation to the City Commission who will make the final decision on this application. Public notice has been sent in accordance with this section.

F. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Commission shall be based on consideration of the following factors:

- 1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197 (for Comprehensive Plan amendments only);***
- 2. Comments from any applicable federal or state agencies regarding applicable statutes or regulations;***
- 3. Any applicable intergovernmental agreements; and***
- 4. Any applicable Comprehensive Plan policies and provisions of this Code that implement the Comprehensive Plan. Compliance with Chapter 16.232 shall be required for Comprehensive Plan amendments, and land use district map and text amendments.***

STAFF FINDING: This criterion is met. Specific findings regarding the 19 Oregon Statewide Planning Goals and WMC 16.232 are found further in this report.

Chapter 16.232 Amendments to Comprehensive Plan Text and Map, Rezone, and Development Code
16.232.020 Legislative Amendments

Legislative amendments are policy decisions made by the City Commission. They are reviewed using the Type IV procedure in Section 16.208.060 and shall conform to Section 16.232.060, as applicable.

STAFF FINDING: This criterion is met. This proposal is being reviewed using the Type IV procedure and conformance to Section 16.232.060 is addressed below.

16.232.060 Transportation Planning Rule Compliance

A. When a development application includes a proposed Comprehensive Plan amendment, rezone, or land use regulation change, the proposal shall demonstrate it is consistent with the adopted transportation system plan and the planned function, capacity, and performance standards of the impacted facility or facilities. The proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. See also Chapter 16.256, Traffic Impact Study. Where it is found that a proposed amendment would have a significant effect on a transportation facility, the City will work with the applicant and, where applicable, with the roadway authority to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of a "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Transportation System Plan; or

2. Change the standards implementing a functional classification system; or

3. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or

4. Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

STAFF FINDING: The proposed amendments to the Warrenton Development Code and Comprehensive Plan will not significantly affect a transportation facility in the city. Addition of middle housing as permitted outright in residential zones is expected to increase housing production within the city by no more than 3% over what could be expected to develop if the proposed amendments were not adopted. This modest increase in housing, as a maximum impact of the proposed amendments, would not result in a reduction in the level of service of any transportation facilities below the minimum acceptable level identified in the adopted TSP. This standard is met.

B. Amendments to the Comprehensive Plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

- 1. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or**
- 2. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the transportation planning rule; or**
- 3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.**

STAFF FINDING: As stated above, the amendments will not significantly affect a transportation facility and, therefore, the city's standards remain consistent with the function, capacity and level of service for all transportation facilities as identified in the TSP. This standard is met.

CONSISTENCY WITH STATEWIDE PLANNING GOALS

- 1. Goal 1 – Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

STAFF FINDING: Goal 1 requires the City to incorporate six key components in its public involvement program:

- Citizen Involvement: An officially recognized committee for public involvement broadly representative of geographic areas and interests related to land use and land-use decisions to provide for widespread public involvement;
- Communication: Mechanisms for effective two-way communication between the public and elected/appointed officials;
- Influence: Opportunities for the public to be involved in all phases of the planning and decision-making process including developing, evaluating, and amending plans;
- Technical Information: Access to technical information used in the decision-making process, provided in an accessible and understandable format;
- Feedback Mechanisms: Programs to ensure that members of the public receive responses from policymakers and that a written record for land-use decisions is created and made accessible; and,
- Financial Support: Adequate resources allocated for the public involvement program as an integral component of the planning budget.

The City conducted a Planning Commission Work Session on March 13, 2025 to discuss the proposed code updates. This work session was duly noticed and open to the public.

The Planning Commission is now conducting a public hearing with opportunities for the public to review draft code amendments and discuss key aspects related to the proposed amendments. The City publicized these public meetings on their website and social media, as well as in newspaper print. The amendments were publicized through the DLCDC PAPA website and noticed to the interested agencies and the public.

Based on the findings above, the code amendments are consistent with Statewide Planning Goal 1.

Goal 2 – Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

STAFF FINDING: Statewide Planning Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual basis and follow their plan when making decisions on appropriate zoning. City and county plans must be consistent with one another. Special district and state agency plans and programs must be coordinated with comprehensive plans.

The proposed amendments to the Warrenton Development Code and Comprehensive Plan are consistent with the current Comprehensive Plan. *Article 3 “Land and Water Use”, Section 3.310 “Residential Lands [Policies]” states, “(1) It is the City’s policy to encourage the development of housing needed to accommodate desired growth, and to provide every Warrenton household with the opportunity to obtain a decent home in a suitable neighborhood. (2) Residential densities in each zone will vary with the type of development and the characteristics of the site and surrounding area. (3) New housing developments with four or more dwelling units which carry out particular functions considered beneficial to the community may be allowed to have higher residential densities than permitted for otherwise comparable developments. Functions which qualify include those which the City believes will cluster development in a sound manner or promote energy conservation.*

Updating the Development Code and Comprehensive Plan to specifically identify outright permitted middle housing types in all zoning districts (duplexes) and in intermediate and higher density districts (other plexes, townhouses, cottage clusters) complies directly with the city’s Comprehensive Plan policy to encourage the development of needed housing for “every Warrenton household”, including at various densities, occupancy types (owner and long-term renter) and price points.

Therefore, the amendments, as proposed, are consistent with Statewide Planning Goal 2.

Goals 3 -4 – Agricultural and Forest Lands:

STAFF FINDING: These goals are not applicable because the proposed amendments do not change the City of Warrenton policies required to meet these goals that are directed at rural areas and counties.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.

STAFF FINDING: Goal 5 aims to protect natural resources and conserve scenic and historic areas and open spaces. Particularly in urban areas, the emphasis of Goal 5 is on the inventory and conservation of wetlands, riparian zones, and wildlife habitats.

The proposed amendments do not modify the portions of the Warrenton Development Code and Comprehensive Plan that address measures to protect natural resources or conserve scenic areas, historic areas or open spaces. The proposed amendments do not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the natural resource overlay districts in the Warrenton Development Code. Goal 5 does not directly apply to the amendments because no new Goal 5 program is advanced by this amendment and no existing Goal 5 program is changed by this amendment.

Based on the findings above, the proposed amendments are consistent with Statewide Planning Goal 5.

Goal 6 – Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

STAFF FINDING: Goal 6 instructs local governments to consider protection of air, water and land resources from pollution and pollutants when developing comprehensive plans. The pollutants addressed in Goal 6 include solid waste, water waste, noise and thermal pollution, air pollution, and industry-related contaminants. Comprehensive Plans must demonstrate consistency with the administrative rules related to air, water, and land quality established by the Environmental Quality Commission (EQC).

Under the oversight of the EQC, the Oregon Department of Environmental Quality (DEQ) regulates air, water, and land through its permitting actions under the federal Clean Water Act and Clean Air Act. The Department of State Lands and the Army Corps of Engineers regulate jurisdictional wetlands and waters of the state and the country, respectively. The City of Warrenton regulates impervious surface and stormwater runoff throughout the City through design standards applied to development. While air quality is largely regulated by DEQ, the City can impose conditions of approval on land use approvals that require minimizing air pollution and carbon emission impacts through actions such as vegetative plantings and conservation.

The Federal Transit Administration and Federal Highway Administration enforce noise standards for federally-funded rail and highway projects. The Oregon Noise Control Act authorizes cities and counties to adopt and enforce noise ordinances and standards of their own.

The proposed amendment package does not modify the existing water resource zoning overlay districts or the noise ordinance. The adoption of the proposed amendments

does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the water resource zoning districts in the Warrenton Development Code. Goal 6 does not directly apply to the proposed amendments, or comprehensive plan amendment because no new Goal 6 program is advanced by this amendment and no existing Goal 6 program is changed by this amendment.

Therefore, Goal 6 is not directly applicable to the proposed amendments as the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 6.

Based on the findings above, the proposed amendments are consistent with Statewide Planning Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards: To protect people and property from natural hazards.

STAFF FINDING: Goal 7 requires local comprehensive plans to address Oregon’s natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Natural hazards applicable to Warrenton include floods, landslides, coastal erosion, weak foundation soils, earthquakes, and wildfires. Goal 7 calls for local governments to respond to new hazard inventory information provided by federal and state agencies by adopting or amending plan policies and implementing measures as needed. For riverine flood hazards, local governments must adopt and implement local floodplain regulations that meet the minimum National Flood Insurance Program (NFIP) requirements. In implementing natural hazard plans and policies, the State goal urges local governments to do the following: coordinate plans with emergency preparedness and recovery programs; consider stormwater management as a means to address flood and landslide hazards; consider nonregulatory approaches to implementing hazard plans; and to require technical reports when reviewing development requests in hazard areas.

The City of Warrenton complies with Goal 7 by regulating development in hazard-prone areas through the standards of the Warrenton Fire Department and Public Works Department standards as well as the following chapters of the development code:

- 16.76 Aquatic Conservation
- 16.80 Aquatic Natural
- 16.84 Coastal Lake and Freshwater Wetlands
- 16.88 Flood Hazard Overlay
- 16.96 Soils Hazard overlay
- 16.100 Beaches and Dunes Overlay
- 16.156 Wetland and Riparian Corridor Development Standards
- 16.160 Columbia River Estuary Shoreland and Aquatic Area Development Standards
- 16.164 Impact Assessment and Resource Capability Determination

The proposed amendments do not modify existing code or design standards related to protecting development from hazards. The adoption of the amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts in the Warrenton Development Code. Goal 7 does not directly apply to the proposed amendments because no new Goal 7 program is advanced by these amendments and no existing Goal 7 program is changed by this amendment package.

Therefore, Goal 7 is not applicable to the proposed amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 7.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

STAFF FINDING: Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. The goal places priority on non-motorized forms of recreation, and recreation areas that serve high-density populations with limited transportation options and limited financial resources. It also places priority on recreation areas that are free or available at a low cost to the public.

The City of Warrenton has a robust system of parks, recreation facilities and trails, including 13 parks and over 10 miles of trails. All of Warrenton's parks, trails, community gardens and open spaces are owned and managed by the city. The city completed a Parks Master Plan in 2020 identifying management and planning for parks facilities.

The proposed amendments do not modify existing facilities or any part of the Parks Master Plan, adopted inventories, the Comprehensive Plan Map, or the overlay zoning districts. Goal 8 does not directly apply to the proposed amendments because no new Goal 8 program is advanced by this amendment and no existing Goal 8 program is changed by this amendment.

Therefore, Goal 8 is not applicable to the proposed amendments because the amendments do not propose to change comprehensive land use plan policies or implementing regulations regarding recreational opportunities in Warrenton.

Based on the findings above, adopting the DCR-24-6 amendments is consistent with Statewide Planning Goal 8.

Goal 9 – Economy of the State: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

STAFF FINDING: Goal 9 ensures cities and counties have enough land available to realize economic growth and development opportunities. Commercial and industrial development takes a variety of shapes and leads to economic activities that are vital to the health, welfare and prosperity of Oregon's citizens. To be ready for these opportunities, local governments perform Economic Opportunity Analyses based on a 20-year forecast of population and job growth.

The proposed amendments are related to the development of residential land and therefore do not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 9.

Based on the findings above, adopting the proposed amendments is consistent with Statewide Planning Goal 9.

Goal 10 – Housing: To provide for the housing needs of citizens of the state.

STAFF FINDING: Goal 10 concerns urban lands designated for residential use. Goal 10 requires the City to maintain and plan for an adequate land supply to accommodate at least 20 years of future growth, providing flexibility in housing location, type, and density (specifically at an overall density of 10 or more units/acre with the opportunity for 50 percent of new units to be attached single family or multifamily) to ensure the availability and prices of housing units are commensurate with the needs and financial capabilities of Oregon households.

Comprehensive plans are required to include an analysis of community housing needs by type and affordability, the recent housing needs assessment of housing development potential, and an inventory of residential land; contain policies for residential development and supportive services based on that analysis that increase the likelihood that needed housing types will be developed; and provide for an adequate supply of a variety of housing types consistent with identified policies and meeting minimum density and housing mix requirements (established by OAR 660, Division 007).

House Bill 2001 requires local governments to consider ways to increase the affordability of middle housing, including considerations related to SDCs, property tax exemptions, and construction taxes. Other measures to consider include the provision and finance of public facilities, incentives for regulated affordable housing supply, and incentives and barriers within the development code.

Warrenton staff have had conversations with city decision makers about the provisions described above. Due to the constrained city budget, no clear path has been identified for financial support from the city, such as SDC waivers, property or construction tax exemptions or the direct provision of public facilities. The city, therefore, has considered incentives and reduced barriers within the development code, such as allowing more housing types outright in more zones, limiting design and dimensional standards and limiting required off-street parking. These development code provisions go above and beyond the provisions of HB 2001's direct applicability in Warrenton as only duplexes

and ADUs are required to be permitted outright (with limited parking requirements) in this city of approximately 6,250 residents. All additional provisions for all other middle housing types are additional incentives and reduced barriers within the development code.

The adopted Warrenton Buildable Lands Inventory (BLI) and Housing Needs Analysis (HNA) identified a surplus of land within the city limits to accommodate housing. However, a lack of housing options is identified with the vast majority of housing (over 70%) in single-family detached and the remaining 30% split amongst multi-family housing, manufactured housing and middle housing. The adoption of the proposed amendments will increase the availability of buildable lands accommodate middle housing types, addressing the lack of workforce housing specifically identified in the BLI and HNA. ORS 197.296(6)(b) allows Warrenton to assume up to a 3% increase in zoned capacity for housing. Given that Warrenton has a surplus of land available for housing, this “upzoning” will have the greatest impact in increasing the *types* of housing permitted on more land within the city. The overall *amount* of land needed to provide needed housing in Warrenton is sufficient with today’s boundaries. In addition, Warrenton will further consider the impacts of middle housing ordinances on land capacity in the next Housing Needs Analysis, as required on a regular schedule by House Bill 2003.

Based on the findings above the DCR-24-6 amendments are consistent with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services: 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.

STAFF FINDING: The City completed a Wastewater Facilities Plan in 2002, a Stormwater Master Plan in 2008, a Water System Master Plan in 2018, a Transportation System Plan in 2019 and a Parks Master Plan in 2020. The proposed amendments do not propose any changes to the adopted master plans, the Comprehensive Plan Map, or the Warrenton Municipal Code. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding public facilities and services for compliance with Statewide Planning Goal 11.

Based on the findings above, the adoption of the proposed amendments is consistent with Statewide Planning Goal 11.

Goal 12 – Transportation: To provide and encourage a safe, convenient and economic transportation system.

STAFF FINDING: Goal 12 is implemented by Oregon Administrative Rules (OAR) Chapter 660, Division 12. Local governments are required to adopt a transportation system plan (TSP) and land use regulations to implement the TSP. OAR 660-012-0060 requires any comprehensive plan amendment to be evaluated according to the terms

outlined in that OAR to demonstrate whether they will have a significant impact on the transportation system. The City of Warrenton completed a Transportation System Plan in 2019. The proposed amendments do not propose any changes to the adopted Transportation System Plan, the Comprehensive Plan Map, or the Warrenton Zoning Map with regard to transportation. The proposed amendments propose no new Goal 12 program and no existing Goal 12 program, or standard, is changed by this amendment package. The amendments do not propose to change the comprehensive land use plan policies or implementing regulations regarding transportation and compliance with Statewide Planning Goal 12.

Based on the findings above, the proposed amendments are consistent with Statewide Planning Goal 12.

Goal 13 – Energy Conservation: To conserve energy.

STAFF FINDING: Goal 13 requires that 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 proposed amendments package does not modify existing design standards or land use regulations related to energy conservation. The adoption of the proposed amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the Warrenton Development Code. Goal 13 does not directly apply to the proposed amendments because no new Goal 13 program is advanced by this amendment and no existing Goal 13 program is changed by this amendment. Therefore, Goal 13 is not applicable to the amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 13.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 13.

Goal 14 – Urbanization: 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.

STAFF FINDING: The entirety of the city is located within the Warrenton Urban Growth Boundary (UGB). As such, this text amendment will not result in the transition of any land from rural to urban uses, or result in population or employment growth outside of the UGB. The proposed amendments do not modify the Warrenton Urban Growth Management Area, the UGB, or existing zoning requirements related to urbanization. The adoption of the proposed amendments does not propose any changes to the adopted inventories, the Comprehensive Plan Map, or the Zoning Map. Goal 14 does not directly apply to the amendments because no new Goal 14 program is advanced by this amendment and no existing Goal 14 program is changed by this amendment.

Therefore, Goal 14 is not applicable to the proposed amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 14.

Based on the findings above, adopting the amendments is consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway: 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.

STAFF FINDING: The city of Warrenton is not subject to the Willamette River Greenway goal.

Goals 16 – Estuarine Resources: To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

STAFF FINDING: The city of Warrenton is subject to the Estuarine Resources goal. The adoption of the proposed amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the Warrenton Development Code. Goal 16 does not directly apply to the proposed amendments because no new Goal 16 program is advanced by this amendment and no existing Goal 16 program is changed by this amendment. Therefore, Goal 16 is not applicable to the amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 16.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 16.

Goal 17 – Coastal Shore Lands: To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

STAFF FINDING: The city of Warrenton is subject to the Coastal Shore Lands goal. The adoption of the proposed amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the Warrenton Development

Code. Goal 17 does not directly apply to the proposed amendments because no new Goal 17 program is advanced by this amendment and no existing Goal 17 program is changed by this amendment. Therefore, Goal 17 is not applicable to the amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 17.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 17.

Goal 18 – Beaches and Dunes: To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

STAFF FINDING: The city of Warrenton is subject to the Beaches and Dunes goal. The adoption of the proposed amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the Warrenton Development Code. Goal 18 does not directly apply to the proposed amendments because no new Goal 18 program is advanced by this amendment and no existing Goal 18 program is changed by this amendment. Therefore, Goal 18 is not applicable to the amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 18.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 18.

Goal 19 – Ocean Resources: To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

STAFF FINDING: The city of Warrenton is subject to the Ocean Resources goal. The adoption of the proposed amendments does not include any changes to the adopted inventories, the Comprehensive Plan Map, or the Warrenton Development Code. Goal 19 does not directly apply to the proposed amendments because no new Goal 19 program is advanced by this amendment and no existing Goal 19 program is changed by this amendment. Therefore, Goal 19 is not applicable to the amendments because the amendment package does not propose to change comprehensive land use plan policies or implementing regulations for compliance with Statewide Planning Goal 19.

Based on the findings above, adoption of the proposed amendments is consistent with Statewide Planning Goal 19.

CONCLUSION AND RECOMMENDATION

The city has demonstrated that the proposed Warrenton Development Code and Comprehensive Plan updates meet the standards of Comprehensive Plan Text Amendment. Staff recommend the Planning Commission recommend approval to the City Commission.

RECOMMENDED MOTION

“Based on the findings and conclusions of the February 2, 2026 staff report, I move to recommend approval of DCR-24-6 to the City Commission.”

ATTACHMENT

1. Proposed Warrenton Development Code Update
2. Proposed Warrenton Comprehensive Plan Update

CHAPTER 16.12
DEFINITIONS

§ 16.12.010. Definitions.

Abutment. A substructure composed of stone, concrete, brick or timber supporting the end of a single-span bridge or the ends of a multi-span superstructure and, in general, retaining or supporting the approach embankment placed in contact therewith.

Abutting. Contiguous or adjoining. It shall include the terms adjacent, adjoining and contiguous.

Access. The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

Access Easement. An easement recorded for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

Accessible. Approachable and useable by people with disabilities. Complies with the Americans With Disabilities Act.

Access Management. The control of street (or highway) access for the purpose of improving the efficiency, safety and/or operation of the roadway for vehicles; may include prohibiting, closing, or limiting direct vehicle access to a roadway from abutting properties, either with physical barriers (curbs, medians, etc.) or by land dedication or easement. See also Section 16.120.020.

Accessory Dwelling. A small, secondary housing unit, usually the size of a studio apartment, located on the same lot as an established detached single-family residence. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. An accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.

Accessory Structure. A structure incidental and subordinate to the primary structure on the property and located on the same lot (i.e., a detached garage used for storage of personal is an accessory structure to a residence). All accessory structures shall comply with the standards of Chapter 16.180, Accessory Structures, Garages, and Carports, and other applicable sections of this Code.

Access/Road Approach Permit. The authorization to connect the edge of a driveway or road approach to a public right-of-way in accordance with applicable City, county, state, or federal access permit requirements.

Accessory Use. A use incidental and subordinate to the primary use of the property and located on the same lot.

Accretion. The buildup of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

Adjacent. Abutting or located directly across a street right-of-way.

Administrative. A discretionary action or permit decision made without a public hearing, but requiring public notification and an opportunity for appeal. See also Section 16.208.040.

Adult Foster Home. A family home or facility in which 24-hour care is provided for five or fewer adults who are not related to the provider by blood or marriage.

Advance Maintenance Dredging. Dredging with the aim of providing year-round channel availability and to allow for an annual dredging cycle. Will not deepen the facility beyond its previously authorized depth.

Adverse Impact. Negative effect of development that can be measured (e.g., noise, air pollution, vibration, dust, etc.).

Affordable. Means housing affordable to a certain percentage of the population earning a specified level of income and spending no more than 30% of their income on housing expenses. For more information, refer to the Federal Department of Housing and Urban Development and the Oregon Department of Housing and Community Services.

Agitation Dredging. A sand by-passer dredge uses a prop-wash to stir up sediments. The current will then carry the sediments downstream away from the shoal area.

Agriculture. As used in this Code, "agriculture" is the same as "farm use" as defined by ORS 215.203(2)(a). See also Chapter 16.196, Agriculture, Horticulture, and Livestock.

Airport.

1. **Approach Surface.** A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. The inner edge of the approach surface is the same width as the primary surface and extends to a width of 1,510 feet for Runway 8; 4,000 feet for Runway 26; 1,000 feet for Runway 13; and 700 feet for Runway 31. The approach surface extends outward a distance of 8,500 feet at a slope of 34:1 for Runway 13; 1,000 at a slope of 20:1 for Runway 31; 10,000 feet at a slope of 50:1 for Runway 26; and 1,700 feet at a slope of 34:1 for Runway 8.
2. **Clear Surface.** Extends from the primary surface to a point where the approach surface is 50 feet above the runway end elevation.
3. **Conical Surface.** A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
4. **Hazard.** Any structures, trees or other objects of natural growth from penetrating airport imaginary surfaces.
5. **Horizontal Surface.** A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the primary surface of each visual or utility runway and 10,000 feet from the center of each end of the primary surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.
6. **Imaginary Surfaces.** Those imaginary areas in space which are defined by the approach surface, transitional surface, horizontal surface, clear surface and conical surface.
7. **Noise Sensitive Areas.** Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 Ldn.
8. **Place of Public Assembly.** Structure or place, which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement,

awaiting transportation or similar activity.

9. **Primary Surface.** A surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is 500 feet for Runway 31-13, and 1,000 feet for Runway 8-26.
10. **Sponsor.** The owner, manager, other person, or entity designated to represent the interests of an airport [OAR 660-013-0020(6)].
11. **Transitional Surface.** These surfaces extend seven feet outward for each one foot upward (7:1) beginning on each side of the primary surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (horizontal surface).
12. **Utility Runway.** A runway that is constructed and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Alley. A street that affords only a secondary means of access to the property. See Section 16.120.020(F).

Ambient. Something that surrounds, as in the level of light, dust or noise.

Apartment. A portion of a building which is occupied or which is intended or designed to be occupied as an independent dwelling unit and contains separate housekeeping facilities for living, sleeping, cooking, and eating. As used in this Code, apartment refers to a secondary and accessory use of a portion of an otherwise nonresidential building; although apartment, as it is commonly used, may refer to an individual unit within a multifamily dwelling.

Appeal. A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Aquaculture. The raising, feeding, planting and harvesting of fish, shellfish, aquatic plants, or other aquatic organisms, including associated facilities necessary to engage in the use.

Aquatic Area. The tidal waters and wetlands, and the land underlying these waters. The upper limit of aquatic areas is the upper limit of aquatic vegetation or, where such a line cannot be accurately determined, mean higher high water.

Arcade. An arched or covered passageway; often along building fronts or between streets.

Area of Shallow Flooding. A designated AO, or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly-defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

Area of Special Flood Hazard. The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Areas so designated on Flood Insurance Rate Maps (FIRMs) always include the letters A or V.

Arterial. A street or road of considerable continuity, which is primarily a traffic artery for intercommunication among large areas. See Chapter 16.136.

Articulate/Articulation. The joining and interrelating of building spaces through offsets,

projections, overhangs, extensions and similar features.

Arts and Crafts Establishment. The sales, teaching, practice, production, and repair of articles in the arts and crafts field, providing that such establishments shall be limited to those requiring special artistic skills or manual skills of a handicraft nature.

Automobile.

1. **Oriented Uses.** "Automobile-oriented uses" means automobiles and/or other motor vehicles which are an integral part of the use; includes drive-up, drive-through, vehicle sales, service, or repair, and similar uses. These uses may be restricted when they detract from the pedestrian-friendly, storefront character of the district and can consume large amounts of land relative to other permitted uses.
2. **Repair.** A business which repairs all aspects of a vehicle, including painting.
3. **Sales or Service Establishment.** A business engaged in the storage, sales or servicing of automobiles, trucks, recreation vehicles, or other vehicles. Gasoline service stations are not included in this definition.
4. **Service Station.** A business primarily engaged in the retail sale and dispensing of internal combustion fuels and lubricating oils for use in automobiles, light trucks, and recreation vehicles. A gasoline service station may also service vehicles (tune-up, brake work, lubrication, engine repair, electrical system work, etc.) if such work is conducted in an enclosed structure built especially for that purpose.

Avulsion. A tearing away or separation by the force of water. Land, which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

Bankline Alteration. Realignment of a stream bank or the entire stream, either within or outside of its normal high water boundaries.

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on Flood Insurance Rate Maps (FIRMs) always includes the letters A or V.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Base Zone. The underlying (or base) zoning district for a particular lot or land area. Chapters 16.24 through 16.88 list all of the City's base zones. Not included in this definition are overlay zones, which are listed in Chapters 16.92 through 16.112.

Beach. Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

Beach Nourishment. Placement of sand material on actively eroding beach sites as a means of preventing further erosion of the bankline and to maintain the historic beach profile. Beach nourishment does not include creation of new land area or beaches and must provide for the protection of estuarine resources (including habitat, nutrient, fish, wildlife, and aesthetic resources). Dredged material may be used for beach nourishment.

Bed and Breakfast Inn. An owner- or operator-occupied dwelling where no more than five

rooms are available for transient lodging and where a morning meal is provided.

Below-Grade Crawl Space. An enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed four feet at any point.

Beneficial Use. Placement or use of dredged material for some productive purpose. These uses may involve either the dredged material or the placement site as the integral component of the beneficial use.

Berm. A sloped wall or embankment used to prevent inflow or outflow of material and/or water into or from an area.

Beveled Building Corner. A rounded or flat edge on a building, usually at a street corner; may include an entrance, windows, pillars, or other architectural details and ornamentation.

Block. A parcel of land or group of lots bounded by intersecting streets. See also Chapter 16.120.

Boarding, Lodging or Rooming House. A residential type of building or portion thereof, other than a hotel or motel, where lodging with or without meals is provided for not less than two persons nor more than 10 persons, not including members of the owner- or tenant-occupied family.

Boat House. A floating or pile-supported structure used for the protection and storage of a boat or boats.

Boat Ramp. An improved sloped surface extending from a shoreland area into an aquatic area suitable for removing a boat from the water and launching a boat into the water from a trailer.

Bollard. A post of metal, wood or masonry that is used to separate or direct traffic (vehicles, pedestrians and/or bicycles). Bollards are usually decorative, and may contain sidewalk or pathway lighting.

Boulevard. A major landscaped street (arterial) that carries moderate to heavy volumes of traffic at moderate to high speeds with broad open space areas; typically with planted medians. See Chapter 16.132.

Break-a-Way Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Bridge Crossing. The portion of a bridge spanning a waterway, not including supporting structures or fill located in the waterway or adjacent wetlands.

Bridge Crossing Support Structure. Piers, piling, abutments, and similar structures necessary to support a bridge span, but not including fill for causeways or approaches.

Buildable Lot. A legal lot which is proposed for use in compliance with this Code and has received approval of the water supply and sewerage disposal method as appropriate to such use.

Building. Any structure used or intended for supporting or sheltering any use or occupancy. Recreational vehicles and fences are not included in this definition.

Building Footprint. The outline of a building, as measured around its foundation.

Building Height. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height (the center height between the highest and lowest point) of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of that building. The reference datum shall be whichever of the following two measurements results in the greater building height:

1. The reference datum is the lowest grade when the highest ground surface within a five-foot horizontal distance of the exterior wall of the building is not more than 10 feet above that lowest grade (see also definition of "Grade");
2. The reference datum is 10 feet higher than the lowest grade when the ground surface described in paragraph (1) above is 10 feet or more above that lowest grade (see also definition of "Grade").

Building Mass. The aggregate size of a building, or the total height, width, and depth of all its parts.

Building Scale. The dimensional relationship of a building and its component parts to other buildings.

Bulkhead. A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

Business Service Establishment. Businesses primarily engaged in rendering services to other business establishments. These services include, but are not limited to, employment services, advertising services, consumer credit and reporting services, collection services, mailing services, and building maintenance services. Not included in this definition are repair, professional, educational or contract construction services.

Capacity. Maximum holding or service ability, as used for transportation, utilities, parks and other public facilities.

Care Facility. See "Residential Facility."

Cellular Tower. See "Wireless Communication Facility."

Centerline Radius. The radius of a centerline of a street right-of-way.

Child Care Center. Provides care and supervision of four or more, not to exceed 12 minor children for periods of less than 24 hours. See also ORS 657A for certification requirements.

Clamshell Dredge. A mechanical cable excavator dredge that uses a single bucket attached to the dredge crane with cables. The dredge operates by lifting the bucket (the clamshell), dropping it into the bottom sediments, lifting the bucket and dredged material to the surface, and emptying the dredged material into a nearby disposal facility or barges for transportation to either an upland or in-water site disposal facility.

Clear and Objective. Relates to decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

Coastal High Hazard Area. An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone

V1-V30, VE or V.

Coastal Shorelands. Those areas immediately adjacent to the ocean, estuaries, associated wetlands, and coastal lakes. Coastal shorelands are limited in landward extent by the coastal shorelands boundary, described in the Comprehensive Plan.

Collector. A street or road supplementary to the arterial street system and a means of interconnection between this system and smaller areas used to some extent for through traffic and to some extent for access to abutting properties. See Section 16.136.010.

Commercial. Land use involving buying/selling of goods or services as the primary activity.

Commercial Timber Harvesting. The harvesting of timber for commercial purposes on tracts of land larger than one acre.

Common Area. Land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by homeowners associations).

Communication Facility. Power and communication lines and towers, antennas, microwave receivers and transmitters, and wireless communication facilities.

Communication Service Establishment. Businesses primarily engaged in communication activities, including newspaper and printing services, television and radio services, and telephone and telegraphy services.

Community Garden. A piece of land cultivated and planted with fruits and vegetables by members of a community. May also include structures for storage of garden equipment and cleaning of fruits and vegetables (i.e., garden shed, gazebo, etc.).

Comprehensive Plan. The comprehensive development plan for the City of Warrenton, comprising plans, maps and reports or any combination thereof, relating to the City's economy, physical growth, development, and redevelopment.

Conditional Use. A use, which requires a conditional use permit. See Chapter 16.220.

Condominium. A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. Condominium means unit ownership pursuant to Oregon Revised Statutes, including multiple-unit buildings or single-unit buildings, or any combination thereof. See also "Multifamily Housing Development."

Confined Aquatic Disposal (CAD). An in-water disposal location where dredged material is contained (see "Confined Disposal Facility"). Contaminated and capping material is placed in a natural or man-made bottom depression providing lateral support to the capped mound.

Confined Disposal Facility (CDF). Include any disposal location where dredged material is contained, upland, in-water, or near-shore. Such disposal involves the controlled placement of the dredged material at a designated dredged material disposal site. Such a process may involve the construction of levees or other holding facilities as a means of containing the material.

Consensus. Agreement or consent among participants.

Conservation Easement. An easement that protects identified conservation values of the land, such as wetlands, woodlands, significant trees, floodplains, wildlife habitat, and similar resources.

Corner Radius. The radius of a street corner, as measured around the curb or edge of pavement.

Cornice. The projecting horizontal element that tops a wall or flat roof.

Cottage Manufacturing. A small-scale, decentralized manufacturing business often operated out of a home rather than a purpose-built facility.

Courtyard. A court or enclosure adjacent to a building, which usually provides amenities such as gardens, planters, seating, or art.

~~**Courtyard Cottages. Cottage Clusters.** Consist of Four or more cottages that are built or placed around a shared open space and shared parking. Cottages are subject to Chapter 16.202. Four or more cottages that are 1,200 square feet or less built or placed around a shared open space and shared side yard parking. Cottages can be on fee simple lots or one lot in common ownership.~~

Critical Facility. A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Curb Cut. A driveway opening where a curb is provided along a street.

Day Care. The residence of the day care provider which receives no more than three children for the purpose of providing care (excludes children's relatives).

Deciduous. Tree or shrub that sheds its leaves seasonally.

Dedication. The designation of land by its owner for any public use as shown on a subdivision plat or deed. The term may also be used for dedications to a private homeowners association.

Density. A measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density does not include land devoted to street right-of-way. Density is a measurement used generally for residential uses but is also applied to mixed use developments. Density calculations resulting in fractions of more than one-half can be rounded up.

1. Maximum. The maximum amount of dwelling units on a given lot that is larger than one acre.
2. Minimum. The amount of dwelling units that are the minimum necessary to develop a one acre or larger lot.
3. Net. The amount of density allowed when non-buildable land (wetlands, riparian, floodplain) is subtracted from the gross acres.

Department Store. A store that carries several lines of merchandise and is organized into separate departments for the purpose of promotion, service, accounting and control.

Designated Water-Dependent Shoreland Site. An estuarine shoreland area designated in a comprehensive plan and land use regulation to comply with Coastal Shoreland Uses Requirement 2 of Goal 17, Coastal Shorelands [OAR 660-015-0010(2)].

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

Dike.

1. **Dredged Material Disposal.** A structure consisting of sediments, rock, or other material designed to contain the dredged material and allow for settling of solids in a specific area while it is being deposited and after deposition has occurred.

2. Flood Protection. A structure designed and built to prevent inundation of a parcel of land by water.

Discontinued. With regard to residential structures in the general commercial (C-1) zoning district, a discontinued building is one that can be classified as a dangerous building and/or can no longer be used for habitation purposes, as determined by the building official. For general regulatory purposes, "discontinue" means to interrupt the continuance of; to put an end to; to cause to cease; to cease using, to stop; to leave off. See Sections 16.44.020 and 16.48.020. See also Chapter 16.276, Nonconforming Uses and Development.

Discretionary. Describes a permit action or decision that involves substantial judgment or discretion.

Dividing Land. The process of separating a parcel of land or a lot into a number of lots or parcels by partitioning or subdividing. The dividing has occurred when an approved plat or map has been filed. See Chapter 16.216, Land Divisions and Lot Line Adjustments.

Dock. A pier or secured float for vessel moorage, fishing, or other water use.

Dolphin. A structure consisting of two or more wood, concrete or steel pilings, usually fastened together by means of cable, and driven into the bottom of an aquatic area.

Double Frontage Lot. A lot having frontage on two parallel (or near parallel) streets other than alleys. See "Through Lot."

Dredged Material. Sediments, sand, gravel, and other solids removed from an aquatic area.

Dredged Material Disposal. The deposition of dredged materials in aquatic or upland areas.

Dredged Material Evaluation Framework (DMEF). The DMEF provides a consistent technical framework to follow in identifying environmentally acceptable alternatives for the management of dredged material. This document represents the best available knowledge regarding dredged material assessment. As new information and technologies become available the document will be updated. The DMEF was prepared by a working group of the following agencies: ACOE, EPA, and DEQ.

Dredging. The removal of sediment or other material from an aquatic area for the purpose of deepening the area, obtaining fill material, or maintaining existing structures.

Dredging Project Proponent. The entity that is undertaking the dredging and dredged material disposal project.

Drift Right. A specific area or section of river bottom that has been cleared of snags and sunken debris and is shared and actively maintained by a group of fishermen as their fishing grounds.

Drip-Line. The distance around a tree or shrub from the trunk to the canopy (leaf and branch) spread.

Drive Lane/Travel Lane. An improved (e.g., paved) driving surface for one lane of vehicles.

Drive-Through/Drive-Up Facility. A facility or structure that is designed to allow drivers to

remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; automatic teller machines; coffee kiosks and similar vendors; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. All driveways queuing and waiting areas associated with a drive-through/drive-up facility are similarly regulated as part of such facility.

Driveway. Areas that provide vehicular access to a site, except for public and private streets. A driveway begins at the property line and extends into the site. Driveways do not include parking, maneuvering, or circulation areas in parking space areas. See Chapter 16.120, Access and Circulation.

Driveway Apron/Approach. The edge of a driveway where it abuts a public way; usually constructed of concrete. See Section 16.120.020.

Drought-Tolerant/Drought-Resistant Plants. Refer to Sunset Western Garden Book (latest edition).

Dune. A hill or ridge of sand built up by wind along sandy coasts.

1. **Active.** A dune that migrates, grows and diminishes from the force of wind and supply of sand. Active dunes include all open sand dunes, active hummocks and active foredunes.
2. **Conditionally Stable.** A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.
3. **Older Stabilized.** A dune that is stable from wind erosion and that has significant soil development and that may include diverse forest cover. May include older foredunes.
4. **Open Sand.** A collective term for active unvegetated dune land forms.
5. **Recently Stabilized.** A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.
6. **Younger Stabilized.** A wind stable dune with weakly developed soils and vegetation.

Duplex. A detached building located on a single legal lot that contains two attached dwelling units designed for occupancy by two families.

Dwelling.

1. ~~**Accessory.** A small, secondary housing unit, usually the size of a studio apartment, located on the same legal lot as a detached single family residence. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.~~
2. ~~**Multifamily.** A building located on a single legal lot designed and used for occupancy by four or more families, all living independently of each other, and having separate housekeeping facilities for each family.~~

- ~~3. **Single Family.** An attached or detached building located on a single legal lot designed and used for occupancy by one family.~~
- ~~4. **Single Family Attached (Duplex, Townhome, Triplex, Rowhouse).** Two (duplex, townhome) or more (triplex, rowhouse) single family dwellings with common end walls. See Chapter 16.184, Single Family Attached, Duplex, and Triplex Design Standards.~~
 1. Single-family detached: One dwelling unit located on a lot or parcel.
 2. Accessory dwelling: A small, secondary housing unit, usually the size of a studio apartment, located on the same legal lot as a single-family detached unit. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.
 3. Townhouse (single-family attached/rowhouse): A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
 4. Duplex: Two attached dwelling units on a lot or parcel in any configuration.
 5. Triplex: Three dwelling units on a lot or parcel in any configuration.
 6. Quadplex: Four dwelling units on a lot or parcel in any configuration.
 7. Multifamily: Five or more dwelling units located on a lot or parcel subject to the provisions of Chapter 16.188.

Dwelling Unit. A living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, for not more than one family, or a congregate residence for 10 or less persons. (UBC 205) Recreational vehicles or temporary structures are not included in this definition.

Easement. A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

Educational Service Establishment. Businesses primarily engaged in education, including vocational and trade schools, business and stenographic schools, art and music schools, dancing schools, and correspondence schools.

Effluent.

1. With respect to water quality in general, treated or untreated liquid discharged from a point source.
2. With respect to dredging, water, including dissolved and suspended materials, which flows from a dredged material disposal site.

Elevated Building. For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Elevation. Refers to a building face, or scaled drawing of the same, from grade to roof ridgeline.

Emergency. With respect to permit requirements in the Columbia River Estuary, emergency conditions are limited to: (1) severe bankline or dike erosion during a storm event or a high tide that threatens property or public safety; or (2) oil or hazardous waste spills subject to U.S. Coast Guard Captain of the Port (COTP) authority; or (3) a 100-year (or more severe) flood event; or (4) flooding caused by a tsunami; or (5) extreme sedimentation, such as that caused by the eruption of Mt. St. Helens.

Environmentally Sensitive Areas. See "Sensitive Lands."

Estuarine Enhancement. An action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a creation or restoration action.

Estuarine Open Water Dredged Material Disposal. All types of in-water dredged material disposal within the estuary which do not fall into the classifications of flow-lane disposal, beach nourishment, sump disposal, and disposal to provide fill material for an approved aquatic area fill project.

Estuary. A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: estuarine water, inter-tidal areas, and submerged lands.

Evidence. Application materials, plans, data, testimony and other factual information used to demonstrate compliance or noncompliance with a code standard or criterion.

Existing Manufactured Home Park or Subdivision. See "Manufactured Home Park."

Expansion to an Existing Manufactured Home Park or Subdivision. See "Manufactured Home Park."

Family. One person or two or more persons related by blood, marriage, legal adoption, or guardianship; or a group of not more than five persons (excluding employees) all or part of whom are not related by blood, marriage, legal adoption or guardianship, living together as a single housekeeping unit in a dwelling unit. For purposes of accessory dwellings, family members shall include only those persons related by blood, marriage, legal adoption, or guardianship. "Household" may be used interchangeably with "family."

Family Day Care. See "Child Care Center."

Fence. An accessory structure designed and intended to serve as a barrier or as a means of enclosing a yard or other area or other structure; or to serve as a boundary feature separating two or more properties.

Sight-Obscuring. A fence designed to obstruct vision.

Fill. The placement by man of sand, sediment, or other material to create new uplands or raise the elevation of land.

Fire Apparatus Lane. Shall be as defined in the Uniform Fire Code, as amended.

Flag Lot. A lot or parcel which has access to a road, street or easement, by means of a narrow strip of lot or easement.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters; and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance

Administrator has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Hazard Boundary-Floodway map, and the water surface elevation of the base flood.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area. The area of the building, exclusive of porches and exterior stairs which shall extend to the exterior faces of all walls. Floor area shall include all levels within a structure, including mezzanines and additional stories above the first floor.

Flow-Lane Disposal. In-water deposition of dredged material in or adjacent to the maintained navigation channel. Flow-lane disposal is allowed only in development management units between 20 and 65 feet below MLLW.

Food Cart. A vehicle from which foodstuffs and/or refreshments are sold or offered for sale for human consumption, primarily operating from a single location for more than a month;

Food Pod. A site containing two or more food carts and associated amenities on private or public property.

Foredune.

- 1. Active.** An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass and occur on sandspits and at river-mouths as well as elsewhere.
- 2. Conditionally Stable.** An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.
- 3. Older.** A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

Frontage. The dimension of a property line abutting a public or private street.

Frontage Street or Road. A minor street which parallels an arterial street in order to provide access to abutting properties and minimize direct access onto the arterial.

Functional Classification. The classification given to streets (e.g., "local/collector/arterial") by the City's Comprehensive Plan, Transportation System Plan, adopted county plans, and Oregon Department of Transportation.

Grade, Ground Level. The average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

Groundcover. A plant material or non-plant landscape material (e.g., mulch, bark chips/dust, hardscape materials) that is used to cover bare ground. See also Chapter 16.124, Landscaping, Street Trees, Fences and Walls.

Habitable Floor. Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

Hammerhead Turnaround. A "T" or "L" shaped dead-end street that allows for vehicles to turn around. See also Section 16.136.020.

Hardscape. Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

Hazardous Soils. Soils which may be hazardous to facilities on the parcel or to nearby property due to the soil's load bearing capacity, the potential for wind or water erosion, or the soil's wetness or slope characteristics.

Hearings Body. Land use decision-making bodies, which consists of the Planning Commission, hearings officer, or City Commission when conducting public hearings on land use applications.

Hearings Officer. An independent land use consultant or attorney hired to conduct public hearings and make final decisions, subject to Section 16.208.020(C)(3) on Type III land use applications.

Height of Building. The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest point of other types of roofs. See "Building Height."

Historic Structure. Any structure that is: (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (3) individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (a) by an approved state program as determined by the Secretary of the Interior, or (b) directly by the Secretary of the Interior in states without approved programs.

Home Occupation. Any lawful business, profession, occupation, or trade conducted for gain or support entirely within a dwelling unit (or a structural accessory thereto) by its inhabitants only, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building. Home occupations are permitted in all residential zones when authorized by the Community Development Director and determined to be consistent with the provisions of Section 16.240.020. Not included in this definition is "Home Office."

Home Office. That portion of a primary residence (not accessory structure) that is used for client meetings, bookkeeping, Internet-only businesses, telecommuting, or other similar activity that is accessory, incidental, and secondary to the primary business use that is conducted off-site or in cyberspace. Home offices are differentiated from home occupations by having no measurable effect on the traffic, noise, and appearance of the residence and surrounding area. Home offices are permitted uses in all residential zones. Compliance with the minimum standards of Section 16.240.030, Home Office Permits, is required.

Homestay Lodging. A short-term rental in an owner-occupied, single-family detached dwelling unit using up to five bedrooms, including bedrooms in accessory dwellings.

Hopper Dredge. A hopper dredge is a type of hydraulic dredging consisting of a propelled floating plant, capable of dredging material, storing it onboard, transporting it to the disposal area, and dumping it. Material from hopper dredges is disposed of in deep water in or alongside the

navigation channel.

Hotel. A building in which lodging is provided for guests for compensation. Also includes motel, youth hostel and dormitory.

Household. See "Family."

Human-Scale Design/Development. Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtowns and main street developments); larger buildings which have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, lighting, weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

Impervious Surface. Development which does not allow for water infiltration (e.g., pavement, roofs, compacted gravel (as in a gravel driveway or roadway), etc.).

Incidental and Subordinate to. A use or portion of a development that is secondary to, and less apparent, than the primary use or other portion of the development.

Incidental Use. A use that is in conjunction with, and smaller than, the main part of the facility or use.

Infill. The development of vacant, bypassed lands located in an area that is mainly developed.

Intertidal. Between extreme low tide and the landward limit of aquatic vegetation or, where vegetation is absent, mean higher high water.

In-Water Disposal. Deposition of dredged materials in a body of water. Methods include beach nourishment, flow-lane disposal, estuarine open-water disposal, in-water sump disposal, agitation dredging and ocean disposal.

Junk Yard. Old metal, paper, rags, scrap, etc. to throw away or sell as junk. This type of use is not allowed in any of the zoning districts within the City limits of Warrenton.

Land Disposal. Deposition of dredged material on uplands or shorelands, including on the top or landward sides of flood control dikes.

Land Division. The process of dividing land to create parcels or lots.

Landing. A level part of a staircase, as at the end of a flight of stairs.

Landscaping. Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains or the like. Landscaping also includes irrigation systems, mulches, topsoil, and revegetation or the preservation, protection and replacement of existing trees.

Land Transportation Facility. Highways, railroads, bridges and associated structures and signs which provide for land transportation of motorized and non-motorized vehicles. Logging roads are not included in this definition.

Land Use. The main activity that occurs on a piece of land, or the structure in which the activity occurs (e.g., residential, commercial, mixed use, industrial, open space, recreation, street rights-of-way, vacant, etc.).

Land Use District. As used in this Code, a land use district is the same as a zone district.

Lane, Mid-Block Lane. A narrow, limited use roadway facility usually used to access a limited number of dwelling units, similar to an alley in design.

Large Scale Development. A development which is: (1) a planned unit development, manufactured dwelling park, recreational vehicle park, or campground; or (2) a multifamily housing development or row house/townhouse (single-family attached) development which within two calendar years will have 10 or more dwelling units; or (3) a commercial, industrial, public or institutional development which within two calendar years will use two or more acres of land or will have buildings with 10,000 square feet or more of floor area; or (4) dependent on the expansion of City utility system(s) to service the development, including, but not limited to, development (or improvement) of transportation facilities or water and/or sewer mainline extensions.

Legal Lot. A unit of land that meets the minimum requirements of the zone in which it is situated. See Chapter 16.236, Code Interpretations, for additional information on legal lot determination procedures.

Legislative. A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use (e.g., adoption of, or amendment to, a comprehensive plan or development regulation). See Section 16.208.060.

Levee.

1. A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding; or
2. With regard to dredged material disposal, a structure consisting of sediments, rock, or other material designed to contain the dredged material and allow for settling of solids in a specific area while it is being deposited and after deposition has occurred. Flood control levees are sometimes repaired or reinforced with dredged material.

Levee System. A flood protection system which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Level of Service. For transportation, a standard of a street's carrying capacity, based upon prevailing roadway, traffic and traffic control conditions during a given time period. The Level of Service range, from LOS A (free flow) to LOS F (forced flow), describes operational conditions within a traffic stream and their perception by motorists/passengers. Level of Service is normally measured for the peak traffic hour, at intersections (signalized or unsignalized) or street segments (between signalized intersections).

Livestock. Domestic animal types customarily raised or kept on farms.

Local Improvement District (LID). A small public district formed for the purpose of carrying out local improvements (paving of streets, construction of storm sewers, development of a park, etc.). Property owners within the LID are assessed for the cost of the improvements in accordance with ORS 223.387-223.485. See also Division 3.

Log Dump or Sort Area. The use of an area to transfer logs between land and water, normally associated with log storage/sort yards, log booming or processing/shipping facilities where rafts are built or dismantled.

Log Storage (In-Water). The use of water surface area to store commercial logs in rafts until ready for market.

Lot. A single unit of land that is created by a subdivision of land.

1. **Buildable.** A legal lot which is proposed for use in compliance with this Code and has received approval of the water supply and sewerage disposal method as appropriate to such use.
2. **Corner.** A lot abutting on two or more streets, other than an alley, at their intersection.
Legal. A unit of land that meets the minimum requirements of the zone in which it is situated.
3. **Of Record.** Any lot or parcel lawfully created by subdivision or partition plat of record in the County Clerk's Office, or lawfully created by deed or land sales contract prior to land use partitioning requirements, and of record in the Deed Records of Clatsop County. Development of a "lot of record" is contingent on compliance with all applicable development standards of this Code, state and federal statutes, and administrative rules. See Chapter 16.236, Code Interpretations, for additional information about lot of record determination procedures.
4. **Through.** A lot with frontage on two parallel streets, other than alleys.

Lot Area. The total surface area (measured horizontally) within the lot lines of a lot exclusive of streets and easements of access to other property.

Lot Coverage. The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

Lot Line. The property line bounding a lot.

1. **Front.** The lot line separating the lot from the street, other than an alley. In the case of a corner lot, the front lot line is the shortest lot line along a street other than an alley. In the case of a through lot, each street has a front lot line.
2. **Rear.** The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
3. **Side.** Any lot line not a front or rear lot line.

Lot Line Adjustment. The adjustment of a property line by the relocation of a common line between lots or parcels, where no additional lots are created. See Section 16.216.210.

Lot Width. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered the building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Code.

Main/Primary Entry/Entrance. A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. Main entrances may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior

ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales area, a courtyard, or plaza.

Maintenance and Repair. Routine upkeep of an existing structure or remedial restoration of a damaged structure. Maintenance and repair may involve changes in the structure's location, configuration, orientation, or alignment if these changes are limited to the minimum amount necessary to retain or restore its operation or function or to meet current building, engineering or safety standards.

Maintenance Dredging. Dredging of a channel, basin, or other water-dependent facility, which has been dredged before and is currently in use, or operation, or has been in use or operation sometime during the past five years, provided that the dredging does not deepen the facility beyond its previously authorized or approved depth plus customary advanced maintenance dredging.

Major Utility. Towers, facilities and lines for communication or power transmission; wastewater treatment plants; stormwater and treated wastewater outfalls, both municipal and industrial; and major water, sewer and gas lines.

Maneuvering Area/Aisle. Refers to the driving area in a parking lot where motor vehicles are able to turn around and access parking spaces.

Manufactured Dwelling.

1. **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
2. **Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
3. **Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

"Manufactured dwelling" does not mean any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer.

Manufactured Dwelling Park. As defined by ORS 446.003(27): Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision

being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190. See Chapter 16.172.

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

1. **Existing.** A manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.
2. **Expansion.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
3. **New.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

Marina. A facility which provides moorage, launching, storage, supplies and a variety of services for recreational, commercial, and fishing vessels. They are differentiated from individual docks and moorages by their larger scale, the provision of significant landside services or the use of a solid breakwater (rock, bulkheading, etc.).

Mean Sea Level (MSL). The average height of the sea for all stages of the tide.

Mining and Mineral Extraction. The removal for economic use of minerals, petroleum resources, sands, gravel or other naturally occurring materials from shorelands or submerged lands.

Ministerial. A routine governmental action or decision that involves little or no discretion. The issuance of a building permit is such an action. See also Section 16.208.040.

Minor Navigation Improvements. Alterations necessary to provide water access to existing or permitted uses including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

Mitigation. To avoid, rectify, repair, or compensate for negative impacts which result from other actions (e.g., improvements to a street may be required to mitigate for transportation impacts resulting from development).

1. **In Kind.** Any actions that duplicate the full array of wetland and aquatic area characteristics that are lost or impaired by a development action.
2. **Off-Site.** An area separated from the impact area by a significant distance and that offers little or no opportunity for reestablishing lost values and functions to organisms which

originally benefited from the lost habitat.

3. **On Site.** An area adjacent to or near the impact area that offers a reasonable opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.
4. **Out-of-Kind.** Any action that replaces wetland or aquatic area characteristics that have been impaired or lost due to a development action with a different set of characteristics that are judged to be of equal resource value.
5. **Wetland.** The reduction of adverse effects of a proposed development project in wetlands by considering, in the following order: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of an action and its implementation; (3) rectifying the impact by repairing, rehabilitating or restoring the affected environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations; and (5) compensating for the impact by creation, restoration, or enhancement of wetlands and aquatic areas to maintain their functional processes, such as natural biological productivity, habitat and species diversity, unique features and water quality. Any mitigation action or combination of actions may involve monitoring and remedial follow up measures.

Mixed Use. Commercial and residential space built on the same lot in vertical or horizontal format.

Modular Home. A dwelling unit manufactured off-site, built to be used for permanent residential occupancy, to be set on a permanent foundation, and conforming to the Uniform Building Code.

Moorage. Piling, a dock, or buoys or some combination of these used to secure a boat, ship or barge.

~~**Multifamily Housing Development.** A building or grouping of related buildings that contain four or more dwelling units (total) located on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Included in this definition is "condominium." Unless otherwise permitted by this Code (i.e., master planned developments), single family dwellings are not permitted in multifamily housing developments. See Chapter 16.188 for multifamily housing design standards.~~

Multi-Use Pathway. See Section 16.120.030.

Municipal Support Structure. City-owned buildings used for the purpose of fire protection, police, administration, municipal court, public works, recycling, and similar uses.

Natural Hazard. Natural areas that can cause dangerous or difficult development situations. For example, natural hazard areas include steep slopes, unstable soils, landslides, flood areas.

Navigation Aid. Beacons, buoys, lights, range markers and other objects providing directional assistance for air or water navigation.

Navigational Structures. Jetties, groins, pile dikes, breakwaters and other in-water structures

designed to change or moderate hydraulic characteristics for the purpose of improving navigation.

Neighborhood. A geographic area lived in by neighbors and usually having distinguishing character.

Neighborhood-Scale Design. Site and building design elements that are dimensionally related to housing and pedestrians, such as narrower streets with tree canopies, smaller parking areas, lower building heights (as compared to downtown areas) and similar neighborhood characteristics. These features are generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

New Construction. Structures for which the "start of construction" commenced on or after the effective date of this Development Code.

New Manufactured Home Park or Subdivision. See "Manufactured Home Park or Subdivision."

New Work Dredging. Dredging a channel, basin, or other water-dependent facility that has not been dredged before; deepening an existing dredged channel, basin, or other water-dependent facility beyond its previously authorized or approved depth; dredging a channel, basin, or other water-dependent facility that has not been in use or operation in the past five years.

Nonconforming Structure or Use. A lawful, existing structure or use at the time this Development Code or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located. See Chapter 16.276.

Non-Native Invasive Plants. See Oregon State University Extension Service Bulletin for Warrenton.

Nursing or Convalescent Home. A facility providing one, some or all of the following services:

1. **Alzheimer's Care Unit.** A special care unit in a designated, separate area for individuals with Alzheimer's disease or other dementia that is locked, segregated, or secured to prevent or limit access by a resident outside the designated or separated area. An Alzheimer's care unit is referred to as a memory care community.
2. **Assisted Living Facility (ALF).** A building, complex, or distinct part thereof, consisting of fully self-contained, individual living units where six or more seniors and adult individuals with disabilities may reside in homelike surroundings. The assisted living facility offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents as described in these rules. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, privacy, individuality, and independence.
3. **Residential Care Facility (RCF).** A building, complex, or distinct part thereof, consisting of shared or individual living units in a homelike surrounding where six or more seniors and adult individuals with disabilities may reside. The residential care facility offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents as described in these rules. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, individuality, and independence.
4. **Nursing Facility.** An establishment with permanent facilities including inpatient beds, that provide medical services, including nursing services, but excluding surgical

procedures, and that provide care and treatment for two or more unrelated residents. In this definition, "treatment" means complex nursing tasks that cannot be delegated to an unlicensed individual. "Nursing Facility" shall only include facilities licensed and operated pursuant to ORS 441.020(2).

Ocean Disposal. The deposition of dredged material in approved ocean disposal sites.

Ocean Flooding. The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

Open Space. Lands, excluding streets, which remain substantially undeveloped for one or more of the following reasons: (1) public or private outdoor recreation (passive or active); (2) a buffer or separation between uses (excluding private yards and setbacks); or (3) managed resource preservation (such as freshwater wetlands).

Open Space Buffer. That area between two otherwise conflicting land uses which is designated to remain in open space in order to absorb sound, screen visual clutter and reduce other potential nuisances of the more intensive land use.

Orientation. To face toward a particular point of reference (e.g., a building oriented to the street).

Oriented to a Street. See "Orientation."

Outdoor Commercial Use. A use supporting a commercial activity which provides goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Examples of outdoor commercial uses include automobile sales or services, nurseries, lumber yards and equipment rental businesses.

Overlay Zone/District. Overlay zones provide regulations that address specific subjects that may be applicable in more than one land use district. See also Chapters 16.92 through 16.112.

Owner. One who possesses title in property, or to whom property belongs with the requisite intent to own. This definition includes an authorized agent of the owner.

Parcel. A parcel is a single unit of land that is created by a partitioning of land.

Park Host. An approved RV site for a "park host" in a designated area of the City's dedicated parks, and the Hammond and Warrenton Marinas. A "park host" structure may be a RV or a park model approved by the City Manager.

Parking.

1. **Lot Perimeter.** The boundary of a parking lot area which usually contains a landscaped buffer area.
2. **Off-Street.** All off-street areas designed, used, required or intended to be used for the parking of motor vehicles. Off-street parking areas shall conform to the requirements of Chapter 16.128.
3. **On-Street.** Parking in the street right-of-way, typically in parking lanes or bays. Parking may be "parallel" or "angled" in relation to the edge of the right-of-way or curb. See also Chapter 16.128.

- 4. **Space.** An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one motor vehicle, and connected with a street, driveway or alley which affords ingress and egress for motor vehicles. Motor vehicle parking spaces shall meet the dimensional requirements of Section 16.128.030.C.

Commented [HA1]: Adding this reference to existing standards for dimensions of off-street parking space.

Parking vs. Storage. "Parking" is the area used for leaving motor vehicles for a temporary time. "Storage" is to place or leave in a location for maintenance, repair, sale, rental, or future use.

Park Model. A structure designed for temporary use as a dwelling; less than 400 square feet in size and having a state license as a "recreational vehicle."

Partition Land. To divide land into two or three parcels within a calendar year, but does not include:

- 1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
- 2. Any adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable provision of this Code;
- 3. The division of land resulting from the recording of a subdivision or condominium plat;
- 4. A sale or grant by a person to a public agency or public body for state highway, county road, City street or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(p) to (r) and 215.283(2)(q) to (s). However, any property divided by the sale or grant of property for state highway, county road, City street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned; or
- 5. A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, City streets or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

Pathway/Walkway/Access Way. See Figure 16.120.030(A). As defined in this Code, a pathway or multi-use pathway may be used to satisfy the requirements for "access ways" in the Transportation Planning Rule. (OAR 660-012-045).

Permit. To consent to; to allow; permission, especially in written form; a document or certificate giving permission to do something; a license or warrant. The Warrenton Development Code provides for (1) development for which a permit is granted as of right on compliance with the terms of the Code; (2) development for which a permit is granted discretionarily in accordance and consistent with the requirements of the Code and ORS 227.173; (3) development which need not be under a development permit but shall comply with the Code; and (4) development which is exempt from the Code.

Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate receiver, syndicate, branch of government, or any group or combination acting as a unit.

Personal Service Establishment. Businesses primarily engaged in providing services involving apparel or the care of a person, including laundering and dry cleaning services, beauty and barber services, garment alterations, and funeral homes.

Pier. Exterior vertical building elements that frame each side of a building or its ground-floor windows (usually decorative).

Piling. Wood, concrete or steel posts driven into the bottom in aquatic areas either as mooring devices, or to support a dock, float, range marker, or other structure.

Pipeline Dredge. Pipeline dredges usually consist of a large centrifugal pump mounted on a non-propelled, specially designed barge. The bottom materials are then pumped up through a large diameter suction pipe to the barge, and then to the disposal area through a pipeline. The dredging end of the suction pipe is equipped with a revolving cutter-head that breaks up the bottom for easier transport.

Planter Strip, Tree Cut-Out, Bulb-Out. A landscape area for street trees and other plantings within the public right-of-way, usually between the street and a sidewalk.

Plat. A final subdivision plat, replat or partition plat, prepared as specified in ORS 92.080, and recorded with the Clatsop County Assessor's Office. All plats shall also conform to Chapter 16.216, Land Divisions and Lot Line Adjustments.

Plaza. A public square or extra-wide sidewalk (e.g., as on a street corner) that allows for special events, outdoor seating, sidewalk sales, and similar pedestrian activity.

Pocket Park. A small park, usually less than one-half acre.

Primary. The largest or most substantial element on the property, as allowed in the zoning district: use, residence, entrance, etc. All other similar elements are secondary (see definition of "Secondary") in size or importance.

Professional Office. A room, rooms or building used for administrative, recordkeeping, consulting, management or related purposes by administrative, technical, managerial, executive or clerical staff.

Professional Service Establishment. Businesses primarily engaged in providing services such as medical and other health services, engineering and other architectural services, and accounting and bookkeeping services.

Public Facilities. See Chapter 16.136.

Public Improvements. Development of public facilities. See Chapter 16.136.

Public Use. A structure or use intended or used for a public purpose by a city, school district, county, state, or by any other public agency or by a public utility.

Public Utility. A private business or organization such as a public service corporation, performing some public service and subject to governmental regulation; or a governmental agency performing similar public services. Such services shall include, but are not limited to, electricity, gas, and telephone.

Quasi-Judicial. Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code, and usually involves a public hearing. See Section 16.208.050.

Recreation. Any experience voluntarily engaged in largely during leisure time from which the individual derives satisfaction.

1. **Coastal.** Recreation occurring in offshore ocean waters, estuaries and streams; along beaches and bluffs; and in adjacent shorelands. It includes a variety of activities, from swimming, SCUBA diving, boating, fishing, hunting, use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing; to coastal resorts and water-oriented restaurants.
2. **High-Intensity.** Recreation using specially built facilities, or occurring in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.
3. **Low-Intensity.** Recreation not requiring developed facilities and accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.
4. **Vehicle.** A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
5. **Vehicle Park.** A plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Regulatory Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Repair Service Establishment. Businesses engaged primarily in repairing items and which undertake no more than a minimal amount of manufacturing.

Residence. Same as "Dwelling Unit."

Residential.

1. **Care Facility.** A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with training or treatment or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.
2. **Home.** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with training or treatment or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Restoration. Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events. For the purpose of Oregon Statewide Planning Goal 16, estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A

restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

1. **Active.** Active restoration involves the use of specific remedial actions, such as removing fills, installing water treatment facilities, rebuilding deteriorated urban waterfront areas, or returning diked areas to tidal influence.
2. **Passive.** Passive restoration is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

Restoration as Mitigation. For the purposes of Statewide Planning Goal 16, "estuarine restoration" means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

Retail Sales Establishment. Businesses, including restaurants or bars, which are primarily engaged in selling merchandise to customers for personal, household or farm use.

Retail Store. A store or place of business engaged in the sale of commodities or goods to final consumers.

Ridge Line (Building). The top of a roof at its highest elevation.

Right-of-Way. Land that is owned in fee simple by the public, usually for transportation facilities.

Riparian. Of, pertaining to, or situated on the edge of the bank of a river or other body of water, such as a lake or stream.

1. **Area.** The area adjacent to a river, lake, or stream consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.
2. **Corridor.** A Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary.
3. **Vegetation.** Grasses, shrubs and trees growing in riparian areas.

Riprap. A layer, facing, or protective mound of stones selectively placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

Roadway. That part of a road or street that actually carries traffic. This term distinguishes the paved surface of a road or street from the broader term "right-of-way."

Roof Pitch. The slope of a roof, usually described as ratio (e.g., one foot of rise per two feet of horizontal distance).

Roof-Top Garden. A garden on a building terrace, or at top of a building with a flat roof (usually on a portion of a roof).

Sand Dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Secondary. Not primary as allowed in the zoning district (see definition of "Primary"); minor or lesser use.

Semi-Public Use. A structure or use intended or used for a semi-public purpose by a church, lodge, club or any other non-profit organization.

Senior Housing. Housing designated and/or managed for persons over the age of 55. (Specific age restrictions vary.)

Sensitive Lands. Wetlands, riparian areas, significant trees, steep slopes, floodplains and other natural resource areas designated for protection or conservation by the Warrenton Comprehensive Plan.

Setback. The distance between a building (or other feature of development) and a property line.

Shared Driveway. When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) may be created for this purpose.

Shared Parking. See Chapter 16.128.

Shopping Center. A group of stores sharing a common off-street parking facility and leasing or sharing common property ownership.

Shoreland Resources, Significant. Significant shoreland resources are described in subarea plans, and are included in the coastal shorelands boundaries. Significant shoreland resources include significant non-tidal wetlands, significant shoreland fish and wildlife habitat, significant riparian vegetation, exceptional aesthetic resources and coastal headlands.

Shoreline. The boundary line between a body of water and the land, measured on tidal waters at the landward limit of aquatic vegetation or, where aquatic vegetation is absent, mean higher high water; and on non-tidal waterways at the ordinary high water mark.

1. **Stabilization.** The protection from erosion and sloughing of ocean and estuary shorelines and the banks of tidal and non-tidal streams, rivers or lakes by vegetative or structural means.
2. **Stabilization, Structural.** Use of riprap, bulkheads, seawalls or other non-vegetative material to prevent shoreline erosion.
3. **Stabilization, Vegetative.** Use of plants that anchor the soil to prevent shoreline erosion and sloughing.

Sign. An identification, description, illustration or device which is affixed to, or represented directly or indirectly upon, a building, structure or land and which directs attention to a product, place, activity, person, institution or business. See Chapter 16.144.

Significant Trees, Significant Vegetation. Individual trees with a trunk diameter of 18 inches or greater, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected. See Section 16.124.020. See also Chapter 16.156, Wetland and Riparian Corridor Development Standards, for additional protection measures for riparian and wetland vegetation.

Single-Family Attached (Duplex, Townhome, Triplex, Rowhouse). Two (duplex, townhome) or more (triplex, rowhouse) single-family dwellings with common end walls. Townhouses are distinct in architectural features and color. Rowhouses use similar architectural features. See Chapter 16.184, Single-Family Attached, Duplex, and Triplex Design Standards.

Site. A property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this Code.

Site Design Review, Development Review. See Chapter 16.212.

Specific Area Plan. See Section 16.40.050.

Standards and Criteria. Standards are code requirements. Criteria are the elements required to comply with a particular standard.

Start of Construction. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State Building Codes. The combined specialty codes.

Steep Slopes. Slopes of greater than 25%.

Storefront Character. The character expressed by buildings placed close to the street with ground-floor display windows, weather protection (e.g., awnings or canopies), corner building entrances or recessed entries, and similar features.

Stormwater Facility. A detention and/or retention pond, swale, or other surface water feature that provides storage during high-rainfall events and/or water quality treatment.

Story. That portion of a building included between the upper surface of any floor and the upper floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade, each basement or cellar shall be considered a story.

Street/Road. A public or private way for travel by vehicles, bicycles, and pedestrians that meets the City design standards and fire and emergency protection standards of this Code, and complies with the Uniform Fire Code, as amended, and combined ODOT/APWA construction standards, as amended.

1. **Access.** See Section 16.120.020.
2. **Arterial.** Primary function of an arterial is to provide mobility; therefore, arterials typically carry higher traffic volumes and allow higher travel speeds while providing limited or no access to adjacent properties.
3. **Collector.** Collects traffic from local streets and provides connections to arterial streets; generally operates with moderate speeds and provides more access in comparison to arterials.
4. **Connectivity.** The number of street connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through

neighborhoods.

5. **Furniture/Furnishings.** Benches, lighting, bicycle racks, drinking fountains, mail boxes, kiosks, and similar pedestrian amenities located within a street right-of-way.
6. **Local.** Provides access to local traffic and routes users to collector streets; generally, operates with low speeds, providing limited mobility, and carries low traffic volumes in comparison to other street classifications.
7. **Stub.** A temporary street ending; i.e., where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.
8. **Tree.** A tree planted in a planter strip or tree cut-out.

Structural Alteration. A change to the supporting members of a structure, including foundations, bearing walls or partitions, columns, beams girders or any structural change in the roof or in the exterior walls.

Structure. A walled and roofed building, a modular or temporary building, or a gas or liquid storage tank that is principally above ground.

Subdivide Land. To divide land into four or more lots within a calendar year.

Subdivision. Either an act of subdividing land or an area or tract of land subdivided.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its original condition before damaged would equal or exceeds 50% of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Subtidal. Below the level of extreme low tide. In the Columbia River Estuary this is generally three feet below mean lower low water.

Sump Disposal. Deposition of dredged materials in a temporary in-water site. The material is subsequently rehandled to an upland disposal site.

Swale. A type of stormwater facility. Usually a broad, shallow depression with plants that filter and process contaminants.

Tangent. Meeting a curve or surface in a single point.

Temporary.

1. **Estuarine Alteration.** Dredging, filling, or other estuarine alteration occurring over a specified short period of time which is needed to facilitate an allowed use. Temporary alterations may not be for more than three years and the affected area must be restored to its previous condition. Temporary alterations include: (1) alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetty maintenance); (2) alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations; and (3) minor structures (such as blinds) necessary for research and educational observation.
2. **Food Vendor.** A temporary restaurant, seasonal temporary restaurant, single event temporary restaurant, or mobile unit as regulated by WMC 16.240.010(D).
3. **Sign.** A sign not permanently attached to a building, structure, or the ground.
4. **Use.** A non-permanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and is removed from the site within one year.

Terrace. A porch or promenade supported by columns, or a flat roof or other platform on a building.

Tidal Marsh. Tidal wetlands vegetated with emergent vascular plants lying between extreme low tide and the landward limit of aquatic vegetation.

Tidegate. A flood control structure designed to regulate tidal exchange between the ocean or estuary and inland sloughs.

Topographical Constraint. Where existing slopes prevent conformance with a Code standard.

Tract, Private/Public. A piece of land set aside in a separate area for dedication to the public, a homeowner's association, or other entity (e.g., open space, recreation facilities, sensitive lands, etc.).

Transportation Facilities. The physical improvements used to move people and goods from one place to another (e.g., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.).

Transportation Mode. The method of transportation (e.g., automobile, bus, walking, bicycling, etc.).

Triplex. A building with three attached housing units located on one lot or parcel designed for occupancy by three families.

Upland. Those areas that are not inundated or saturated by surface or ground water at frequency or duration sufficient to support, and that under normal circumstances do not support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. **Disposal.** Deposition of dredged material on uplands or shorelands, including on the top and landward sides of flood control levees.

Use. To bring or put into service or action. The purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

Vacate Plat/Street. To abandon a subdivision or street right-of-way. For example, vacation of a

public right-of-way that is not needed or cannot be used for a street or other public purpose. A plat may be vacated, returning the property to an undivided condition.

Vacation Rental Dwelling. A single-family dwelling or accessory dwelling that is nonowner occupied and is rented for terms of less than 30 days; reference Resolution No. 2588 (2021).

Variance. A grant of relief from the requirements of this title which permits construction in a manner that would otherwise be prohibited by this Development Code.

Vision Clearance Area. A triangular area of clear vision maintained at the intersection of two streets or a street and a railroad to provide a clear view of streets to motorists, pedestrians, and bicyclists. See Figure 16.120.020(N).

Warehouse. A structure used exclusively or principally for the storage of commercial goods, machinery, equipment, fishing gear or other items of a commercial or industrial nature.

Water Area. The area between the banks of a lake, pond, river, perennial or fish-bearing intermittent stream, excluding man-made farm ponds.

Water-Dependent. A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water. In addition, the following definitions apply:

1. "Access" means physical contact with or use of the water.
2. "Requires" means the use either by its intrinsic nature (e.g., fishing, navigation, boat moorage) or at the current level of technology cannot exist without water access.
3. "Water-borne transportation" means uses of water access: (a) which are themselves transportation (e.g., navigation); (b) which require the receipt of shipment of goods by water; or (c) which are necessary to support water-borne transportation (e.g., moorage fueling; servicing of watercraft, ships, boats, etc.; terminal and transfer facilities).
4. "Recreation" means water access for fishing, swimming, boating, etc. Recreational uses are water-dependent only if use of the water is an integral part of the activity.
5. "Energy production" means uses which need quantities of water to produce energy directly (e.g., hydroelectric facilities, ocean thermal energy conversion).
6. "Source of water" means facilities for the appropriation of quantities of water for cooling processing or other integral functions.
7. Typical examples of water-dependent uses include the following:
 - a. Industrial. Manufacturing to include boat building and repair; water-borne transportation, terminals, and support; energy production which needs quantities of water to produce energy directly; water intake structures for facilities needing quantities of water for cooling, processing, or other integral functions.
 - b. Commercial. Commercial fishing marinas and support; fish processing and sales; boat sales, rentals, and supplies.
 - c. Recreational. Recreational marinas, boat ramps, and support.
 - d. Aquaculture.
 - e. Certain scientific and educational activities which, by their nature, require access to coastal waters-estuarine research activities and equipment mooring and support.

For purposes of this definition, examples of uses that are not "water-dependent uses" include restaurants, hotels, motels, bed and breakfasts, residences, parking lots not associated with water-dependent uses, and boardwalks.

Water-Oriented. A use whose attraction to the public is enhanced by a view of or access to coastal waters.

Water-Related. Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

Watercourses. Rivers, sloughs, creeks and major drainage ditches.

Wetland. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. **Creation.** Alteration, by excavation or other means, of upland areas to allow local hydrologic conditions to convert soils and vegetation to a hydric character.
2. **Enhancement.** An action which results in a long term improvement of existing wetland functional characteristics and processes that is not the result of a creation or restoration action.

Wholesale Trade Establishments. Businesses which generally have substantial quantities of merchandise on the premises and which are primarily engaged in selling merchandise to other wholesalers, retailers, manufacturers, other businesses, governments, or institutions.

Window Hood. An architectural detail placed above a window, used as an accent.

Wireless Communication Facilities. An unstaffed facility for the transmission and reception of radio or microwave signals used for commercial communications. WCFs are composed of two or more of the following components: (1) antenna; (2) support structure; (3) equipment enclosures; and (4) security barrier. See Chapter 16.148.

Wrecking Yard. Any property where two or more motor vehicles not in running condition or the parts thereof, are wrecked, dismantled, disassembled, substantially altered or stored in the open and are not to be restored to operation. This type of use is not allowed in any of Warrenton's zoning districts.

Yard. The area defined by setbacks (i.e., between the setback line and respective property line) that is unobstructed by any structure from the ground upward except as otherwise provided in this title. Fences, posts, poles, yard accessories, landscaping, ornaments, furniture which do not violate height limitations or obstruct clear vision areas may be included in these areas.

1. **Front.** A yard between side lot lines and measured horizontally at right angles from the front lot line to the nearest point of a building or other structure.
2. **Rear.** A yard between side lot lines and measured horizontally at right angles from the rear lot line to the nearest point of a building or other structure.
3. **Side.** A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building or other structure.
4. **Street Side.** A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building or

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other structure.

5. **Zero Lot Line.** Living units that can be built up to the property line providing space in the rear for accessory structures and common space.

(Ord. 1175-A § 1, 2013; Ord. 1177-A § 1, 2013; Ord. 1220 § 1, 2018; Ord. 1221 § 1, 2018; Ord. 1225 § 2, 2019; Ord. 1234 § 1, 2020; Ord. 1248 § 1, 2021; Ord. 1258 § 2, 2022)

CHAPTER 16.24
LOW DENSITY RESIDENTIAL (R-40) DISTRICT

§ 16.24.010. Purpose.

The Low Density Residential Zone is intended for areas which are physically isolated from the developed portions of the City, and for which extension of sewer and water services would be prohibitively expensive; however, all new sewer and water connections for a proposed development shall comply with all City regulations. Lands in this zone must be able to support development with on-site sewage disposal systems, and comply with all local, state and federal requirements. Agriculture, open space and residential uses will be permitted in this zone subject to wetlands, weak foundation soils, and active dune constraints.

§ 16.24.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-40 zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.24.040 through 16.24.050, applicable Development Code standards, and other City laws:~~

~~A.~~ A. Single-family detached dwelling.

~~A.B.~~ A.B. Duplex dwelling.

~~B.C.~~ B.C. Modular home.

~~C.D.~~ C.D. Manufactured home subject to the standards in Chapter 16.168.

~~D.E.~~ D.E. Residential home.

~~E.F.~~ E.F. Residential (care) facility.

~~F.G.~~ F.G. Day care.

~~G.H.~~ G.H. Farming, grazing, truck gardening, orchards and production of nursery stock.

~~H.I.~~ H.I. A temporary dwelling for no more than six months while building a permanent residence.

~~I.J.~~ I.J. Accessory structure, no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.

~~J.K.~~ J.K. Transportation facilities and improvements subject to the standards of Section 16.20.040.

~~K.L.~~ K.L. Similar uses as stated above.

~~L.M.~~ L.M. Community garden(s) (see definitions).

~~M.N.~~ M.N. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

~~N.O.~~ N.O. Home occupations.

~~O.P.~~ O.P. Accessory dwelling that complies with Section 16.180.040.

~~P.Q.~~ P.Q. Homestay lodging subject to the standards in Chapter 8.24.
 (Ord. 1175-A § 2, 2013; Ord. 1221 § 2, 2018; Ord. 1248 § 2, 2021)

§ 16.24.030. Conditional Uses.

The following uses and their accessory uses may be permitted in the R-40 zone when approved under Chapter 16.220:

- A. Government buildings and uses, subject to standards of Sections 16.24.040(C) and 16.24.050.
- B. Public utility structure.
- C. Golf course.
- D. Parks, playground and community center.
- E. Bed and breakfast.
- F. Church, synagogue, or other place of worship.
- G. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.

~~H. Accessory dwelling that complies with Section 16.180.040.~~

~~I.H.~~ Child care center.

~~J.I.~~ Similar uses as stated above.
(Ord. 1175-A § 3, 2013)

§ 16.24.040. Development Standards.

The following development standards are applicable in the R-40 zone:

- A. Density Provisions.
 - 1. Minimum lot area for residences with on-site sewage disposal systems: 40,000 square feet.
 - 2. Minimum lot area for residences connected to the City of Warrenton sewer system: 10,000 square feet.
 - 3. Minimum lot width at the front building line: 50 feet.
 - 4. Minimum lot depth: 80 feet.
 - 5. Not more than 35% of lot area shall be covered by buildings or other impervious surfaces, except that if the lot contains an ADU, the maximum lot coverage shall be 40%. as may be permitted by conditional use permit or variance.
 - 6. Maximum building height: 30 feet.
 - 7. Maximum building height for agricultural buildings, solar collectors, wind energy systems and radio receivers: 40 feet.
- B. Setback Requirements.
 - 1. Minimum front yard setback:

- a. Lots of 40,000 square feet: 20 feet;
 - b. Lots of 10,000 square feet: 15 feet.
2. Minimum side yard setback: 10 feet.
 3. Corner lot minimum street side, side yard setback: 10 feet.
 4. Minimum rear yard setback: 10,000 square foot lot, 15 feet; except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of the rear property line; and for 40,000 square foot lots the dwelling and any accessory structure must maintain a 15-foot setback.
 5. Corner lot minimum rear yard setback: 10 feet.
- C. Government Building. The following development standards are applicable:
1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.
 - d. Maximum building height: 45 feet.
 - e. Maximum lot coverage, government building/uses: none.
 2. Setback requirements:
 - a. Minimum front and rear yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
 3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
 4. Any government building shall comply with Chapter 16.116 of the Development Code.

§ 16.24.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. All uses must comply with parking standards in Chapter 16.128.

- H. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- I. Manufactured homes must comply with the criteria of Section 16.168.010.
- J. A garage or carport is required and shall conform to the standards of Chapter 16.180.
- K. All new sewer and water connections for a proposed development shall comply with all City regulations.

CHAPTER 16.28
INTERMEDIATE DENSITY RESIDENTIAL (R-10) DISTRICT

§ 16.28.010. Purpose.

The purpose of the Intermediate Density Residential Zone is to provide areas within the City which have the capacity to accommodate single-family dwellings in conventional subdivisions or planned unit developments. These areas are intended for service by municipal utilities and urban type street systems, and, consequently, the residents must be willing to support the costs associated with this density of development. Certain public facilities and other nonresidential uses are permitted when desirable conditions and safeguards are satisfied. This zone includes those areas in Hammond that were in Hammond's Low Density Residential Zone (R-10).

§ 16.28.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-10 zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.28.040 through 16.28.050, applicable Zoning Ordinance standards, and other City laws:~~

A. Single-family detached.

B. Townhouse.

~~A.~~ ~~Duplex dwelling, attached or duplex dwelling.~~

~~B.C.~~ Modular home.

~~C.D.~~ Manufactured home subject to standards in Chapter 16.168.

~~D.E.~~ Residential home.

~~E.F.~~ Residential (care) facility.

~~F.G.~~ Day care.

~~G.H.~~ Cemetery.

H.I. Farming, grazing, truck gardening, orchards and production of nursery stock.

I.J. A temporary dwelling for no more than six months while building a permanent residence.

J.K. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.

~~K.L.~~ Transportation facilities and improvements subject to the standards of Section 16.20.040.

~~L.M.~~ Similar uses as stated above.

M.N. Community garden(s) (see definitions).

N.O. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

O.P. Home occupations.

P.Q. Accessory dwelling that complies with Section 16.180.040.

~~Q.R.~~ Homestay lodging subject to the standards in Chapter 8.24.
(Ord. 1175-A § 4, 2013; Ord. 1221 § 2, 2018; Ord. 1234 § 1, 2020; Ord. 1248 § 2, 2021)

§ 16.28.030. Conditional Uses.

The following uses and their accessory uses may be permitted in the R-10 zone when approved under Chapter 16.220:

- A. Government buildings and uses subject to standards of Sections 16.28.040(C) and 16.28.050.
- B. Hospital, sanitarium, rest home, nursing or convalescent home.
- C. Public utility structure.
- D. School: nursery, primary, elementary, junior or senior high; public or private.
- E. Child care center.
- F. Golf course.
- G. Parks, playgrounds and community centers.
- H. Church, synagogue, or other place of worship.
- I. Bed and breakfast.
- J. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.

~~K.—Accessory dwelling that complies with Section 16.180.040.~~

~~L.K.~~ RV park.

~~M.L.~~ Similar uses as stated above. (Ord. 1175-A § 5, 2013)

§ 16.28.040. Development Standards.

The following development standards are applicable in the R-10 zone:

- A. Density Provisions.
 1. Minimum lot area for ~~residence~~single-family detached dwelling or duplex: 8,000 square feet. Minimum density is five dwelling units per acre.
 2. Minimum lot width at the front building line for single-family detached dwelling or duplex: 50 feet.
 3. Minimum lot area for ~~single-family attached~~townhouse dwelling: ~~2,500~~1,400 square feet.
 4. Minimum lot width at the front building line for ~~single-family attached dwelling~~townhouse dwelling: ~~25–20~~ feet.
 5. Minimum lot depth: 70 feet.

6. Not more than 35% of the lot area shall be covered by buildings except that if the lot contains an ADU, the maximum lot coverage shall be 40% and if the lot contains a townhouse, the maximum lot coverage shall be 75%. ~~except as may be permitted by conditional use permit or variance.~~

B. Setback Requirements.

1. Minimum front yard setback: 15 feet.
2. Minimum side yard setback: 10 feet (0 feet where attached townhouse units connect).
3. Corner lot minimum street side yard setback: 10 feet.
4. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of a rear property line.
5. Corner lot minimum rear yard setback: 10 feet.

C. Government Building. The following development standards are applicable:

1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.
 - d. Maximum building height: 45 feet.
 - e. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - a. Minimum front and rear yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1234 § 1, 2020)

§ 16.28.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.

- F. Manufactured homes must comply with the criteria of Section 16.168.010.
- G. A garage or carport is required and shall conform to the standards of Chapter 16.180.
- H. All other applicable Development Code requirements must be met.
- I. All new sewer and water connections for a proposed development shall comply with all City regulations.
- J. RV parks shall comply with Chapter 16.176 and all applicable State and Federal laws and regulations.

CHAPTER 16.32
MEDIUM DENSITY RESIDENTIAL (R-M) DISTRICT

§ 16.32.010. Purpose.

The Medium Density Residential Zone is intended to accommodate a variety of housing types including single-family dwellings, duplexes, other middle housing options, and, where appropriate, manufactured dwelling subdivisions and manufactured dwelling parks. This intensity of residential use is envisioned for locations in the City where community services and adequate access are available. Residential densities permitted are somewhat greater than those permitted in an R-10 zone. Certain public facilities and other nonresidential uses are also permitted when desirable conditions and safeguards are satisfied. Those lands in the Hammond area that were in the Hammond R-6 zone have been placed in this zone.

§ 16.32.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-M Zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.32.040 through 16.32.050, and any other applicable Development Code standards, and other City laws:~~

- A. Single-family detached dwelling.
- B. Modular home.
- C. Manufactured home subject to the standards in Chapter 16.168.
- ~~D. Duplex dwelling.~~
- ~~E. Townhouse townhome, and triplex subject to standards of Chapter 16.184.~~
- ~~F. Triplex, subject to standards of Chapter 16.184~~
- ~~D.G. Cottage cluster, subject to standards of Chapter 16.202~~
- ~~E.H. Residential home.~~
- ~~F.I. Residential (care) facility.~~
- ~~G.J. Day care.~~
- ~~H.K. Master planned development with a minimum lot size of three contiguous acres, subject to provisions in Chapter 16.224.~~
- ~~I.L. A temporary dwelling for no more than six months while building a permanent residence.~~
- ~~J.M. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.~~
- ~~K.N. Transportation facilities and improvements subject to the standards of Section 16.20.040.~~
- ~~L.O. Dredge material disposal (DMD) subject to Section 16.32.050 (Sites 19S and 21S) and Chapter 16.104.~~
- ~~M.P. Similar uses as those stated above.~~

~~N.Q.~~ Community garden(s) (see definitions).

~~O.R.~~ Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

~~P.S.~~ Home occupations.

~~Q.T.~~ Accessory dwelling that complies with Section 16.180.040.

~~R.U.~~ Homestay lodging subject to the standards in Chapter 8.24.
(Ord. 1175-A § 6, 2013; Ord. 1221 § 2, 2018; Ord. 1234 § 1, 2020; Ord. 1248 § 2, 2021)

§ 16.32.030. Conditional Uses.

The following uses and their accessory uses may be permitted when approved under Chapter 16.220:

- A. Church, synagogue, or other place of worship.
- B. Government buildings and uses subject to applicable standards of Sections 16.32.040(C) and 16.32.050.
- C. Hospital sanitarium, rest home, nursing or convalescent home.
- D. School: nursery, primary, elementary, junior or senior high; private or public.
- E. Child care center.
- F. Public utility structure.
- G. Parks, playgrounds, and community centers.
- H. Bed and breakfast.
- I. Manufactured dwelling park subject to standards in Chapter 16.172.

~~J. — Accessory dwelling that complies with Section 16.180.040.~~

~~K.J.~~ Similar uses as those stated above.
(Ord. 1175-A § 7, 2013)

§ 16.32.040. Development Standards.

The following development standards are applicable in the R-M zone:

- A. Density Provisions.
 - 1. Minimum lot area for single-family detached dwelling or duplex: 5,000 square feet. Minimum density is eight dwelling units per acre.
 - ~~1-2.~~ Minimum lot area for triplex: 2,500 square feet per dwelling unit.
 - 3. Minimum lot area for ~~single-family attached townhouse~~ dwelling: ~~2,500~~1,400 square feet.
 - ~~2-4.~~ Minimum lot area for cottage cluster: 10,000 square feet.

~~3.5.~~ Minimum lot width at the front building line for single-family detached dwelling, ~~or duplex, triplex or cottage cluster~~: 50 feet.

~~4.6.~~ Minimum lot width at the front building line for ~~single family attached townhouse~~ dwelling: ~~25-20~~ feet.

~~5.7.~~ Minimum lot depth: 70 feet.

~~6.8.~~ Not more than 40% of the lot area shall be covered by buildings, except that if the lot contains an ADU, the maximum lot coverage shall be 45% and if the lot contains a townhouse, the maximum lot coverage shall be 75%. as may be permitted by conditional use permit or variance.

~~7.9.~~ Maximum building height: 30 feet.

B. Setback Requirements.

~~1.~~ Minimum front yard setback: 15 feet.

~~4.2.~~ Minimum front yard setback for townhouses with rear-loaded parking: 10 feet.

~~2.3.~~ Minimum side yard setback: 8 feet (0 feet where attached townhouse units connect).

~~3.4.~~ Corner lot minimum street side yard setback: 8 feet.

~~5.~~ Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.

~~6.~~ Minimum rear yard setback for townhouses with rear loaded parking: 15 feet.

~~4.7.~~ Minimum rear yard setback for townhouses with front loaded parking: 10 feet.

~~5.8.~~ Corner lot minimum rear yard setback: 10 feet.

C. Government Building. The following development standards are applicable:

1. Density provisions:

- a. Minimum lot size, government building/uses: none.
- b. Minimum lot width, government building/uses: none.
- c. Minimum lot depth, government building/uses: none.
- d. Maximum building height: 45 feet.
- e. Maximum lot coverage, government building/uses: none.

2. Setback requirements:

- a. Minimum front and rear yard setback, government building: 15 feet.
- b. Minimum side yard setbacks, government building: 10 feet.

3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.

4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1234 § 1, 2020)

§ 16.32.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- H. Manufactured homes must comply with the criteria of Chapter 16.168.
- I. Manufactured dwelling parks shall comply with the criteria of Chapter 16.172.
- J. Duplexes and townhomes shall comply with standards of Chapter 16.184.
- K. A garage or carport is required for each dwelling unit and shall conform to the standards of Chapter 16.180.
- L. All other applicable Development Code requirements must be met.
- M. All new sewer and water connections for a proposed development shall comply with all City regulations.
- N. Master planned development with a minimum lot size of three contiguous acres, subject to provisions in Chapter 16.224.
- O. Accessory structures no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.
- P. Manufactured dwelling placed in an approved manufactured dwelling park subject to standards in Chapter 16.172 and ORS Chapter 446.
- Q. Accessory dwelling that complies with Section 16.180.040.
- R. Prior to undertaking disposal, the dredging project proponent shall consult with the Army Corps and Oregon DSL to determine if the disposal site contains wetlands that are regulated under permit programs administered by those agencies. If the site contains regulated wetlands, the dredging project proponent shall either alter the disposal site boundaries to avoid the wetlands and leave an acceptable protective buffer, or obtain the necessary Corps and DSL permits to fill the wetlands.

CHAPTER 16.36
HIGH DENSITY RESIDENTIAL (R-H) DISTRICT

§ 16.36.010. Purpose.

The High Density Residential Zone is intended to encourage the development of duplexes and other multi-family dwellings. It provides for high density uses in locations close to the downtown area or other locations which have suitable streets, utilities and other characteristics. Certain nonresidential uses are allowed if they will not detract from the character of this district. Land in the Hammond area that was in the Town's R-H zone has been placed in this zone.

§ 16.36.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-H zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.36.040 through 16.36.050, applicable Development Code standards, and other City laws:~~

A. Single-family detached dwelling.

B. Modular housing.

C. Manufactured home.

~~D. Duplex and townhome subject to standards of Chapter 16.184.~~

~~E. Townhouse, subject to standards of Chapter 16.184.~~

~~D-F. Cottage cluster, subject to standards of 16.202.~~

~~G. Triplex subject to standards of Chapter 16.184.~~

~~E-H. Quadplex, subject to standards of Chapter 16.184.~~

~~F-I. Multifamily housing development subject to standards of Chapter 16.188.~~

~~G-J. Residential home.~~

~~H-K. Residential (care) facility.~~

~~I-L. Day care.~~

~~J-M. A temporary dwelling for no more than six months while building a permanent residence.~~

~~K-N. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property and subject to the additional criteria under Chapter 16.180.~~

~~L-O. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.~~

~~M-P. Transportation facilities and improvements subject to the standards of Section 16.20.040.~~

~~N-Q. Similar uses as stated above.~~

~~O-R. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.~~

~~P.S.~~ Home occupations.

~~Q.T.~~ Accessory dwelling that complies with Section 16.180.040.

~~R.U.~~ Homestay lodging subject to the standards in Chapter 8.24.
(Ord. 1175-A § 8, 2013; Ord. 1221 § 2, 2018; Ord. 1248 § 2, 2021)

§ 16.36.030. Conditional Uses.

The following uses and their accessory uses may be permitted when approved under Chapter 16.220:

- A. Boarding, lodging or rooming houses.
- B. Hospitals, sanitariums, rest homes, nursing or convalescent homes, medical clinic or office in conjunction with a residential facility.
- C. Churches, synagogues, or other places of worship.
- D. Parks, playgrounds and community centers.
- E. Government buildings and uses subject to standards of Sections 16.36.040(C) and 16.36.050.
- F. Public utility structure.
- G. School: nursery, primary, elementary, junior or senior high: public or private.
- H. Child care center.
- I. Bed and breakfast.
- J. Accessory dwelling subject to standards of Section 16.180.040.
- K. Similar uses as stated above.
(Ord. 1175-A § 9, 2013)

§ 16.36.040. Development Standards.

The following development standards are applicable in the R-H zone:

- A. Density Provisions.
 1. Minimum lot area for a single-family detached dwelling: ~~4,500~~2,170 square feet. Minimum density is 20 units per acre.
 2. Minimum lot area ~~for duplex, triplex, and quadplex townhome, rowhouse:~~ ~~2,500~~2,170 square feet per dwelling unit.
 3. ~~Minimum lot area for townhouses: 1,400 square feet per dwelling unit. Minimum lot area for a triplex: 7,500 square feet.~~
 4. Minimum lot area for a multifamily dwelling and cottage cluster developments: 10,000 square feet.
 5. Maximum density for multifamily structures: one dwelling unit per 1,600 square feet of site area.

6. Lot coverage: not more than ~~55~~65% of an individual lot area shall be covered by buildings, except as may be permitted by conditional use permit or variance.
7. Minimum lot width at the front building line for single-family detached dwelling, duplex, triplex, quadplex, cottage cluster development or multifamily dwelling: 50 feet.
8. Minimum lot width at the front building line for ~~duplex, townhouse, townhome, rowhouse~~: 25-20 feet per unit.
9. Minimum lot depth: 70 feet.
10. Maximum building height: 40 feet.
11. The lowest density which will be allowed in new subdivisions and other developments with four or more units that are located on sites without significant natural feature problems is five dwelling units per gross acre.

B. Setback Requirements.

1. Minimum front yard setback: 15 feet.
- ~~1.2.~~ Minimum front yard setback for townhouses with rear-loaded parking: 10 feet
- ~~2.3.~~ Minimum side yard setback: eight feet (0 feet where attached townhouse units connect).
- ~~3.4.~~ Corner lot minimum secondary street side yard setback: eight feet.
5. Minimum rear yard setback: 15 feet except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.
- ~~4.6.~~ Minimum rear yard setback for townhouses with front-loaded parking: 10 feet.
- ~~5.7.~~ Corner lot minimum rear yard setback: 10 feet.

C. Design Standards.

1. An entry door of 36-inch minimum width must face the front yard setback or onto a driveway.
2. A minimum of 20 square feet of glazing must be on the side of the dwelling facing a street.
3. ~~Duplexes, townhomes, rowhouses~~Townhouses, and triplexes and quadplexes shall comply with the standards of Chapter 16.184.
4. Multifamily housing developments shall comply with the standards of Chapter 16.188.

D. Government Building. The following development standards are applicable:

1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.

- d. Maximum building height: 45 feet.
- e. Maximum lot coverage, government building/uses: none.
- 2. Setback requirements:
 - a. Minimum front yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
- 3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
- 4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1175-A § 10, 2013; Ord. 1234 § 1, 2020)

§ 16.36.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. For any common boundary between an R-H zone and any other residential zone there shall be a visual buffer strip at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet.
- H. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- I. Manufactured homes must comply with the criteria of Chapter 16.168.
- J. A garage (attached or detached) or carport is required for each dwelling unit up to three units, and shall conform to the standards of Chapter 16.180. In place of garages, multifamily units are encouraged to provide storage facilities for residents subject to site design review.
- K. All new sewer and water connections for a proposed development shall comply with all City regulations. (Ord. 1242 § 3, 2020)

**CHAPTER 16.92
AIRPORT OPERATIONS OVERLAY DISTRICT**

§ 16.92.010. Purpose.

The purpose of the Airport Operations Zone is to encourage and support the continued operation and vitality of Port of Astoria Regional Airport in the City of Warrenton, Clatsop County, OR, by allowing certain airport-related commercial, recreational and industrial uses in accordance with state law. In order to carry out the provisions of this overlay zone there are hereby created and established certain zones which include all of the land lying beneath the airport imaginary surfaces as they apply to the Astoria Regional Airport. Such zones are shown on the current Airport Approach and Clear Zone Map. This overlay zone is further intended to prevent the establishment of air space obstructions in airport approaches and surrounding areas through restrictions and other land use controls as deemed essential to protect health, safety, and welfare.

(Ord. 1221 § 3, 2018)

§ 16.92.015. Application and Conformance.

This zoning district applies to Port of Astoria Regional Airport in the City of Warrenton, Clatsop County, OR. All uses, activities, facilities and structures allowed in the Airport Zone shall comply with the requirements of the Airport Safety and Compatibility Overlay Zone. In the event of a conflict between the requirements of this zone and those of the Airport Safety and Compatibility Overlay Zone, the requirements of the overlay zone shall control.

(Ord. 1221 § 3, 2018)

§ 16.92.020. Special Definitions.

Aircraft. Includes airplanes, helicopters, and unmanned aerial vehicles (UAV), but not hot air balloons or ultralights.

Airport Sponsor. The owner, manager, person or entity designated to represent the interests of an airport.

Approach Surfaces. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. The Federal Aviation Administration establishes and can potentially amend the following standards. The Approach Surfaces are described:

Approach Surface Runway	MSL Elev. At Primary Surface	Width at Primary Surface	Slope of Surface	Extended Horizontal Distance	Terminal Width	MSL Terminal Elevation
8	14.9'	1,000'	34:1	10,000'	4,000'	308.2'
26	14.9'	1,000'	50:1	10,000'	4,000'	214.9'
14	14.9'	500'	20:1	5,000'	1,500'	263.7'
32	14.9'	500'	20:2	5,000'	1,500'	264.9'

Airport Imaginary Surfaces. Those imaginary areas in space which are defined by the approach surface, transitional surface, horizontal surface, and conical surface.

Conical Surface. A surface extending outward and upward from the periphery of the horizontal

surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the primary surface of each visual or utility runway and 10,000 feet from the center of each end of the primary surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.

Noise Sensitive Areas. Within 1,500 feet of an airport or within established noise contour boundaries exceeding 65 Ldn.

Primary Surface. A surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is 500 feet for Runway 31-13, and 1,000 feet for Runway 8-26.

Runway Protection Zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground.

Sponsor. The owner, manager, other person, or entity designated to represent the interests of an airport [OAR 660-013-0020(6)].

Transitional Surface. These surfaces extend seven feet outward for each one foot upward (7:1) beginning on each side of the primary surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (horizontal surface).
(Ord. 1221 § 3, 2018)

§ 16.92.030. Uses Permitted Outright Within Airport Imaginary Surfaces.

The following uses and activities are permitted outright in the Airport Zone:

- A. Farm use, excluding the raising and feeding of animals which would be adversely affected by aircraft passing overhead.
- B. Landscape nursery, cemetery or recreation areas, which do not include buildings or structures.
- C. Roadways, parking areas and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. The approach surface must clear these by a minimum of 15 feet.
- D. Pipeline.
- E. Underground utility wire.
- F. Customary and usual aviation-related activities, including, but not limited to, takeoffs and landings; aircraft hangars and tie-downs; construction and maintenance of airport facilities; fixed based operator facilities; a residence for an airport caretaker or security officer; and other activities incidental to the normal operation of an airport. Except as provided in this ordinance, "customary and usual aviation-related activities" do not include residential, commercial, industrial, manufacturing and other uses.
- G. Air passenger and air freight services and facilities, at levels consistent with the classification and needs identified in the Oregon Department of Aviation Airport System Plan.

- H. Emergency medical flight services, including activities, aircraft, accessory structures, and other facilities necessary to support emergency transportation for medical purposes. Emergency medical flight services do not include hospitals, medical offices, medical labs, medical equipment sales, and other similar uses.
- I. Law enforcement and firefighting activities, including aircraft and ground-based activities, facilities and accessory structures necessary to support federal, state or local law enforcement or land management agencies engaged in law enforcement or firefighting activities. Law enforcement and firefighting activities include transport of personnel, aerial observation, and transport of equipment, water, fire retardant and supplies.
- J. Search and rescue operations, including aircraft and ground-based activities that promote the orderly and efficient conduct of search or rescue related activities.
- K. Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, but does not include schools for flight attendants, ticket agents or similar personnel.
- L. Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components. "Aircraft service, maintenance and training" includes the construction and assembly of aircraft and aircraft components for personal use, but does not include activities, structures or facilities for the manufacturing of aircraft or aircraft related products for sale to the public.
- M. Aircraft rental, including activities, facilities and accessory structures that support the provision of aircraft for rent or lease to the public.
- N. Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and sales of aircraft and aeronautic equipment and supplies to the public but not including activities, structures or facilities for the manufacturing of aircraft or aircraft related products for sale to the public.
- O. Crop dusting activities, including activities, facilities and structures accessory to crop dusting operations. Crop dusting activities include, but are not limited to, aerial application of chemicals, seed, fertilizer, defoliant, and other chemicals or products used in a commercial agricultural, forestry or rangeland management setting.
- P. Agricultural and Forestry Activities, including activities, facilities and accessory structures that qualify as a "farm use" as defined in ORS 215.203 or "farming practice" as defined in ORS 30.930.

(Ord. 1221 § 3, 2018)

§ 16.92.035. Uses Permitted Subject to the Acceptance of the Port of Astoria.

The following uses and activities and their associated facilities and accessory structures are permitted in the Airport Zone upon demonstration of acceptance by the airport sponsor.

- A. Aeronautic recreational and sporting activities, including activities, facilities and accessory

structures at airports that support recreational usage of aircraft and sporting activities that require the use of aircraft or other devices used and intended for use in flight. Aeronautic recreation and sporting activities authorized under this paragraph include, but are not limited to, fly-ins; glider flights; hot air ballooning; ultralight aircraft flights; displays of aircraft; aeronautic flight skills contests; and gyrocopter flights, but do not include flights carrying parachutists or parachute drops (including all forms of skydiving).

B. Event camping in a designated area on the airport for transient aircraft.
(Ord. 1221 § 3, 2018)

§ 16.92.040. Uses Permitted Under Prescribed Conditions Within Airport Imaginary Surfaces.

The following uses and activities and their associated facilities are permitted conditionally in the Airport Zone upon demonstration of compliance with the standards of Section 16.92.060, Conditional Use Standards.

- A. A structure or building accessory to a permitted use.
- B. Single-family dwellings, manufactured dwellings, duplexes, triplexes, quadplexes, and multifamily dwellings, when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Clatsop County a hold harmless agreement and aviation and hazard easement and submits them to the Port of Astoria and to the Warrenton Planning Department.
- C. Commercial and industrial uses, when authorized in the primary zoning district, provided the use does not result in the following:
 - 1. Creating electrical interference with navigational signals or radio communication between the airport and aircraft.
 - 2. Making it difficult for pilots to distinguish between airports lights or others.
 - 3. Impairing visibility.
 - 4. Creating bird strike hazards.
 - 5. Endangering or interfering with the landing, taking off or maneuvering of aircraft intending to use the airport.
 - 6. Attracting large number of people.
- D. Buildings and uses of a public works, public service or public utility nature.
- E. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.
- F. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- G. Research and development laboratories.

- H. Printing facilities.
- I. Public utility facilities such as power stations, sewage and water treatment plants.
- J. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- K. Vehicle repair (welding, painting and service, and parts facilities).
- L. Airport support structures: hangars, weather stations, fuel terminals and storage buildings, etc.
- M. Mini-warehouses or similar storage uses.
- N. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- O. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.
- P. Professional, financial or business offices.
- Q. Public utilities, including structures, pipelines, cables, and utility crossings.
- R. Government buildings and uses.
- S. Passive restoration.
- T. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- U. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- V. Food and/or beverage trucks or carts, or restaurant in connection with the operation of an FBO or terminal facility.
- W. Military facilities.
- X. On airport camping by occupants of transient aircraft.
(Ord. 1221 § 3, 2018)

§ 16.92.045. Uses Permitted Under Prescribed Conditions Acceptable to the Port of Astoria.

- A. Air Quality. The air quality standards set by the Department of Environmental Quality shall be the guiding standards in this zone, except that open burning is prohibited in any case.
- B. Noise. As may be permitted under all applicable laws and regulations.
- C. Storage. All materials, including wastes, shall be stored and maintained in a manner that will not attract or aid the propagation of insects or rodents or other animals or birds, or otherwise create a health hazard or nuisance.
- D. Fencing. Will be allowed inside a boundary planting screen and where it is necessary to protect property of the use concerned or to protect the public from a dangerous condition.

Proposed fence locations and design shall be subject to City review.

- E. Buffer. Where this zone adjoins another non-industrial zone there shall be a buffer area at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of eight feet, or such other screening measures as may be prescribed by the City in the event differences in elevation or other circumstances should defeat the purpose of this requirement.
- F. Vibration. No vibration other than that caused by highway vehicles, trains and aircraft shall be permitted which is discernible without instruments at the property line of the use concerned.
- G. Airport Interference. No use shall create electrical or lighting interference with the operations of the Port of Astoria Airport.
- H. Setbacks. The minimum front, side and rear yard setbacks shall be 10 feet. When across a street from a non-industrial zone, the setback from the property line shall be 10 feet. When a property abuts a nonindustrial zone, the setback shall be as follows:
 - 1. 50 feet for buildings and other structures more than 10 feet in height;
 - 2. 30 feet for buildings and structures more than six feet high but not more than 10 feet high; and
 - 3. 10 feet for structures no more than six feet high (except fences no more than six feet high may be on the property line).
- I. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- J. Building Height. The maximum building height shall be 45 feet, except that it may be lower under either of the following circumstances:
 - 1. Within 100 feet of a non-industrial zone, where the maximum building height shall be the same as the maximum building height in that zone.
 - 2. Within the Airport Operations Overlay Zone, where the maximum building height is described by the Airport Operations Overlay Zone.
- K. All other applicable Code requirements shall be satisfied.
- L. All new sewer and water connections for a proposed development shall comply with all City regulations.
- M. Prior to undertaking disposal, the dredging project proponent shall consult with the Army Corps and Oregon DSL to determine if the disposal site contains wetlands that are regulated under permit programs administered by those agencies. If the site contains regulated wetlands, the dredging project proponent shall either alter the disposal site boundaries to avoid the wetlands and leave an acceptable protective buffer, or obtain the necessary Corps and DSL permits to fill the wetlands.

(Ord. 1221 § 3, 2018)

§ 16.92.050. Conditional Use Procedures.

An applicant seeking a conditional use under Section 16.92.040 shall follow procedures set forth in Chapter 16.220. Information accompanying the application shall also include the following:

- A. Property boundary lines as they relate to airport imaginary surfaces;
- B. Location and height of all existing and proposed buildings, structures, utility lines and roads;
- C. Statement from the Oregon Aeronautics Division indicating that the proposed use will not interfere with operation of the landing facility.

§ 16.92.060. Conditional Use Standards.

- A. No object of natural growth or terrain, nor any structure, equipment, or materials shall be permitted to extend above the applicable airport imaginary surface without a determination from the Federal Aviation Administration and the Oregon Department of Aviation and supported by the airport sponsor that such object, structure, equipment or materials would not pose a hazard to air navigation.
- B. No place of public assembly shall be permitted in the approach surface.
- C. No structure or building shall be allowed within the clear surface.
- D. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.
- E. No glare producing material shall be used on the exterior of any structure located within the approach surface.
- F. In noise sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 55 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit or development approval. In areas where the noise level is anticipated to be 55 Ldn and above, prior to issuance of a building permit for construction of noise sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design which will achieve an indoor noise level equal to or less than 55 Ldn. The planning and building department will review building permits for noise sensitive developments.

§ 16.92.070. Marking and Lighting.

As a condition of any permit or land use approval, the City shall require the owner of any object of natural growth, terrain, structure, equipment, or materials to install, operate, and maintain, at the owner's expense, such marking and lightings as recommended or required by the Federal Aviation Administration and the Oregon Department of Aviation.

CHAPTER 16.112
GROWTH MANAGEMENT (GM) ZONE STANDARDS

§ 16.112.010. Purpose.

The purpose of this chapter is to set forth growth management standards to insure the orderly conversion of the large amount of urbanizable residential land within the City to urban uses. The standards will apply to outlying areas of the City which are largely vacant and currently have a low level of urban services. These areas are projected to develop over time to a density of at least four units per acre. This chapter is intended to insure that public facilities adequate to serve development at this density are provided, either before or concurrent with development.

§ 16.112.020. Boundaries of Growth Management Areas.

The growth management standards in this chapter shall apply to areas designated on the Comprehensive Plan/Zone Map with the symbol "GM."

§ 16.112.030. Growth Management Standards.

The following standards shall apply to development within growth management areas:

- A. All development shall provide the following primary urban services: water, sanitary sewer facilities connecting to the City sewer system, local streets, fire protection and drainage. An inability to provide an acceptable level of all primary services shall result in the denial of a land use application.
- B. All development shall be reviewed to ascertain whether an adequate level of the following secondary urban services exists: collector and arterial streets, school, police protection and parks. Where the City determines and supports with findings that an unacceptable level of secondary urban services exist, the City may deny the land-use application unless the developer insures the availability of an acceptable level of the services within five years from occupancy.
- C. City specifications shall be the standard used as measurement of acceptability of a service.
- D. Encourage the development within urban areas before the conversion of urbanizable areas.

§ 16.112.040. Exceptions to Growth Management Standards.

Growth management standards shall not apply to the following land use actions:

- A. Construction of a single-family residence or a duplex on a buildable lot.
- B. Exceptions approved by the Community Development Director, or in the case of a conditional use, an exception approved by the Planning Commission. In either case, the following findings must be made to support the exception to growth management standards:
 - 1. That the impact of the proposed development or land partition upon the unacceptable service(s) will be similar to that of a single-family residence;
 - 2. That the approval of the development or land division without the particularly

unacceptable service(s) will not impede the orderly, efficient provision of any primary or secondary service to that area;

3. That the public or nearby residents will not be endangered by the granting of the exception; and
4. That it is consistent with the intent and purpose of Statewide Planning Goals 11 and 14, and the purpose of this chapter stated in Section 16.112.010.

§ 16.112.050. Land Divisions.

- A. All land divisions which would create a parcel under five acres in size shall be subject to approval under the appropriate procedures in this Code (Chapter 16.216). Land divisions which would create a parcel under five acres in size in growth management areas shall be approved only if:
 1. The lots created are at R-10 urban densities;
 2. Primary and secondary urban services are supplied in accordance with Section 16.28.050;
 3. An exception is approved as provided in Section 16.112.040.
- B. All land divisions that would create parcels between five and 10 acres in size shall be reviewed to insure that the proposed parcel layout (i.e., relationship to roads, easements and utilities) and building placement is such that the parcel can be re-divided at urban densities.

§ 16.112.060. Cost Allocation.

The cost of providing the required urban services for a particular land use proposal under consideration shall be borne by the applicant or benefited properties unless otherwise authorized by the City Commission.

§ 16.112.070. Administration of Growth Management Standards.

Compliance with the growth management standards shall be determined in conjunction with any land use application in accordance with the same procedural requirements as the accompanying land use request, except that the following shall also apply: Any published notice required of the accompanying land use request shall indicate compliance with the growth management standards will be considered.

§ 16.112.080. Public Improvement Guarantee.

For the purposes of this section, the word "insure" shall mean a legal and enforceable document, contract or process which guarantees to the City a public improvement will be accomplished. Assurances include, but are not limited to, the following:

- A. Performance bond.
- B. Cash in escrow, assignment of letter of credit, etc.

- C. Establishment of an LID (post-remonstrance period).
- D. Evidence of formal action by other public or private agencies or companies authorizing monies or scheduling of a requisite public improvement.
- E. The requisite improvement is included in an adopted capital improvement program with funds assured by the City.
- F. Any other legally binding agreement which assures the improvement will be made.

CHAPTER 16.114
NEIGHBORHOOD MASTER PLANS

§ 16.114.010. Purpose.

The purpose of this chapter is to set forth design overlay standards for new neighborhood master plans to insure the orderly conversion of a large amount of urbanizable land to mixed use, residential and commercial land within the City to higher intensity, urban uses to maximize investment in public facilities. The standards will apply to areas identified through City or developer initiated master planning. The subject areas are largely vacant and currently have a low level of urban services. These areas are projected to develop over time to a density of at least 25 units per acre similar to High Density Residential Zone (RH). This chapter is intended to insure that public facilities adequate to serve development at this density are provided, either before or concurrent with development.

(Ord. 1233 § 1, 2020)

§ 16.114.020. Boundaries of Neighborhood Master Plan Areas.

The neighborhood master plan standards in this chapter shall apply to areas designated on the Comprehensive Plan/Zone Map with the symbol "NMP-NAME." In addition, a specific master plan will be adopted and referenced herein that illustrates the boundaries and physical layout of new streets, parks, and other land uses.

(Ord. 1233 § 1, 2020)

§ 16.114.030. Neighborhood Master Plan Development Standards.

The following standards shall apply to new development within designated areas:

- A. All development shall provide the following primary urban services: water, sanitary sewer facilities connecting to the City sewer system, local streets, fire protection and drainage. An inability to provide an acceptable level of all primary services shall result in the denial of a land use application.
- B. All development shall be reviewed to ascertain whether an adequate level of the following secondary urban services exists: collector and arterial streets, transit, schools, police protection, and parks. Where the City determines and supports with findings that an unacceptable level of secondary urban services exist, the City may deny the land use application unless the developer insures the availability of an acceptable level of the services within five years from occupancy.
- C. City specifications shall be the standard used as measurement of acceptability of a service, including traffic engineering and adopted City transportation policies, to disperse new traffic trips generated by the impact of new development. If street standards are proposed that differ from the TSP, findings and analysis shall be provided to demonstrate compliance and consistency with neighborhood planning principles.
- D. Encourage the maximum redevelopment of the area to facilitate the creation of a pedestrian friendly, transit supportive, and people oriented neighborhood where residents and visitors can walk to services within the neighborhood and adjacent areas.

- E. Development proposed within the neighborhood overlay that is consistent with the master plan is streamlined whereas any proposed development that does not support neighborhood planning principles in Comprehensive Plan and other policies should be discouraged.

(Ord. 1233 § 1, 2020)

§ 16.114.040. Spur 104 Performance Measures & Redevelopment Standards.

The following standards shall apply to new development in the Spur 104 Neighborhood Master Plan area.

- A. Development shall consider either the "Mixed Use Concept" or "Residential Concept" contained herein. At a minimum, streets, parks, open space, and trails shall be adhered to and planned for in future development.
- B. The total number of housing units for the new neighborhood shall not exceed 350 units. The types of units and minimum density are described in the Commercial Mixed Use (CMU) Zone and High Density Residential Zone (RH) standards. Housing units that existed prior to 2018 shall not be counted towards the cap on the total amount. Adaptive reuse of cultural or historic structures built prior to 1940 is strongly encouraged.
- C. The total amount of commercial space shall not exceed 50,000 SF. No building footprint shall be larger than 20,000 SF to encourage a mixed use, neighborhood scale, and pedestrian-oriented design. Maximum of building floor area shall be regulated by height standard. The types of uses allowed are described in the Commercial Mixed Use (CMU) Zone. However, drive thrus shall be prohibited to reduce traffic impacts.
- D. Architectural design shall be governed by Chapter 16.116 Design Standards. In addition, at least three distinct exterior materials shall be used. Glass entries and vestibules shall not be counted towards the required amount of materials. A distinctive entry is required. New parking for commercial uses should be located to the rear or side portion of the lot.
- E. All new development shall contribute to planned parks and trails identified on the concept plans and Parks Master Plan.
- F. Zero lot line developments for ~~single family attached~~townhouses are allowed subject to site design review.

(Ord. 1233 § 1, 2020)

CHAPTER 16.120
ACCESS AND CIRCULATION

§ 16.120.010. Purpose.

The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. Section 16.120.020 provides standards for vehicular access and circulation. Section 16.120.030 provides standards for pedestrian access and circulation. Planning and design standards for improvements to public and private transportation facilities and utilities are provided in Chapter 16.136.

§ 16.120.020. Vehicular Access and Circulation.

A. Intent and Purpose.

1. The intent of this section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain adequate performance standards and to maintain the functional classification of roadways as required by the Warrenton Comprehensive Plan and Transportation System Plan. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. Access management is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This section attempts to balance the right of reasonable access to private property with the right of the citizens of the City and the State of Oregon to safe and efficient travel. It also requires all developments to construct planned streets (arterials and collectors) and to extend local streets.
2. To achieve this policy intent, state and local roadways have been categorized in the Transportation System Plan by function. Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well designed road and access systems and discouraging the unplanned subdivision and development of land.

B. **Applicability.** This chapter shall apply to all transportation facilities and improvements (e.g., public and private streets, driveways, multi-use paths, etc.) within the City and to all properties that abut these facilities. Additional standards can be found in Chapter 16.136, Public Facilities Standards.

C. **Access Permit Required.** Access to a street requires an access permit in accordance with the following procedures:

1. Permits for access to state highways shall be subject to review and approval by Oregon

Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Clatsop County. In that case, the City or County shall determine whether access is granted based on its adopted standards.

2. Permits for access to county highways shall be subject to review and approval by Clatsop County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted City standards.
- D. **Traffic Study Requirements.** The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also Chapter 16.136, Public Facilities Standards, and Chapter 16.256, Traffic Impact Study.)
- E. **Conditions of Approval.** The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas (other than driveways that serve single-family, ~~two-family, or three-family~~ duplex, triplex, or quadplex dwellings) shall not permit backing onto a public street.
- F. **Access Options.** When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required under Division 2, or through conditions required by the hearings body.
1. **Option 1.** Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.
 2. **Option 2.** Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.
 3. **Option 3.** Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection G of this section, and require an access permit in accordance with subsection C of this section.
 4. **Subdivisions and Partitions Fronting Onto an Arterial Street.** Land divisions fronting onto a City arterial street shall be required to provide alley or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes). Land divisions fronting onto state highways are expected to meet state

access management and mobility standards.

5. **Double-Frontage Lots.** When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in all residential districts, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in a residential district, a landscape buffer with trees and/or shrubs and groundcover not less than 10 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).
 6. **Important Cross-References to Other Code Sections.** Divisions 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or Transportation System Plan. (Please refer to Chapter 16.136, Public Facilities Standards.)
- G. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:
1. **Local Streets.** A minimum of 25 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials) for all single-family detached dwellings, except as provided in paragraph 3 of this subsection. A minimum of 20 feet separation shall be required on local streets for all ~~single-family attached~~townhouse dwellings, duplexes, ~~and~~ triplexes, and quadplexes except as provided in paragraph 3 of this subsection. Shared driveways are permitted and encouraged as provided in subsection I of this section.
 2. **Arterial and Collector Streets.** Unless directed otherwise by this Development Code or by the Warrenton Comprehensive Plan/TSP, access spacing on City collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) in the City of Warrenton shall be determined based on the policies and standards contained in the Warrenton Transportation System Plan, Manual for Uniform Traffic Control Devices, or other applicable documents adopted by the City.
 3. **Special Provisions for All Streets.** Direct street access may be restricted for some land uses, in conformance with the provisions of Division 2, Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by paragraphs 1 and 2 of this subsection, may be required by the City, County or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See subsection I of this section.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.
 4. **Corner Clearance.** The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street

classification in the Warrenton TSP.

- H. **Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per dwelling unit, when alley access or shared driveways cannot otherwise be provided; except that one additional access point may be permitted for one-family, two-family and three-family housing types on corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection G of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection I of this section, in order to maintain the required access spacing, and minimize the number of access points.
- I. **Shared Driveways.** The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division, development review, or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).
 2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 16.216) or as a condition of development review or site development approval (Chapter 16.212).
 3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent consolidation of access points to public streets.
 4. Cross Access. Cross access is encouraged, and may be required, between contiguous sites in commercial (C-1, C-MU, C-2 & R-C) and industrial (I-1 & I-2) districts and for multifamily housing developments in the High Density Residential District in order to provide more direct circulation between sites and uses for pedestrians, bicyclists, and drivers.
- J. **Street Connectivity and Formation of Blocks Required.** In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
1. Block Length and Perimeter. The maximum block length shall not exceed 600 feet between street corner lines in Residential and C-1 zones, 400 feet in the C-MU zone,

and 1,000 feet in other zones unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The minimum length of blocks along an arterial in zones other than Residential, C-1, and C-MU is 1,800 feet. A block shall have sufficient width to provide for two tiers of building sites unless topography or location of adjoining streets justifies an exception.

2. Street Standards. Public and private streets shall conform to the standards of Chapter 16.136, Public Facilities Standards; Section 16.120.030, Pedestrian Circulation; applicable Americans With Disabilities Act (ADA) design standards; City construction standards for streets; and other applicable Development Code sections.
3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of Section 16.120.030. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.

Figure 16.120.020.J Street Connectivity and Formation of Blocks

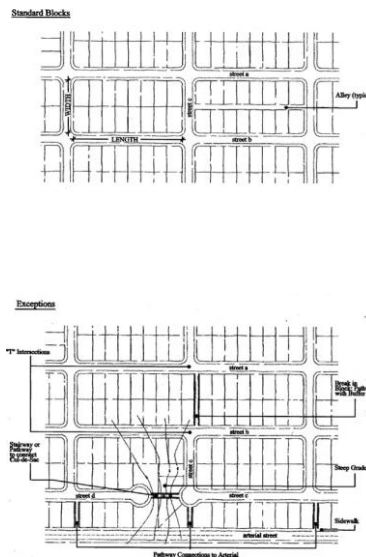
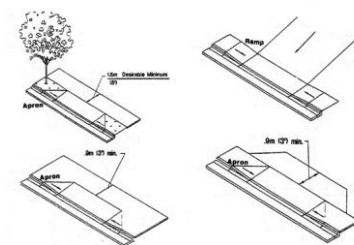


Figure 16.120.020.K Examples of Acceptable Driveway Openings Next to Sidewalks/Pathways



K. Driveway Openings and Widths. Driveway openings (or curb cuts) shall be the minimum

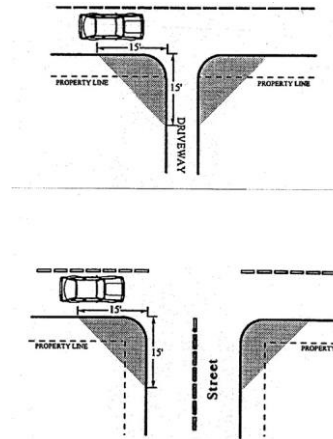
width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

1. Single-family, ~~two family, and three family~~ duplex, triplex, and quadplex uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing at least 5,000 square feet of area.
 2. Multiple-family uses with between ~~four~~ five and seven dwelling units, and cottage cluster housing, shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet.
 3. Multiple-family uses with eight or more dwelling units shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Community Development Director, City-appointed engineer, or Planning Commission determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.
 4. Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 16.128.
 5. Setback Required. A minimum five-foot setback from the edge of driveway to any property line is required. The setback area shall be kept free of impervious surfaces at all times and shall be vegetated to minimize surface water runoff to adjoining properties. These requirements may be increased if the Community Development Director, building official, City-appointed engineer, or Planning Commission determines that topography, soil conditions, or other circumstances dictate the need for additional protection measures.
 6. Driveway Aprons. Driveway aprons shall meet City construction standards and be installed between the street right-of-way and the private drive, as shown in Figure 16.120.020.K. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three feet in width, with a cross slope not exceeding two percent.
 7. Driveway Approaches. Driveway approaches should be designed and located to provide an existing vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes or tapers should be avoided due to potential for vehicle conflicts.
 8. Loading Area Design. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and exiting vehicles, in order to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.
- L. Fire Access and Circulation. The City of Warrenton adopts the Uniform Fire Code, as amended, including administrative sections and all appendices and all the State of Oregon

revisions. All development in the City of Warrenton is required to meet these minimum adopted standards.

1. **Required Access.** A fire equipment access drive that meets City construction standards shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an improved public street or approved fire equipment access drive. Plans for fire apparatus access roads shall be submitted to the Warrenton Fire Department and Warrenton City-appointed engineer for review and approval prior to issuance of building permits, grading permits, or start of construction. When fire apparatus access road(s) are required, the road(s) shall be installed and made serviceable prior to and during time of construction. Fire department access roads shall be provided and maintained in accordance with the fire department access requirements of the Uniform Fire Code, as amended.
 2. **Dimensions.** Fire apparatus roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.
 3. **Turnaround Required.** Dead-end fire apparatus roads in excess of 150 feet shall be provided with approved provisions for the turning around of fire apparatus. See Table 16.136.010 for minimum standards.
 4. **Grade.** The gradient for a fire apparatus access road shall not exceed 12% except that isolated segments no longer than 250 feet may have grades up to 15% upon approval by the Warrenton Fire Chief. Non-fire apparatus access roads (driveways and private streets) shall maintain a maximum grade of 15% unless otherwise approved by the Warrenton City-appointed engineer. See Table 16.136.010 for other applicable standards.
 5. **Parking Areas.** Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. See also Chapter 16.136, Public Facilities Standards.
- M. **Vertical Clearances.** Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.
- N. **Vision Clearance.** No signs, structures or vegetation in excess of three feet in height shall be placed in vision clearance areas, as shown in Figure 16.120.020.N. The minimum vision clearance area may be increased by the Community Development Director, City-appointed engineer, or Planning Commission upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). See also Chapter 16.132 for additional requirements.

Figure 16.120.020.N Vision Clearance Area

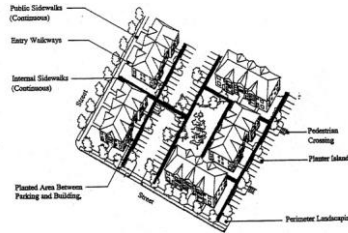


- O. Construction. The following development and maintenance standards shall apply to all driveways, parking areas, and private streets in the City of Warrenton:
1. **Surface Options.** All driveways, parking areas, aisles, and turn-a-rounds in the City of Warrenton shall be paved with asphalt, concrete, or other comparable surfacing. A durable non-paving material may be used for driveways and private streets that serve three or fewer residential dwelling units and in other instances where the need to reduce surface water runoff and protect water quality can be demonstrated through adequate findings of fact submitted by the applicant and/or property owner as part of the development proposal. All paving and non-paving surfaces shall meet City construction standards and shall be subject to review and approval by the Community Development Director, City-appointed engineer, and/or Planning Commission.
 2. **Surface Water Management.** All driveways, parking areas, aisles and turn-a-rounds shall have onsite collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified person and constructed in conformance with City standards. Such plans shall attempt to follow the principle that water falling on a given site should be absorbed or retained on-site to the extent that the quantity and rate of water leaving the site after the development would not be significantly different than if the site had remained undeveloped.
 3. **Driveway Aprons.** When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and meet City construction standards.

(Ord. 1225 § 5, 2019)

§ 16.120.030. Pedestrian Access and Circulation.

Figure 16.120.030.A Pedestrian Pathway System for Multifamily Housing Development (Typical)



A. Pedestrian Access and Circulation. To ensure safe, direct and convenient pedestrian circulation, all developments, including cottage cluster housing, except single-family detached housing, duplexes, ~~or~~ triplexes, or quadplexes on individual lots, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in paragraphs 1 through 3 of this subsection:

1. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 16.120.020, Vehicular Access and Circulation, and Chapter 16.136, Public Facilities Standards.
2. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and existing or planned transit stops, based on the following definitions:

Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

Safe and Convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

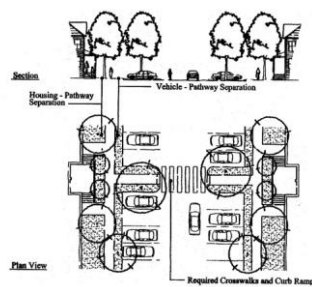
For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.

3. Connections Within Development. For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall

connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

4. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 16.120.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:
 - a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than six feet wide.
 - b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted.
 - c. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep.
 - d. The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.
 - e. The Planning Commission or Community Development Director may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of the ordinance codified in this chapter prohibit the pathway connection.

Figure 16.120.030.B Pathway Standards (Typical)



- B. Design and Construction. Pathways shall conform to all of the standards in paragraphs 1 through 5 of this subsection:
 1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from

the driveway/street by a five-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

2. **Housing/Pathway Separation.** Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 16.128. No pathway/building separation is required for commercial, industrial, public, or institutional uses.
3. **Crosswalks.** Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermoplastic striping or similar type of durable application.
4. **Pathway Surface.** Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least six feet wide. (See also Chapter 16.136, Public Facilities Standards, for public multi-use pathway standards.)
5. **Accessible Routes.** Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.

(Ord. 1225 § 5, 2019)

CHAPTER 16.128
VEHICLE AND BICYCLE PARKING

§ 16.128.010. Purpose.

The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., "minimum" and "performance-based" standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

§ 16.128.020. Applicability.

All developments in the City of Warrenton shall comply with the provisions of this chapter.

§ 16.128.030. Vehicle Parking Standards.

At the time a structure is erected or enlarged, or the use of a structure or parcel of land is changed within any zone in the City, off-street parking spaces shall be provided in accordance with requirements in this section, chapter, and Code, unless greater requirements are otherwise established. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 16.128.030.A.

A. General Provisions.

1. Groups of four or more off-street parking spaces shall be served by a driveway or aisle so that no backing movements or other maneuvering within a street or right-of-way, other than an alley, will be required. Section 16.120.020 contains driveway opening and width standards.
2. Service drives or aisles to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide maximum safety to pedestrian, bicycle, and vehicular traffic on the site.
3. Service drives or aisles shall be clearly and permanently marked and defined through the use of bumper rails, fences, buildings, walls, painting, or other appropriate markers.
4. Fractional space requirements shall be counted as a whole space.
5. All parking lots shall be designed and constructed to meet the City standards of Section 16.120.020, this chapter, Chapter 16.136, and this Code.

6. Uses not specifically listed above shall furnish parking as required by the Community Development Director, who shall consider uses similar to those listed in Table 16.128.030.A and the Institute of Traffic Engineers *Parking Generation* as guides for determining requirements for other uses.
7. Parking spaces and parking areas may be used for transit related uses such as transit stops and park- and-ride/rideshare areas, provided minimum parking space requirements can still be met.
8. Parking areas that have designated employee parking and more than 20 automobile parking spaces shall provide at least 10% of the employee parking spaces (minimum two spaces) as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.
9. Sites that are adjacent to existing or planned transit stops or are in the General Commercial (C-1) and Commercial Mixed Use (C-MU) districts are subject to maximum off-street vehicle parking requirements. The maximum number of off-street vehicle parking spaces allowed per site shall be equal to the minimum number of required spaces, pursuant to Table 16.128.030.A, multiplied by a factor of:
 - a. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
 - b. 1.5 spaces, for uses not fronting a street with adjacent on-street parking; or
 - c. A factor determined according to a parking analysis prepared by a qualified professional/registered engineer and submitted by the applicant.
10. The applicant may propose a parking space standard that is different than the standard in Table 16.128.030.A, for review and action by the Community Development Director through a variance procedure, pursuant to Chapter 16.272. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional/registered engineer. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent transit service, carpools, or private shuttles; and other relevant factors.

~~10.~~

The Community Development Director may reduce or waive the off-street parking standards for sites with one or more of the following features:

- a. Site has a transit stop with existing or planned frequent transit service (30-minute headway or less) located adjacent to it, and the site's frontage is improved with a transit stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20% reduction to the standard number of automobile parking spaces;
- b. Site has dedicated parking spaces for carpool/vanpool vehicles: Allow up to a 10% reduction to the standard number of automobile parking spaces;

- c. Site has dedicated parking spaces for motorcycle and/or scooter or electric carts: Allow reductions to the standard dimensions for parking spaces and the ratio of standard to compact parking spaces;
- d. Available on-street parking spaces adjacent to the subject site in amounts equal to the proposed reductions to the standard number of parking spaces.
- e. Site has more than the minimum number of required bicycle parking spaces: Allow up to 10% reduction to the number of automobile parking spaces.
- f. The property is located in the downtown area as defined by the intersection of E Harbor Drive, S Main Avenue and 4th Street.

**Table 16.128.030.A
Off-Street Parking Requirements**

	Parking Spaces Required
Residential Uses	
Single-family detached dwelling (including manufactured home on individual lot)	2 spaces
Two and three family Duplex, triplex, townhouse or quadplex dwelling	1.5 spaces per dwelling unit
<u>Cottage cluster development</u>	<u>See parking requirements in Chapter 16.202</u>
Multifamily and single family attached dwelling	
Studio units or 1-bedroom units less than 500 sq. ft.	1 space per unit
1-bedroom units 500 sq. ft. or larger	1.5 spaces per unit
2-bedroom units	1.75 spaces per unit
3-bedroom or greater units	2 spaces per unit
Senior housing; retirement complexes seniors 55+ years	1 space per unit
Rooming and boarding houses; dormitories	2 spaces per each 3 guest rooms, or 1 space per 3 beds, whichever is greater
Bed and breakfast	1 space per guest bedroom
Manufactured home parks	2 spaces per dwelling unit
Accessory dwelling	None if lot already contains at least 2 spaces; otherwise, 1 space is required
Commercial Uses	

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Auto, boat, or RV sales; retail nurseries and similar bulk retail uses	1 space per 1,000 square feet of the first 10,000 sq. ft. of gross land area plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area and 1 space per 2 employees on the largest shift
General retail or personal services businesses including banks, salons, and markets	1 space per 350 sq. ft. of gross floor area
Shopping centers and multi-tenant commercial centers with:	
Less than 25,000 sq. ft. gross leasable floor area	4 spaces per 1,000 sq. ft. of gross leasable floor area
At least 25,000 sq. ft. of gross leasable floor area but not more than 400,000 sq. ft. of gross leasable floor area	4 spaces per 1,000 sq. ft. of gross leasable floor area plus 8 spaces per 1,000 sq. ft. of gross restaurant or café area plus theater seating pursuant to this table (if applicable)
More than 400,000 sq. ft. of gross leasable floor area	A special parking study shall be prepared by the applicant and submitted to the City-appointed engineer for review and approval. In no case shall the off-street parking requirement be less than that required for commercial centers with 25,000 to 400,000 sq. ft. of gross leasable floor area
Furniture or appliance repair shop	1 space per 750 sq. ft. of retail store
Chapels and mortuaries	1 space per 4 fixed seats in the main chapel or 8 ft. of bench length
Hotels and motels	1 space per each guest room plus 1 space for the manager
Medical and dental offices	1 space per 350 sq. ft. of gross floor area
General offices providing on-site customer service	1 space per 450 sq. ft. of gross floor area
General offices not providing on-site customer service	1 space per employee on the largest shift
Restaurants, bars, cafés, ice cream parlors, and similar uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross leasable floor area, whichever is less
Theaters, auditoriums, gymnasiums, and similar uses	1 space per 4 seats

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Dance hall, skating rink	1 space per 300 sq. ft. of dance floor of skating area plus 1 space per 2 employees
Bowling alley	2 spaces for each lane plus 1 space for each employee
Espresso stand	1 space
Industrial Uses	
Industrial uses, except warehousing	1 space per 2 employees on the largest shift or for each 700 sq. ft. of gross floor area, whichever is less, plus 1 space per company vehicle
Warehousing, including mini-storage warehouses	1 space per 1,000 sq. ft. of gross floor area or for each 2 employees, whichever is greater, plus 1 space per company vehicle
Public utilities (gas, water, telephone, etc.)	1 space per 2 employees on the largest shift, plus 1 space per company vehicle; a minimum of 2 spaces is required
Wireless communication facilities	1 space
Passenger terminal	1 space per 500 sq. ft. of gross floor area
Public, Recreational, and Institutional Uses	
Child care centers having 13 or more children	1 space per 2 employees; a minimum of 2 spaces is required
Churches and similar places of worship	1 space per 4 fixed seats or 8 feet of bench length, or 72 sq. ft. of floor area not containing fixed seating, whichever is less
Club, lodge, or association	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.
Golf, except miniature	8 spaces per hole, plus additional spaces for auxiliary uses set forth in this section
Marina	1 space per each 2 slips
Miniature golf	1 space per hole plus 1 space per employee
Hospitals	1.5 spaces per patient bed
Library	1 space per 400 sq. ft. of gross floor area
Nursing and convalescent homes	1 space per 3 patient beds

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Post office	1 space per 50 sq. ft. of patron service area, plus 1 space per employee
Rest homes or assisted living facilities	1 space per 2 patient beds or 1 space per apartment unit
Kindergarten, pre-school, or equivalent private or parochial school	1 space per employee
Elementary and junior high schools equivalent	1.5 spaces per classroom, or 1 space per 4 seats, or 8 feet of bench in auditorium, or assembly room, whichever is greater
High school or equivalent	1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate, or 1 space per 4 seats or 8 feet of bench in auditorium or assemble room, whichever is greater
Colleges, universities, trade schools, or equivalent	1.5 spaces per classroom plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing (if any)
Stadium, sports arena, or similar open assembly	1 space per 6 seats or 12 feet of bench length
RV park	1 off-street parking space shall be provided for each RV space, plus 1 additional space for each 6 RV spaces to provide for guest parking. Grouped parking spaces shall be located within 150 feet of the RV spaces served

B. Parking Location and Shared Parking.

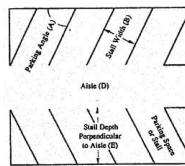
1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this Code. Parking and loading areas shall not be located in required yards adjacent to a street unless otherwise specifically permitted in this ordinance. Side and rear yards that are not adjacent to a street may be used for such areas when developed and maintained as required in this chapter. See also Chapter 16.120, Access and Circulation.
2. Off-Site Parking. Except for single-family, ~~two family, and three family dwellings~~ duplex, triplex, and quadplex dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 200 feet or a reasonable walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest

parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

3. **Mixed Uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile 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 at different times of the day). In that case, the total requirements shall be reduced accordingly.
4. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
5. **Availability of Facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 16.144.

C. **Parking Stall Standard Dimensions and Compact Car Parking.** All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping. See Section 16.120.020 for parking lot construction standards. Up to 40% of the required spaces may be sized to accommodate compact cars. Standard parking spaces shall conform to the dimensions in Figure 16.128.030.C. Disabled person parking spaces shall conform to the standards (and dimensions) in this section.

**Figure 16.128.030.C Parking Stall Dimensions
(See Section 16.128.030(D) for Disabled Parking)**



Minimum Parking Space and Aisle Dimensions						
Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	8 ft.	22 ft. 6 in.	12 ft.	24 ft.	8 ft.
	Compact	7 ft. 6 in.	19 ft. 6 in.	12 ft.	24 ft.	7 ft. 6 in.
	Disabled	9 ft.	18 ft.	12 ft.	24 ft.	17 ft.
30°	Standard	7 ft. 6 in.	18 ft.	12 ft.	24 ft.	14 ft.
	Disabled	9 ft.	15 ft.	12 ft.	24 ft.	17 ft.
45°	Standard	7 ft. 6 in.	12 ft. 6 in.	12 ft.	24 ft.	19 ft.
	Disabled	9 ft.	10 ft. 6 in.	12 ft.	24 ft.	16 ft.
60°	Standard	7 ft. 6 in.	9 ft.	10 ft. 6 in.	18 ft.	24 ft.
	Disabled	9 ft.	8 ft. 6 in.	15 ft.	24 ft.	20 ft.
90°	Standard	7 ft. 6 in.	9 ft.	24 ft.	24 ft.	16 ft. 6 in.
	Compact	7 ft. 6 in.	7 ft. 6 in.	24 ft.	24 ft.	19 ft.
	Disabled	9 ft.	9 ft.	22 ft.	24 ft.	15 ft.

Important Cross-References. See also Division 2, Land Use District standards; Chapter 16.120, Access and Circulation; Chapter 16.124, Landscaping, Street Trees, Fences, and Walls; and Chapter 16.140, Stormwater and Surface Water Management.

- D. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans With Disabilities Act. Disabled parking is included in the minimum number of required parking spaces in this subsection.

Figure 16.128.030.D
Disabled Person Parking Requirements: Minimum Number of Accessible Parking Spaces ADA Standards for Accessible Design

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van Accessible Parking Spaces with Minimum 96" Wide Access Aisle	Accessible Parking Spaces with Minimum 60" Wide Access Aisle
	Column A		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1,000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1,001 and over	20 plus 1 for each 100 over 1,000	1/8 of Column A*	7/8 of Column A**

Notes:

- * 1 out of every 8 accessible spaces.
- ** 7 out of every 8 accessible parking spaces.

(Ord. 1175-A § 12, 2013; Ord. 1225 § 6, 2019)

§ 16.128.040. Bicycle Parking Requirements.

- A. All uses shall provide bicycle parking in conformance with the following standards which are evaluated during development review or site design review.
- B. Number of Bicycle Parking Spaces. The minimum number of bicycle parking spaces required for uses is provided in Table 16.128.040.A.

Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to the vehicle parking standard, pursuant to 16.128.030(A)(10), the City may require bicycle parking spaces in addition to those in Table 16.128.040.A.

Table 16.128.040.A Bicycle Parking Requirements		
Use	Minimum Required Bicycle Parking Spaces	Long and Short Term Bicycle Parking (As % of Minimum Required Bicycle Parking Spaces)
Use	Minimum Number of Spaces	
Multifamily residential (required for 4 or more dwelling units)	1 space per 4 dwelling units	75% long term 25% short term
Commercial	2 spaces per primary use or 1 per 5 vehicle spaces, whichever is greater. Maximum of 28 spaces per commercial lot.	25% long term 75% short term
Schools (all types)	2 spaces per classroom	100% long term
Parks (active recreation areas only)	4 spaces	100% short term
Transit stops	2 spaces	100% short term
Transit centers	4 spaces or 1 per 10 vehicle spaces, whichever is greater	50% long term 50% short term
Other uses	2 spaces per primary use or 1 per 10 vehicle spaces, whichever is greater	50% long term 50% short term

C. Design and Location.

1. All bicycle parking shall be securely anchored to the ground or to a structure.
2. All bicycle parking shall be lighted for theft protection, personal security and accident prevention.
3. All bicycle parking shall be designed so that bicycles may be secured to them without undue inconvenience, including being accessible without removing another bicycle. Bicycle parking spaces shall be at least six feet long and two-and-one-half feet wide, and overhead clearance in covered spaces should be a minimum of seven feet. A five foot aisle for bicycle maneuvering should be provided and maintained beside or between each row/rack of bicycle parking.
4. Bicycle parking racks shall accommodate locking the frame and both wheels using

either a cable or U-shaped lock.

5. Direct access from the bicycle parking area to the public right-of-way shall be provided at-grade or by ramp access, and pedestrian access shall be provided from the bicycle parking area to the building entrance.
 6. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall not conflict with the vision clearance standards of Chapter 16.132.
 7. All bicycle parking should be integrated with other elements in the planter strip when in the public right-of-way.
 8. Short-term bicycle parking.
 - a. Short-term bicycle parking shall consist of a stationary rack or other approved structure to which the bicycle can be locked securely.
 - b. If more than 10 short-term bicycle parking spaces are required, at least 50% of the spaces must be sheltered. Sheltered short-term parking consists of a minimum 7-foot overhead clearance and sufficient area to completely cover all bicycle parking and bicycles that are parked correctly.
 - c. Short-term bicycle parking shall be located within 50 feet of the main building entrance or one of several main entrances, and no further from an entrance than the closest automobile parking space.
 9. Long-term bicycle parking. Long-term bicycle parking shall consist of a lockable enclosure, a secure room in a building onsite, monitored parking, or another form of sheltered and secure parking.
- D. Exemptions. This section does not apply to single-family, duplex, triplex, quadplex and townhouse dwellings, ~~and duplex housing~~, home occupations, and agricultural uses. The City may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.
- E. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located so as to not conflict with the vision clearance standards of Chapter 16.132. (Ord. 1175-A § 13, 2013; Ord. 1225 § 6, 2019)

CHAPTER 16.168
MANUFACTURED HOME DESIGN STANDARDS

§ 16.168.010. Manufactured Home Design Standards.

A manufactured home placed on an individual lot, other than a lot in an approved manufactured dwelling park, shall conform to the requirements of the zone in which it is located, applicable state installation standards, and ~~the following additional provisions:~~ shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwelling constructed under the State Building Code ORS 455.010.

- ~~A. The manufactured home shall be multi sectional and enclose a floor space of not less than 1,000 square feet.~~
- ~~B. The manufactured home shall be placed on an excavated and/or back filled foundation and enclosed by skirting at the perimeter such that the manufactured home is located at least 16 inches from mainframe to grade.~~
- ~~C. The skirting and perimeter foundation of the manufactured home shall consist of masonry or poured concrete.~~
- ~~D. The manufactured home shall have a roof with a minimum pitch of 3:12. The roofing material shall be composition, shake, shingle or tile.~~
- ~~E. The manufactured home shall have exterior siding material such as horizontal or vertical wood, vinyl or aluminum lap siding similar to that used in single family residences constructed to the Uniform Building Code.~~
- ~~F. The manufactured home shall not have bare metal siding or roofing.~~
- ~~G. A. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family dwelling constructed under the State Building Code ORS 455.010.~~
- ~~H. The manufactured home is required to have an attached or detached garage or carport that complies with Chapter 16.180. A building permit for the associated garage or carport must be issued concurrent with the placement permit for the manufactured home.~~
- ~~I. The manufactured home shall have a permanent porch with a minimum size of 24 square feet. No temporary steps will be allowed at the time of occupancy. The Uniform Building Code will determine minimum landing size.~~
- ~~J. All porches and decks to be constructed shall be shown on the site/plot plan.~~
- ~~K. The manufactured home shall have a meter base and no power pole.~~
- ~~L. The manufactured home shall utilize at least two of the following design features:
 - ~~1. Dormer.~~
 - ~~2. Recessed entries.~~~~

- ~~3.—Architectural grade roofing.~~
- ~~4.—Bay or bow windows.~~
- ~~5.—Window shutters or treatments.~~
- ~~6.—Off sets on building face or roof (minimum 12 inches).~~
- ~~7.—Gables.~~
- ~~8.—Covered porch entry.~~
- ~~9.—Pillars or posts.~~
- ~~10.—Eaves (minimum six inches).~~
- ~~11.—4:12 pitch roof.~~

~~M.—All load bearing foundations, supports and enclosures shall be installed in conformance with the Oregon Building Codes Agency regulations and with the manufacturer's installation specifications. Manufactured homes must also be provided with a permanent perimeter enclosure.~~

~~N.—The manufactured home's wheels, axles and hitch mechanism shall be removed. The wheels, axles and hitch mechanisms shall not be left under the manufactured home.~~

~~If a manufactured home is removed from its foundation and not replaced by another manufactured home within 60 days, the owner of the lot shall immediately thereafter remove the foundation, fill all excavations and disconnect and secure all utilities.~~

CHAPTER 16.180
**ACCESSORY STRUCTURE, ACCESSORY DWELLING, GARAGE, AND CARPORT
 DESIGN STANDARDS**

§ 16.180.010. Accessory Structure Standards.

Accessory structures placed on a lot with an established residential dwelling shall conform to the requirements of the zone in which they are located and the following additional provisions:

- A. All accessory structures, except attached garages, shall not exceed 1,200 square feet in size.
- B. Siding and color must be similar, but not necessarily made of the same material, to that of the associated dwelling.
- C. The pitch and the roofing material of the accessory structure shall be compatible with the associated dwelling and shall not exceed the apex of the associated dwelling.
- D. Flooring shall be of a hard surface material: concrete, asphalt, etc.
- E. Windows, if installed, will be glass.
- F. Gutters may be required to eliminate drainage problems as directed by the building official.
- G. Fences and walls must comply with the fence and wall standards of Section 16.124.050 and the vision clearance standards of Chapter 16.132.
- H. All other applicable Code standards must be met.

§ 16.180.020. Carport Standards.

- A. Carports constructed in conjunction with a single-family detached dwelling, manufactured home, ~~or~~ modular home , or duplex shall:
 - 1. Be a minimum size of 240 square feet.
 - 2. Be compatible with accessory structure standards of Section 16.180.010.
 - 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon.
- B. Carports constructed in conjunction with a ~~single family attached~~ townhouse dwelling, ~~duplex, or triplex,~~ or quadplex shall:
 - 1. Be a minimum size of 240 square feet per unit.
 - 2. Be compatible with accessory structure standards of Section 16.180.010.
 - 3. Be consistent with design standards of Chapter 16.184 and other applicable sections of the Code.
 - 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

- C. Carports constructed in conjunction with multifamily housing shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of the Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

§ 16.180.030. Garage Standards.

- A. Garages constructed in conjunction with a single-family detached dwelling, manufactured home, ~~or~~ modular home, or duplex shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon.
- B. Garages constructed in conjunction with a ~~single-family attached dwelling,~~ duplex townhouse, ~~or~~ triplex, or quadplex shall:
1. Be a minimum size of 240 square feet per unit.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.
- C. Garages constructed in conjunction with multifamily housing shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

§ 16.180.040. Accessory Dwelling Standards.

An accessory dwelling is a small, secondary housing unit located on a legal lot with an established single-family residence. Accessory dwellings are typically the size of a studio apartment. The

additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. ~~Accessory dwellings provide cost-effective and independent living spaces for family members, such as in-laws, retired parents, etc. Accessory dwellings can also provide semi-independent living spaces for physically or mentally disabled family members requiring partial supervision or assistance with activities of daily living.~~ Accessory dwellings may be rented long term as a permitted use. Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner-occupied. The housing density standard of residential zones does not apply to accessory dwellings, due to the small size and low occupancy level of the use. The following standards are intended to control the size and number of accessory dwellings on individual lots, so as to promote compatibility with adjacent land uses. Accessory structures shall comply with the following standards:

- A. Oregon Structural Specialty Code. The structure shall comply with the Oregon Structural Specialty Code.
- B. Accessory Structure Standards. The structure shall comply with the accessory structure standards of Section 16.180.010.
- C. Rental Unit. Accessory dwellings may be rented long-term as a permitted use. ~~Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner-occupied. Accessory dwellings shall not be used as servants' quarters or as lodging (temporary or permanent) for housekeepers, gardeners, etc. Use of an accessory dwelling for purposes other than what is expressly permitted in this section is strictly prohibited and shall be subject to the enforcement and penalty provisions of Chapter 16.16.~~
- D. One Unit. A maximum of one accessory dwelling unit is allowed per lot.
- E. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 600 square feet. An additional 200 square feet, up to a total of 800 square feet, shall be the maximum size of an accessory dwelling when one off-street parking space is provided on site in addition to off-street parking required with the primary dwelling.
- F. Building Height. The building height of a detached accessory dwelling (i.e., separate cottage) shall not exceed the height of the primary residence, or ~~16-24~~ feet measured to the apex of the roof, whichever is less.
- G. Buffering. A minimum six-foot hedge may be required to buffer a detached dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents.

~~H. Off-Street Parking. No additional off-street parking is required if the lot already contains at least two off-street parking spaces.~~

(Ord. 1234 § 1, 2020; Ord. 1248 § 3, 2021)

CHAPTER 16.184

SINGLE-FAMILY ATTACHED TOWNHOUSE, DUPLEX, AND TRIPLEX, AND QUADPLEX-DESIGN STANDARDS**§ 16.184.010. Applicability.**

~~Single family attached housing (townhomes on individual lots)~~ Townhouse, duplex, and triplex, and quadplex developments shall comply with the standards of this chapter.

§ 16.184.020. Purpose.

These standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure proper management and maintenance of common areas.

§ 16.184.030. Design Standards.

- A. Building Mass Supplemental Standard. The maximum number and width of consecutively attached ~~townhomes townhouses~~ (i.e., with attached walls at property lines) shall not exceed eight units or 200 feet (from end-wall to end-wall) whichever is less.
- B. Access Standards. ~~Townhomes~~ Townhouses, duplexes and triplexes, and quadplexes receiving access directly from a public or private street (as opposed to alley access) shall comply with 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.
 1. The maximum allowable driveway width facing the street is 10 to 24 feet per dwelling unit. The maximum combined garage width per unit is 50% of the total building width. For example, a 24-foot wide unit may have one 12-foot wide garage.
 2. Two adjacent garages shall share one driveway when individual driveways would 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 agreement/easement to benefit each lot, prior to building permit issuance.
- C. 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 prior to building permit approval.

CHAPTER 16.188
MULTIFAMILY HOUSING DESIGN STANDARDS

§ 16.188.010. Applicability.

Multifamily housing developments shall comply with the standards of this chapter. Multifamily housing means housing that provides ~~four~~five or more dwelling units on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Condominiums are considered multifamily housing developments.

§ 16.188.020. Purpose.

These standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure proper management and maintenance of common areas.

§ 16.188.030. Design Standards.

- A. Building Mass Supplemental Standard. The maximum width or length of a multiple-family building shall not exceed 200 feet (from end-wall to end-wall).
- B. Common Open Space Standard. Inclusive of required setback yards, a minimum of 20% of the site area shall be designated and permanently reserved as useable common open space in all multiple-family developments. 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 (e.g., wetlands, riparian areas, and riparian setback areas/corridors) and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted towards meeting common open space requirements.
- C. Trash Receptacles. Trash receptacles shall be oriented away from adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than six feet.

CHAPTER 16.202

COURTYARD COTTAGE CLUSTER HOUSING**§ 16.202.010. Purpose.**

A cottage cluster housing development is a small cluster of dwelling units appropriately sized for smaller households and available as an alternative to the development of typical detached single-family and two-family homes on individual lots. Cottage cluster development is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

(Ord. 1234 § 1, 2020)

§ 16.202.020. Ownership and Parcelization.

Cottage cluster developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common. Applicants must submit proof that a homeowner's association or other long-term management agreement will be established to ensure the maintenance of development elements in common ownership.

(Ord. 1234 § 1, 2020)

§ 16.202.030. Review Procedures.

- A. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director—Type 2 application.
- B. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with Chapter 16.216. Subdivision.

(Ord. 1234 § 1, 2020)

§ 16.202.040. Standards.

Cottage cluster developments are subject to the following standards:

- A. ~~Density~~Minimum lot size. ~~Cottages may be built up to the density established for cottage cluster development in the underlying zone. Cottages are permitted outright in the R-10, RM, and RH zone.~~ Minimum lot size is ~~15,000~~10,000 square feet.
- B. Number of Cottages. A cottage cluster development is composed of four to 20 dwelling units.
- C. Cottage Design. The cottages in a cottage cluster development are subject to the following standards:
 - 1. Maximum Floor Area. The gross floor area of each cottage shall not exceed 1,250 square feet.
 - 2. Maximum Footprint. The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is

permitted and is not subject to the maximum footprint requirements for cottages.

3. **Average Size.** The average size of all dwellings combined within a cottage cluster • development will be less than 1,200 square feet.
 4. **Maximum Height.** The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.
 5. **Placement.** If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.
 6. **Setbacks.** The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six feet spacing between buildings).
 7. **Private Open Space.** Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.
 8. **Orientation of Cottages.** Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the facade of the cottage to the nearest delineation of the common open space. Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with Chapter 16.120.
 9. **Common Open Space.** The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, wetlands, or small dead zones of the lot.
 10. **Public Street Facing Façades.** Cottages abutting a public right-of-way or Waterfront Trail shall have a secondary entrance or a porch or bay window, ~~or other major architectural feature~~ oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way unless it is an alley.
 11. **Porches.** Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six feet in depth measured perpendicular to the abutting building facade and at least 60 square feet in area.
- D. **Community Buildings.** Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet unless there is an existing dwelling that is renovated for community building space.

Figure 1: Example of Cottage Cluster Layout on Infill Lot



- E. Common Open Space. Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:
1. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 200 square feet of common open space per cottage.
 2. The common open space shall include at least a single, contiguous, useable piece with no dimension less than fifteen (15) feet.-
 3. Cottages shall abut the common open space on at least two sides of the open space.
 4. Parking areas, required yards, private open space, and driveways do not qualify as common open space.
- F. Parking. Parking for a cottage cluster development is subject to the following standards:
1. Minimum Number of parking Spaces. Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less.
 2. Guest Parking. Cottage cluster developments shall have at least one-half additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.
 3. Reduction in Number of Required Parking Spaces. The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.
 4. Clustering and Parking Structures. Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one carriage house dwelling unit per four cottages (rounded to the nearest whole number). Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within

a common open space and are required to be screened from view from common open space areas.

5. Parking Access. Parking areas shall be accessed only by a private driveway or public alley or local street. No parking space may be between a public street and cottages that abut a public street.

~~6. Design. The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.~~

~~7.6.~~ Screening. Landscaping or non-solid architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.

~~8.7.~~ Location. Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

G. Frontage, Access, and Walkways.

1. Frontage. The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.
2. Access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.
3. Walkways. A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the Waterfront Trail. Sidewalks abutting public streets shall meet the width requirements established in the Warrenton Engineering Design Standards, and interior walkways shall be at least four feet in width.

H. Interior Fences. Fences on the interior of the cottage cluster development shall not exceed three feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

I. Existing Structures. On a lot or parcel to be used for a cottage cluster development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its non-conformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage cluster development unless converted for community building use.

(Ord. 1234 § 1, 2020)

§ 16.202.050. Conflicts.

In the event of a conflict between this chapter and other sections of the Warrenton Development Code, this Section shall control.

(Ord. 1234 § 1, 2020)

CHAPTER 16.224
PLANNED UNIT DEVELOPMENTS

§ 16.224.010. Planned Unit Developments (PUD).

This is intended to provide for developments incorporating a single type or variety of housing types and related uses, or institutional master plans (IMPs) which are planned and developed as a unit. Such developments may consist of individual lots or of common buildings sites. Commonly-owned land which is an essential and major element of the plan should be related to and preserve the long-term value of the homes and other developments. This chapter also is intended to foster the establishment and growth of schools, colleges, hospitals and other major public or semi-public institutions through long-term institutional master planning where such uses are allowed in the applicable base zone.

(Ord. 1231 § 1, 2019)

§ 16.224.015. Definitions.

Institutional Master Plan (IMP). A conceptual development plan that applies to all land under the control of an institution. An IMP identifies proposed uses, the general location and height of proposed structures, and the general location of areas devoted to open space, landscaping, parking and circulation, and public infrastructure. An IMP focuses on impacts that would likely result from institutional development during the life of the plan (up to 10 years) and must identify effective mitigation measures.

(Ord. 1231 § 1, 2019)

§ 16.224.020. Purpose.

The purpose of this chapter is to provide a more desirable environment through the application of flexible and diversified land development standards following an overall comprehensive site development plan.

(Ord. 1231 § 1, 2019)

§ 16.224.030. Permitted Building and Uses.

The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the planned development does not exceed the density of the zoning district as provided by Section 16.224.040.

- A. Single-family detached and ~~attached-townhouse~~ dwellings.
- B. Duplexes, triplexes, ~~quadplexes, courtyard~~-cottage ~~clusters~~ and multifamily dwellings.
- C. Accessory buildings and uses.
- D. Commercial uses only when supported mainly by the planned development and only when economic feasibility can be shown.
- E. Buildings or uses listed as permitted outright or conditionally in the zone on which the planned development is located. Drive thrus are prohibited.

- F. Recreational vehicle (RV) parks when the applicant provides findings of fact that demonstrate consistency with applicable provisions of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission. Where PUD standards differ from standards found elsewhere in this Code, the more stringent requirement shall apply.
- G. Campgrounds when the applicant provides findings of fact that demonstrate consistency with applicable provision of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission.
(Ord. 1231 § 1, 2019)

§ 16.224.040. Development Standards.

- A. Minimum Site Size. Planned unit developments shall be established only on parcels of land which are suitable for the proposed development and are no smaller than the minimum lot size established in the zoning district. The minimum lot size for RV parks and campgrounds shall be five acres. The minimum lot size for IMPs shall be 10 acres.
- B. Open Space. In all PUDs at least 40% of the total area shall be devoted to open space. Up to 25% of this open space may be utilized privately by individual owners or users of the planned development; however, at least 75% of this area shall be common or shared open space.
 - 1. For institutional development, open space may include natural areas, outdoor athletic fields, planted areas and hardscapes such as plazas and playgrounds.
- C. Density. The density of the planned development shall not exceed the density of the zone in which it is located. Minimum space size for individual spaces within RV parks is 700 square feet (see Chapter 16.176 for additional standards; where PUD standards differ from standards found elsewhere in this Code, the more stringent requirement shall apply). The Planning Commission shall review density allowances for campgrounds on a case-by-case basis using the criteria of Section 16.220.030 as a minimum standard for approval.
- D. Subdivision Lot Sizes. Minimum area, width, depth and frontage requirements for subdivision lots in a planned unit development may be less than the minimums set forth elsewhere in this Code, provided that the overall density is in conformance with Section 16.224.040 and the lots conform to the approved preliminary development plan.
- E. Off-Street Parking. Parking areas shall conform to all provisions of Chapter 16.128.
 - 1. Pursuant to subsection M, the Planning Commission may adjust minimum parking requirements for institutional development based on a parking impact study provided by the applicant.
- F. Signs. All signs of any type within a planned unit development are subject to review and approval of the Planning Commission. The Commission shall consider each sign on its merits based on its aesthetic impact on the area, potential traffic hazards, potential violation of property and privacy rights of adjoining property owners and need for said sign.
- G. Setbacks and Yard Requirements. No structure shall be located closer than 20 feet from any public street within a planned unit development unless otherwise approved by the Planning

Commission. Other setbacks are to be determined by the Planning Commission where they are considered essential to the public health, safety or welfare. These setbacks required by the Planning Commission shall be recorded as part of the protective covenants as required by Section 16.224.060.

- H. Height Limits. Height limits in a planned unit development are the same as in the zoning district, except that the Planning Commission may further limit heights when necessary for the maintenance of the public health, safety or welfare.
1. The Planning Commission may approve institutional buildings of up to 50 feet in height, provided that any portion of the structure that exceeds the base height of the zone must be set back a proportional distance (one foot increase in set back for each additional foot above the maximum height allowed in the base zone).
- I. Streets, Sidewalks and Roads. Necessary streets, sidewalks, and roads within the planned unit development shall be constructed to City standards and dedicated to the public. See Division 3 for applicable standards. A private roadway, or a private road network, may be permitted if adequate provisions for access and circulation have been provided in accordance with Chapter 16.120 and facilities have been approved and installed in accordance with Chapter 16.136.
1. Pursuant to subsection M, the Planning Commission may adjust Chapters 16.120 and 16.136 standards through the PUD process.
- J. Dedication and Maintenance of Facilities. The Planning Commission or, on appeal, the City Commission, may as a condition of approval for a planned unit development require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:
1. Recreation Facilities. The Planning Commission or City Commission, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development.
 2. Common Areas. Whenever a common area is provided, the Planning or City Commission may require that an association of owners or tenants be created into a non-profit corporation under the laws of the State of Oregon, which shall adopt such articles of incorporation and by-laws and impose such declaration of covenants and restrictions on such common areas that are acceptable to the Planning Commission. Said association shall be formed and continued for the purpose of maintaining such common area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessment levied to maintain said common area for the purposes intended. The period of existence of such association shall be not less than 20 years and it shall continue thereafter and until a majority vote of the members shall terminate it. This provision does not apply to IMPs.
 3. Easements. Easements necessary to the orderly extension of public utilities may be required as a condition of approval.

- K. Approvals. Prior to Planning Commission (or City Commission approval upon appeal), written consent for the development shall be received from the City-appointed Engineer, Fire Chief, and any other department or agency (i.e., County Sanitarian, DEQ, ODOT, Division of Health, ODF&W, DSL, DLCD, etc.) that can demonstrate that they have legal authority or jurisdiction over the proposal [or part(s) of the proposal].
- L. Other Requirements. The Planning Commission may establish additional requirements which it deems necessary to assure that any development conforms to the purpose and intent of this section.
- M. Adjustments. When consistent with subsection K and when the Planning Commission determines that identified impacts from IMP development have been adequately mitigated pursuant to Section 16.224.050.B.3, the Planning Commission may approve adjustments to Code standards through the PUD review process set forth in Section 16.224.050.B.1. In such cases, the applicant need not address variance procedures that apply to non-PUD development proposals.
- N. Architectural Design Standards. Commercial development shall adhere to the design standards found in Section 16.116.030. For an Institutional Master Plan, the applicant shall develop a thematic plan for the design of structures to be adhered to in all future final development plans.
(Ord. 1231 § 1, 2019)

§ 16.224.050. Procedure-Preliminary Development Plan or Institutional Master Plan.

- A. The applicant shall submit four copies of a preliminary development plan to the Planning Commission prior to formal application for approval. This plan and any written statements shall contain at least the following information:
 - 1. Proposed land uses and densities.
 - 2. Location, dimensions and heights of structures.
 - 3. Plan of open or common spaces.
 - 4. Map showing existing features of site and topography.
 - 5. Proposed method of utilities service and drainage.
 - 6. Road and circulation plan, including off-street parking areas.
 - 7. Relation of the proposed development to the surrounding area and the Comprehensive Plan.
 - 8. Lot layout.
 - 9. A schedule, if it is proposed that the final development plan will be executed in stages, including the schedule for providing public infrastructure improvements for all proposed phases.
 - 10. Information deemed necessary by the Community Development Director.

11. Required application fee.
 12. An IMP application shall Identify potential impacts of future institutional development within 500 feet of the institutional site and recommend effective mitigation measures. The IMP application shall address impacts related to transportation, natural hazards, significant streams and wetlands, coastal resources, public facilities (sanitary sewer, domestic water and stormwater drainage) and lighting.
- B. Applications for planned unit development preliminary approval shall be reviewed by the Planning Commission using a Type III procedure as specified in Section 16.208.050. An applicant may apply concurrently for an institutional master plan and one or more final development plans. The Planning Commission shall determine whether the proposal conforms to Section 16.224.040. In addition, in considering the plan, the Planning Commission shall seek to determine that:
1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure (if any) from the standard Code requirements.
 2. Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area.
 3. The proposed development will be in substantial harmony with, the surrounding area. Proposed institutional development shall demonstrate that impacts related to transportation, natural hazards, significant streams and wetlands, coastal resources, public facilities (sanitary sewer, domestic water and stormwater drainage) and lighting have been adequately identified and mitigated. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.
 4. The plan can be completed within a reasonable period of time. An IMP may be approved for a period of up to 10 years and may include one or more phases. The Community Development Director may allow an extension of up to five additional years for good cause.
 5. Any proposed commercial development can be justified economically.
 6. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area based on a traffic impact study consistent with Chapter 16.256. A traffic study will be valid for four years from the notice of decision, otherwise, a new traffic study shall be required to address unanticipated traffic impacts. However, the Transportation Planning Rule (OAR 660-012-060) does not apply to PUD applications that involve uses permitted outright or conditionally in the base zone. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.
 7. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.
- C. The Planning Commission shall notify the applicant whether the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision(s).

(Ord. 1231 § 1, 2019)

§ 16.224.060. Procedure-Final Development Plan.

- A. Within one year after preliminary approval or modified approval of a preliminary development plan or an IMP, the applicant shall, at the next regularly scheduled meeting, file with the Planning Commission a final plan for the entire development or, when submission in stages has been authorized, for the first unit of the development. The final plan shall conform in all major respects with the approved preliminary development plan or an IMP. The final plan shall include all information included in the preliminary plan, plus the following:
1. Contour map of the site showing at least two-foot contour intervals.
 2. Grading plan for the site showing future contours if existing grade is to be changed more than two feet.
 3. Existing and proposed utility lines (storm and sanitary sewer, gas, etc.).
 4. Preliminary subdivision plat meeting the requirements of Section 16.216.040 if property is to be subdivided.
 5. Location and dimensions of pedestrian ways, roads, malls, common open spaces, recreation areas and parks.
 6. Location, dimensions and arrangement of automobile off-street parking spaces including width of aisles, spaces and other design criteria.
 7. Preliminary architectural plans and elevations of typical structures.
 8. Preliminary planting and landscaping plan for the site.
 9. The applicant shall also submit drafts of appropriate deed restrictions or protective covenants to provide for the maintenance of common areas and to assure that the objectives of the planned unit development shall be followed.
- B. Upon receipt of the final development plan, the Planning Commission shall examine such plan and determine whether it conforms to all applicable criteria and standards, and whether it conforms in all substantial respects to the previously-approved preliminary development plan or IMP; or the Commission shall require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards. In so doing, the Planning Commission may permit the applicant to revise the plan and resubmit it as a final development plan within 60 days.
- C. After final development plan approval by the Planning Commission, the planned development application will be sent to the City Commission for consideration and final approval. A Type III review procedure shall be used. If the PUD is a residential subdivision or institutional use allowed in the base zone, with no commercial, RV, or campground amenities, review by the City Commission is not required; however, final subdivision plat approval in accordance with Section 16.216.070 is required.

(Ord. 1231 § 1, 2019)

§ 16.224.070. Adherence to Approved Plan and Modification Thereof.

- A. Grading permits and building permits in a planned unit development shall be issued only on the basis of the approved final development plan. Any changes in the approved plan shall be submitted to the Planning Commission for processing in accordance with Chapter 16.228. However, the Community Development Director may approve a grading and utility plan for the entire institutional site consistent with an approved institutional master plan.
- B. A performance bond may be required, in an amount to be determined by the Planning Commission, to ensure that a development proposal is completed as approved and within the agreed-upon time limits.
- C. An applicant is entitled to rely on land use regulations in effect on the date its preliminary development plan or IMP was initially submitted, pursuant to ORS 227.178(3), when seeking approval of a final development plan so long as the applicable preliminary development plan or IMP is in effect when the final development plan is submitted. At its option, an applicant may request that a final development plan be subject to the land use regulations in effect on the date its final development plan is initially submitted.

(Ord. 1231 § 1, 2019)



CITY OF WARRENTON COMPREHENSIVE PLAN

ARTICLE 3 LAND AND WATER USE

**ORDINANCE NO. 1058-A
(AS AMENDED BY ORDINANCE NO. 1153-A)**

ADOPTED ON JANUARY 25, 2011

ARTICLE3 LAND AND WATER USE

SECTION 3.100 FINDINGS

Characteristics of Warrenton's existing development include: a concentration of housing near the center of town; collections of residential and commercial buildings close to a few major roads; large public use areas scattered in the City; a tendency for industrial facilities to be on the waterfront, near the airport, or in the vicinity of U. S. Highway 101; and an extensive amount of undeveloped land between some of the built-up areas. Among the factors contributing to these local development patterns have been: overall growth levels, natural features (such as wetlands), street policies, and the accessibility of public facilities and services.

These same factors will have an impact on future development. Anticipated growth levels are expected to require the conversion of large amounts of undeveloped land to residential, commercial and industrial uses. Natural features will lead to the selection of some sites for development, avoidance of others, and limited use of many. Street policies will help determine the location of high intensity uses and the character of new neighborhoods. The availability of certain public facilities and services will affect the directions in which growth can occur. Some of the other factors which will have a bearing on future development will be: existing land and water use patterns, the large number of homes built before 1950, rising housing costs, the manner in which many undeveloped areas were subdivided years ago, the attractiveness of some waterfront sites for industrial or commercial activities, and the potential for commercial growth. This section provides a policy basis for much of the City's Planning and Zoning, and helps meet the requirements of Statewide Planning Goal 2. There are no rural farm or forest lands protected by Statewide Planning Goals 3 or 4 within the UGB. Parts of this Section, together with parts of the *Warrenton Comprehensive Plan Background Report*, address Statewide Planning Goals 10 and 14.

Section 3.110 Inventory

A preliminary assessment of buildable land within the City's UGB includes land that has been identified as completely vacant, as well as land that is partially vacant and theoretically has the potential for additional development based on parcel size, zoning, the location of existing development and environmental constraints. The buildable land inventory was created using assessor's data, aerial photographs and making site visits to confirm buildable status. Redevelopable land was determined by identifying developed employment parcels for which assessed land value is greater than the assessed improvement value.

SECTION 3.200 Buildable Lands (Zoning and wetland maps apply to ability to development)

There are approximately 949 acres of buildable land on 856 lots within Warrenton's UGB. More than 467 acres of this land is zoned for employment uses, the majority of which is industrial (288 acres). Approximately 481 acres are designated for various intensities of residential use. The housing analysis includes additional calculations to determine a more exact accounting of buildable acreage. In addition, 1.45 acres is zoned for mixed uses.

Table 1. Gross Buildable Land by Zoning Type

	Zone	Acres	Lots
Employment	AI	19.66	3
	C1	123.62	238
	C2	2.87	9
	RC	32.45	36
	I1	226.38	64
	I2	61.69	62
	Total	466.67	412
Mixed	CMU	1.45	6
Residential	R10	185.58	233
	R40	71.41	51
	RH	126.19	68
	RM	30.38	53
	RGM	67.12	33
		Total	480.68
Total		948.80	856

Source: Cogan Owens Cogan

Buildable lands are divided into three classes: vacant, partially vacant and re-developable. The results of the inventory include approximately 504 acres of vacant land on 627 lots, 389 acres of partially vacant land on 138 lots, and 56 acres of re-developable land on 91 lots within Warrenton's UGB. Table 2 shows the acreage and number of lots by zoning type.

Table 2. G Land by Zoning Typ, d Land Stat

Zone		Partially Vacant	Re-developable	Vacant
A1	Acres		0.23	19.43
	Lots		1	2
C1	Acres	24.84	17.39	81.39
	Lots	26	53	159
C2	Acres	1.55	0.5	0.82
	Lots	3	2	4
RC	Acres	8.1	2.19	22.16
	Lots	3	5	28
I1	Acres	160.52	10.84	55.02
	Lots	7	9	48
I2	Acres	11.5	22.91	27.28
	Lots	8	16	38
CMU	Acres		1.08	0.37
	Lots		4	2
RIO	Acres	51.85		133.73
	Lots	38		195
R40	Acres	47.29		24.12
	Lots	14		37
RH	Acres	35.52		90.67
	Lots	14		54
RM	Acres	9.79	0.45	20.14
	Lots	14	1	38
RGM	Acres	38.16		28.96
	Lots	11		22
Total	Acres	389.12	55.59	504.09
	Lots	138	91	627

Source: Cogan Owens Cogan

Section 3.210 Land Supply

Buildable land within the City's UGB includes land that is completely vacant, as well as land that is partially vacant and theoretically has the potential for additional development based on parcel size, zoning, the location of existing development and environmental constraints. The buildable land supply was evaluated by reviewing the following information:

- Tax assessor data
- GIS data
- Aerial photographs
- Site visits to identify potential constraints to development or redevelopment
- Consultation with City staff and members of the Warrenton Project Advisory Committee

There are approximately 608 acres of buildable land on 699 lots within Warrenton's UGB zoned to allow for residential use. This includes commercially zoned land where housing is an allowed use. Land considered potentially unbuildable due to environmental constraints was removed from the inventory summarized in Table 1. Environmental constraints include riparian areas, significant wetlands and slopes of greater than 25%. Land with non-significant wetlands was included in the area but reduced by a factor of 25% to account for the fact that such land may be more difficult to develop. The city allows development on such land but requires that land with certain soil types which tend to correspond to wetland areas be subject to a geotechnical survey prior to development approval. Lots that are too narrow or small to meet minimum lot size requirements are also considered unbuildable, as have portions of existing subdivisions which are dedicated to open space in perpetuity.

Table 1. Gross Buildable Land by Zoning Designation that Allow for Residential Use

Zone	Acres	Lots
C1	123.6	238
C2	2.87	9
CMU	1.4	6
R10	185.6	233
R40	71.1	50
RH	126.2	68
RM	30.4	62
RGM	67.1	33
Total	608.3	699

To more realistically assess the potential for future housing units, additional land was deducted from lots larger than one acre in size to account for land needed for roads and other public facilities. In addition, the acreage for each parcel was converted to the capacity for new buildable lots, assuming the average lot size/densities shown in Table 11 and rounding the acreage down to the nearest whole lot.

Subtracting the areas described above and converting land to buildable lot or housing unit capacity leaves Warrenton with the equivalent of approximately 465 acres of land within the UGB zoned for residential use. This includes some parcels zoned for commercial use, in which residential uses also are allowed.

Table 2. Net Buildable Land by Zoning Designation

Zone	Acres	Parcels
R-40	61.5	44
R-10	167.2	233
R-M	21.7	53
R-H	83.3	68
RGM	58.1	33
C-1	73.3	158
C-MU	0.2	2
Total	465.3	591

Source: Cogan Owens Cogan

Section 3.220 Population Projections

Local governments are required by the Oregon Department of Land Conservation and Development (DLCDD) administrative rules to use coordinated county and city population projections for the purposes of estimating housing and employment needs. If other projections are used, the jurisdiction must prepare and present enough data to justify the use of the alternative projections. Use of alternative projections ultimately requires the city and county to revise the coordinated county and city projections. Such a process typically requires a significant level of resources and takes several months. Clatsop County worked with cities within the county to prepare a set of coordinated population projections in 2005.

The 2006 population of Warrenton was estimated to be 4,505 based on coordinated county/ city population projections and adjusted slightly to account for a very small number of housing units and people between the city limits and urban growth boundary. This compares to a population of 3,292 in 1990. Warrenton's population is expected to increase by approximately 1.8% per year over the next 20 years, generally consistent with growth rates during the last 15 years.

Table 3 summarizes historical and projected future population, assuming an updated current (2006 population estimate) and the future growth rate assumed in the coordinated county city forecasts. It also accounts for population within the entire UGB as described above.

Table 3. Historical and Future Population Data and Forecasts

	1990*	2000*	2006	2017	2027
Population	3,292	4,096	4,503	5,449	6,481

* Includes only estimated population within the city limits. Estimates for future years include population estimated within the entire UGB.

Section 3.230 Housing Occupancy and Structure Type

In 2006, there were an estimated 1,859 households in Warrenton, compared to 1,281 in 1990. There were an estimated 2,049 housing units in Warrenton in 2006, indicating a vacancy rate of approximately 10.2%, compared to a vacancy rate of 9.6% and 7.3% in 2000 and 1990, respectively. Homes classified as vacant fall into two general categories - those that are vacant because they are in the process of being sold or rented and are temporarily unoccupied for relatively short periods of time; and those that are occupied only seasonally (second homes or vacation homes) and considered to be vacant during a majority of the year. Year 2000 Census data indicates that about 3.2% of all housing units were used for seasonal occupancy (i.e., second/vacation homes).

Most homes in Warrenton are classified as single-family detached dwellings (over 65% in 2000), with manufactured homes (in parks) accounting for almost half of the remainder (14.3%) according to the 2000 Census.

Table 4. Housing Units by Structure & Occupancy, 2000

Unit Type	Total	Occupied
1 Unit Detached	62.2%	62.1%
1 Unit Attached*	3.6%	3.2%
2 Units	1.5%	1.3%
3 or 4 Units	4.3%	4.2%
5-9 Units	4.6%	4.2%
10-19 Units	3.4%	3.5%
20-49 Units	3.6%	4.0%
50+ Units	3.1%	3.2%
Manufactured Homes	13.8%	14.3%
Other	0.0%	0.0%

Source: US Census

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

In the City of Warrenton, 65% of year-round residents own their homes, while 35% are renters.

Section 3.240 Housing Costs, Household Incomes and Housing Affordability

Based on data from ESRI BIS, average and median home values in 2006 were approximately \$208,000 and \$192,000 respectively; with 43% of homes in the \$100,000 - \$200,000 price range and 34% in the \$200,000 - \$300,000 (see Table 5).

Table 5. Home Value of Specified Owner Units, 2006

Home Value	Number of <i>Homes</i>	%of <i>Total</i>
Less than \$50,000	108	9%
\$50,000-\$99,999	50	4%
\$100,000-\$149,999	209	17%
\$150,000-\$199,999	321	26%
\$200,000-\$299,999	424	34%
\$300,000-\$399,999	46	4%
\$400,000-\$499,999	41	3%
\$500,000-\$749,999	46	4%
\$750,000-\$999,999	4	<.4%
\$1,000,000 and Above	0	0%
Total Units	1,254	100%
[Average Home Value: \$207,530		
Median Home Value: \$191,919		

Source: US Census, ESRI BIS, Afarketek

Housing costs in Warrenton are relatively comparable to those for the state as a whole. At the same time, incomes tend to be below state averages. Table 6 summarizes data related to household income for Warrenton residents in comparison to the state as a whole. It indicates a median household income of under \$42,000 in Warrenton, about \$8,000 less than for the state as a whole. It also shows a higher percentage of residents in the two lowest income categories (below \$25,000) in Warrenton compared to the state, relatively similar percentages with middle incomes, and a lower percentage with upper incomes.

Table 6. Household Income, Warrenton, 2006

Income	Warrenton	State of Oregon
Less than \$15,000	16.1%	11.9%
\$15,000 to \$24,999	14.1%	10.4%
\$25,000 to \$34,999	10.2%	11.1%
\$35,000 to \$49,999	17.8%	16.6%
\$50,000 to \$74,999	20.9%	20.8%
\$75,000 to \$99,999	11.4%	12.5%
\$100,000 to \$149,999	6.2%	10.8%
\$150,000 to \$199,999	1.6%	3.0%
\$200,000 and more	1.7%	2.9%
Median Household Income	\$41,791	\$50,051

Source: ESRI BIS, ïfarketek

Housing affordability is typically assessed in one of two ways - either by estimating the percentage of households which spend more than 30% of their monthly income on housing (the standard measure of affordability) or by comparing incomes to the supply of housing at prices that people in those income levels could afford. The most recently available data related to the first measure comes from the 2000 US Census. That data indicated that just over 26% of all homeowner households spent more than 30% of their incomes on housing, while about 39% of renter households did the same. These percentages likely have climbed since the year 2000, given increases in housing costs, particularly for owner-occupied housing during this period.

Table 7 compares household incomes to the supply of homes available at prices that those households could afford if they spent approximately 30% of their monthly income on housing costs. The table indicates that there is a significant gap between the residents' incomes and housing that is affordable to them for the very lowest income range (below \$15,000) and a more moderate gap for people earning between \$35,000 and \$50,000. Households in some of the upper income ranges also have a shortage of (higher priced) housing available to them, meaning that they are likely buying or renting housing in lower price ranges which may result in gaps for people in lower income ranges.

Table 7. Comparison of Housing Incomes and Costs, Warrenton, 2006

<i>Income</i>	<i>Households</i>	<i>Affordable Monthly Housing Costs</i>	<i>Suooly</i>			<i>Surplus/-Gap</i>
			<i>Owner housing</i>	<i>Rental housing</i>	<i>Total</i>	
Less than \$15,000	299	Less than \$325	94	55	149	-150
\$15,000 to \$24,999	262	\$325-\$624	47	252	299	37
\$25,000 to \$34,999	190	\$625-\$874	114	155	269	79
\$35,000 to \$49,999	331	\$875-\$1249	211	63	274	-57
\$50,000 to \$74,999	389	\$1250-\$1874	378	19	397	8
\$75,000 to \$99,999	212	\$1875-\$2499	233	0	233	21
\$100,000 to \$149,999	115	\$2500-\$3749	77	0	77	-38
\$150,000 to \$199,999	30	\$3750-\$4999	38	0	38	8
\$200,000 and more	32	\$5000 or more	11	0	11	-21

This analysis indicates a need for more units in the very lowest price ranges as well as more units affordable to households with moderate incomes (just above and below Warrenton's median household income).

Section 3.250 Projection of Future Households and Housing Units

As noted previously, the number of future housing units needed and built in Warrenton will be affected not only by the projected increase in population but also by the future vacancy and seasonal home occupancy rates.

At less than 5%, Warrenton has a very low seasonal occupancy rate in comparison to other coastal communities. There have been no future projections of changes in seasonal occupancy rates for Warrenton or the North Coast area published by public agencies or private firms. Some information is available about national trends for the second home market, including the following observations and predictions:

- Approximately one in six owners of second homes have purchased their second homes for retirement.

- The typical current second home owner is in his or her early 60s, with an annual household income of \$76,000.
- The baby-boomer population, many of whom are nearing retirement age, own a large share of existing second homes. On average, future second-home buyers are expected to be younger.
- While many second home owners move into these homes full-time after retirement, a large percentage of coastal second-home owners eventually return to larger urban areas where they are closer to health and other support services.
- The second home market has expanded significantly in the Astoria area in the last several years.
- Most project advisory committee members predict that the seasonal occupancy rate in continue to increase over the next 20 years.

Taking the above factors into account, for the purposes of this analysis, the seasonal occupancy is projected to decrease slightly over the next 20 years from 3.5% to 7%. Average household sizes are expected to decrease slightly from 2.45 to 2.35 persons per household.

Warrenton's population is expected to increase by approximately 1.8% per year over the next 20 years, generally consistent with growth rates during the last 15 years. Table 7 summarizes historical and projected future population, assuming an updated current (2006 population estimate) and the future growth rate assumed in the coordinated county city forecasts. It also accounts for population within the entire UGB as described above. The number of housing units is projected to grow by a slightly higher rate, similar to trends experienced during the last several years in Warrenton and other coastal communities. This is projected to result in an increase of 1,147 housing units between 2006 and 2027.

Table 8. Historical and Projected Future Population, Households and Housing Units, 1990 - 2027

	1990	2000	2006	2017	2027
Population	3,292	4,096	4,503	5449	6,481
Households	1,281	1,621	1,838	2,270	2,758
Housing		1,799	2,025	2,561	
Units	1,189				3,172
Vacancy Rate	7.2%	9.9%	10.2%	12.8%	15%

Section 3.260 Future Needed Housing Types

The following trends are expected to affect the need for different types of housing:

- Increasing cost of land and housing in coastal and other communities throughout Oregon.
- Relatively modest increases in wages, consistent with trends during the last ten years.
- Continued need for relatively low cost housing for households and families with lower incomes, including workers in the retail/tourism sector.
- Continued expansion of the second home market in coastal communities such as Warrenton but with a lower seasonal occupancy rate than other coastal communities.
- Continued need for some manufactured housing as a potential supply of low-cost, workforce housing, although with a decreasing supply of this type of housing consistent with recent trends and a concurrent increase in the share of other relatively affordable housing types (see below).
- Potential increase in need and market for multi-family and single-family attached housing as a potential supply of low and moderate cost housing.

These factors and conditions are expected to have the following impacts on the need for different types of housing in Warrenton:

- Continued need for some manufactured housing as a potential supply of low-cost, workforce housing.
- Increased need for multi-family and single-family attached housing as a potential supply of low and moderate cost housing.
- Decreasing size of lots in comparison to recent trends as land and housing prices rise.

The following table identifies current and projected percentages and numbers of homes by housing type in Warrenton.

**Table 9. Existing and Projected Future
Housing Units by Type, 2006 - 2027**

Unit Type	Housing Units			
	2006		2027	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
1 Unit Detached	1,260	62.2%	1,729	54.5%
1 Unit Attached*	73	3.6%	190	6.0%
Duplexes	30	1.5%	111	3.5%
Triplexes, four-plexes	87	4.3%	159	5.0%
5 or more units	298	14.7%	539	17.0%
Manufactured Home	279	13.8%	444	14.0%
Total Units	2,025		3,172	

Source: US Census and Cogan Owens Cogan

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

Section 3.270 Future Land Needs

The amount of land needed for future housing depends on the number of housing units expected and the average density (or lot size) at which they are developed. State regulations require that the City estimate the amount of land needed in each zoning designation where housing is allowed. In Warrenton, housing can be constructed in several residential (R-1) and commercial (C-1) zones. Currently, housing is generally distributed among these zones as follows:

- Most existing housing is located in the R-10 and R-M zones.
- The next largest share of housing is located in the RGM and R-40 zones; a modest amount is located in the C-1, C-MU and A-1 zones.

Similar trends are expected in the future. The following distribution among zones is expected:

- A modest amount of new single-family detached housing is expected to be located in the R-40 and R-H, with larger amounts in the R-1- and R-M zones.
- Single-family attached housing **will** be located **R-M, R-H C-1 and C-MU** zones. This may include some mixed (residential/commercial) use development in the C-MU zone.

- Duplexes will be located primarily in the R-M and R-H zones, with small percentages in the two commercial zones.
- Multi-family housing will be located primarily in the R-H zone, with smaller amounts in the C-1 and C-MU zones.
- Manufactured homes in parks will continue to be located in the R-M zone. Manufactured homes on individual lots will be located in a variety of residential zones.
- The RGM zone provides a supply of longer-term future land, which will be developed primarily for single-family detached housing, duplexes and possibly some single-family attached housing. Ultimately it is expected to be zoned as R-10 but some may be needed as R-M land.
- Over the long term, R-40 land is expected to be served by public facilities and developable at densities allowed for such areas (R-10 equivalent density).

The following two tables summarize the projected distribution and average density of future development by housing type and city zoning designation based on the assumptions above. As noted above, it reflects the assumptions above and should be considered a projection. It does not require a certain distribution among different zones or preclude a different percentage or number of housing units be built in any given zone or area, assuming there is adequate land to accommodate them.

**Table 10. Projected Distribution of Future Housing Units
by Housing Type and Zoning Designation, 2027**

<u>Housing Type</u>	R-40	R-10	R-M	R-H	C-1	C-MU
1 Unit Detached	5%	44%	44%	5%	2%	0%
1 Unit Attached*	0%	0%	20%	50%	20%	10%
Duplexes	0%	0%	40%	50%	5%	5%
Triplexes, four-plexes	0%	0%	0%	90%	5%	5%
5 or more units	0%	0%	0%	90%	5%	5%
Manufactured Home	10%	45%	45%	0%	0%	0%

Source: Cogan Owens Cogan

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

Table 11. Projected Average Lot Size for Development by Zoning Designation and Housing Type, 2027

iHousing Type	R-40	R-10	R-M	R-H	C-1	C-MU
1 Unit Detached	40,000	10,000	8,000	5,000	5,000	5,000
1 Unit Attached*			2,500	2,500	2,500	2,500
Duplexes			2,500	3,500	3,500	3,500
Triplexes, four-plexes				3,300	3,300	3,300
5 or more units				2,400	2,400	2,400
Manufactured Home	40,000	10,000	7,000	5,000	5,000	5,000

Source: Cogan Owens Cogan

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

Tables 12 and 13 indicate the number of new housing units and amount of land needed for each type of housing in each zoning designation. Average densities in housing units per acre are shown as "net densities," i.e., not including land needed for roads and other public services because such areas already have been subtracted from the supply of buildable land.

Table 12. Projected Total Future Housing Units and Acres of Land Needed by Housing Type and Zoning Designation, R-40, R-10 and R-M zones, 2027

Housing Type	R-40		R-10		R-M	
	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Acres</i>
1 Unit Detached	23	21.6	206	48.4	206	38.7
1 Unit Attached*	0		0		23	1.4
Duplexes	0		0		32	
Triplexes, four-plexes	0		0		0	
5 or more units	0		0		0	
Manufactured Home	17	16.0	74	17.4	74	12.2
Total	40	37.6	280	65.8	335	52.3

Source: Cogan Owens Cogan

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

Table 13. Projected Total Future Housing Units and Acres of Land Needed Designation, R-H, C-1 and C-MU zones, 2027

Housing Type	R-H		C-1		C-MU	
	Percent	Acres	Number	Acres	Percent	Acres
1 Unit Detached	23	2.7	9	1.1	0	0.0
1 Unit Attached*	59	3.5	23	1.4	12	0.7
Duplexes	41	3.4	4	0.3	4	0.3
Triplexes, four-plexes	65	5.0	4	0.3	4	0.3
5 or more units	217	12.2	12	0.7	12	0.7
Manufactured Home	0	0.0	0	0.0	0	0.0
Total	405	26.8	52	3.7	32	2.0

Source: Cogan Owens Cogan

* This is the Census term for single-family attached housing (e.g., townhouses or rowhouses)

The following table summarizes the difference between the supply of buildable land and the amount of land needed in each zone to meet these future land needs. There appears to be an overall surplus of residential land of over 277 acres. A portion of this land will be used for commercial purposes. However, even after taking most of the commercially zoned land out of the inventory, there still would be an overall surplus of land available for residential development.

Table 14. Comparison Between Land Supply and Need by Zoning Designation, 2027

	Suooly	Need	Gap
R-40	61.5	37.6	23.9
R-10	167.2	65.8	101.4
R-M	21.7	52.3	-30.6
R-H	83.3	26.8	56.5
RGM	58.1		58.1
C-1	73.3	3.7	69.5
C-MU	0.3	2.0	-1.8
Total	465.3	188.3	277.0

Source: Cogan Owens Cogan

Project advisory committee members noted that some areas currently designated as wetlands would not necessarily meet the definition of wetlands if an official wetland delineation of those properties were undertaken. Approximately 1,130 acres of land designated for residential use in the city are covered by significant wetlands. If there were fewer areas with wetlands in Warrenton the surplus of buildable lands would be

even larger. For example, if 20% of the lands currently designated as wetlands were in fact considered buildable, approximately 225 additional acres of land would be available for residential development. After deducting for land needed for roads and other public facilities, this would result in about 180 net acres of land, or almost double the surplus currently calculated.

Section 3.280 Conclusions

Following is a brief summary of conclusions.

- The analysis indicates a significant surplus of land overall within Warrenton's UGB and the ability to accommodate growth during a 20-year period within expanding the city's UGB or relying on land within adjacent cities urban areas to accommodate needs projected in Warrenton.
- The analysis shows a surplus in most individual plan designations, with the exception of RM and C-MU zones. This could be remedied by rezoning some C-1 land to C-MU and by zoning land in any of a number of residential zones (e.g., R-10, RGM or R-40) to RM. Or more land in one of these other zones could be assumed to be developed for single family detached housing (and less land in the **RM** zone).
- The needs analysis generally identifies a significant gap between incomes and housing prices with a shortage of housing for households with very low incomes (under \$15,000) and a moderate gap for those in the \$35,000 to \$50,000 household income range. There also is a smaller gap in some of the upper income categories, while there is a surplus of housing affordable to households in other income ranges.
- There is a need for additional multi-family units and some other types of units that are potentially more affordable to those with lower or moderate incomes, including duplexes, tri-plexes and single family detached homes (i.e., townhouses). The land needs analysis incorporates this finding.
- The housing market cannot be expected to meet the projected housing needs of Warrenton residents alone, particularly for people with very low incomes. A variety of strategies can be implemented by the City in partnership with non-profit and for-profit developers and others to encourage the development of housing in price ranges and types that would be affordable to a wider range of residents. Many of those strategies are identified in the following *Proposed Housing Policies* section.

Section 3.290 Goals

Achieve efficient and well-integrated development patterns that meet the needs of residents and property owners with a variety of incomes and housing needs, are compatible with natural features, and are consistent with the City's ability to provide adequate services.

SECTION 3.300 POLICIES

Section 3.310 Residential Lands

(1) It is the City's policy to encourage the development of housing needed to accommodate desired growth, and to provide every Warrenton household with the opportunity to obtain a decent home in a suitable neighborhood. Residential construction shall occur primarily in the following four types of areas:

(a) The High Density Residential zone is intended to encourage the development of ~~duplexes and other~~ multi-family dwellings. It provides for high density uses in locations close to the downtown area or other locations which have suitable streets, utilities and other characteristics. Certain non-residential uses are allowed if they will not detract from the character of this district. Land in the Hammond area that was in the Town's R-H zone has been placed in this zone.

(b) The Medium Density Residential Zone is intended to accommodate a variety of housing types including single-family dwellings, duplexes, townhouses, triplexes, quadplexes, courtyard cottages, ~~and, where appropriate,~~ manufactured dwelling subdivisions and manufactured dwelling parks. This intensity of residential use is envisioned for locations in the City where community services and adequate access are available. Residential densities permitted are somewhat greater than those permitted in an R-10 zone. Certain public facilities and other non-residential uses are also permitted when desirable conditions and safeguards are satisfied. Those lands in the Hammond area that were in the Hammond R-6 zone have been placed in this zone.

(c) The purpose of the Intermediate Density Residential Zone is to provide areas within the City which have the capacity to accommodate single-family dwellings, duplexes, townhouses, and courtyard cottages in conventional subdivisions or planned unit developments. These areas are intended for service by municipal utilities and urban type street systems, and, consequently, the residents must be willing to support the costs associated with this density of development. Certain public facilities and other non-residential uses are permitted when desirable conditions and safeguards are satisfied. This zone includes those areas in Hammond that were in Hammond's Low Density Residential Zone (R-10).

(d) The Low Density Residential Zone is intended for areas which are physically isolated from the developed portions of the City, and for which extension of sewer and water services would be prohibitively expensive. Lands in this zone must be able to support development with on-site sewage disposal

systems, and comply with all local, state and federal requirements. Agriculture, open space and residential uses will be permitted in this zone subject to wetlands, weak foundation soils, and active dune constraints.

- (2) Residential densities in each zone will vary with the type of development and the characteristics of the site and surrounding area.
- (3) New housing developments with four or more dwelling units which carry out particular functions considered beneficial to the community may be allowed to have higher residential densities than permitted for otherwise comparable developments. Functions which qualify include those which the City believes will cluster development in a sound manner or promote energy conservation.
- (4) Planned unit developments will be permitted in a special overlay zoning district intended to provide for developments incorporating a single type or variety of housing types and related uses which are planned and evolve as a unit. The purpose of this district is to provide a more desirable environment through application of flexible and diversified land development standards in an overall site development plan approved by the City. Commonly-owned land and facilities may be allowed. Planned unit developments will be encouraged on tracts large enough to accommodate ten or more dwellings.
- (5) New multifamily residential dwellings may be allowed in a planned unit development if otherwise allowed in the base zone.
- (6) New single family attached, multifamily, and mixed use housing may be allowed in some of the City's commercial zones. Residential densities in these commercial zones may not exceed those in a High-Density Residential district.
- (7) Manufactured dwellings used for residential purposes will be permitted in manufactured dwelling parks or special subdivisions that meet appropriate standards, such as screening and street access requirements. Manufactured dwellings shall also be allowed on individual lots in ~~all~~ some of the City's residential zone as permitted uses, subject to standards.
- (8) Residential developers will generally be responsible for providing streets, utilities, storm drainage facilities and other improvements necessary for the development of a housing site. Some of these responsibilities are discussed further in the Public Facilities and Services, Transportation and Natural Features sections of this Plan.

(9) The City supports the efforts of the Northwest Oregon Housing Association, U.S. Department of Agriculture and other organizations to make funds available for rehabilitation or winterization of local housing. Consideration will be given to adopting a housing code to help ~~insure~~ensure that this and other housing is kept up to minimum standards.

(10) The City shall encourage establishment of a system which would make it possible for every jurisdiction in the County to get its fair share of subsidized housing. In connection with this activity, the City shall support efforts of developers, non-profit groups, public agencies and others to evaluate the desirability of public lands in the County for subsidized housing and, when feasible, to make use of sites appropriate for this purpose.

(11) The City will zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, duplexes, townhomes, triplexes, quadplexes, and multi-family dwellings.

(12) The City will encourage the use of sustainable development and building materials including use of energy efficient materials and design principles.

(13) The City will ensure compliance with federal and state fair housing laws, which affirm access to housing opportunities for all people in Warrenton.

Section 3.310.1 Strategies

(1) Help identify opportunities for builders and developers to consolidate buildable land to promote more efficient development.

(2) Regularly update the City's inventory of buildable land (at least every five years) and use it to both identify housing development opportunities and assess the ability to meet future housing needs. If growth is occurring at a faster rate than previously predicted, work with the County to update the county's coordinated population forecast and the City's housing needs analysis.

(3) Discourage development within the R-40 zone until services have been provided in those areas and land has been rezoned to urban densities (e.g., R-10 or RM).

(4) Provide water and sewer services to land designated as R-40 to allow for urban level development.

- (5) Rezone R-10 land as needed in the future to meet the need for multi-family housing types and/or single-family residential housing on smaller lots as needed based on housing market conditions and updated housing needs analyses.
- (6) Work with the development community to ensure creation of new housing that meets identified future needs.
- (7) Monitor public facility capacity to ensure that proposed new residential developments can be adequately served by water, sewer, transportation, drainage and other public facilities.
- (8) Consider passing an ordinance requiring replacement of affordable housing in conjunction with closure of manufactured home parks.
- (9) Support statewide efforts to allow for inclusionary housing and affordable housing funding mechanisms currently prohibited or not allowed by state law, such as real estate transfer taxes or "flipping fees."
- (10) Consider waiving or deferring city fees such as development fees or system development charges for affordable housing projects that meet defined criteria and result in permanently affordable housing.
- (11) Support mechanisms and organizations that help reduce the cost of or leverage other monies to develop affordable housing such as community land trust, housing trust funds or similar entities.
- (12) Consider the use of density bonuses or other incentives to encourage the development of affordable housing.
- (13) Work with other public agencies and/or other organizations to provide or assist in paying for technical assistance for housing projects targeted to households with low or moderate incomes developed by nonprofit organizations.
- (14) Work with state and federal agencies, and other organizations to acquire and bank vacant or underutilized properties, including urban reserve lands, for the future development of housing affordable to households with low and very low incomes.
- (15) Negotiate agreements to develop housing affordable to residents with low or moderate incomes on lands to be annexed.
- (16) Advocate for national and state funding from the National Housing Trust Fund, Oregon Housing Trust Fund, and Lenders Tax Credit.

(17) Encourage and facilitate Transfer of Development Rights (TDR) transactions to preserve agricultural, natural resource and open space lands and promote efficient development.

Section 3.320 Commercial Lands

(1) It is the City's policy to promote convenient and attractive commercial areas that, along with other commercial facilities in the County, provide an adequate level of trade and services for local citizens, other County residents and tourists. Commercial enterprises may be permitted in these three kinds of areas.

(a) The Marine Commercial Shorelands Zone is reserved for water-dependent developments and associated uses on shorelands adjoining certain portions of the Skipanon waterway. A mixture of water-dependent uses are allowed, including commercial service and storage, and recreation-oriented uses. Marine Commercial Shoreland areas have unique characteristics that make them especially suited for water-dependent development. Characteristics that contribute to suitability for water-dependent development include:

- (i) Deep water close to shore with supporting land transportation facilities suitable for ship and barge facilities;
- (ii) Potential for aquaculture;
- (iii) Protected areas subject to scour which would require little dredging for use as marinas;
- (iv) Potential for recreational utilization of coastal waters or riparian resources.

(b) The purpose of the Recreational - Commercial zone is to provide for water-dependent and water-related development along certain shorelands in Warrenton near the Hammond Marina and the Skipanon River marinas. Water-dependent recreational and tourist-related commercial development have the highest priority in the Recreational-Commercial zone. Other uses may be allowed so long as they do not pre-empt water-dependent uses. Lands in the Town of Hammond's C-2 zone are in this zone.

(c) The purpose of the General Commercial Zone is to allow a broad range of commercial uses providing products and services in the downtown area, the Hammond business district, and along the highway 101 corridor.

(d) The purpose of the Mixed Use Commercial Zone is to strengthen certain established residential areas having frontage on state highways as transition areas between commercial centers and outlying residential areas. The District is intended to support this goal through elements of design and appropriate mixed-use development. Mixed-use development features design standards that allow residential and commercial uses to occur simultaneously on the same lot.

(e) The purpose of the Urban Recreation/Resort Zone is to control development on certain shoreland areas designated Other Urban Shorelands in the Comprehensive Plan. This zone is appropriate for large tracts of land suitable for development of golf courses and other uses listed in the zone.

(2) Precautions will be taken to minimize traffic congestion associated with nearby commercial uses, particularly on U.S. Highway 101, Main Avenue, East Harbor Drive, Neptune Drive and Marlin Avenue. Groupings of businesses, common access points and other appropriate techniques will be encouraged. Sufficient parking on either jointly-used lots or individual business sites will be required for new commercial developments.

(3) A new regional shopping center or large regional stores are a permitted use in the General Commercial district near U.S. Highway 101 or East Harbor Drive, if the development will enhance market choices available to consumers and improve the local economy through retail diversity and attraction of new businesses. Adequate attention must also be given to the size, shape and location of the site; the organization of the shopping center facilities; access points, on-site traffic circulation; parking and loading space; and landscaping and sign installation.

(4) If the City determines that more land is needed in the General Commercial district, consideration will be given to including an area west of S.E. Marlin Avenue, north of U.S. Highway 101, east of the right-of-way for S.E. King Avenue and South of the right-of-way for S.E. Seventh Street.

(5) The City supports the efforts to develop a regional shopping district adjacent to U.S. Highway 101. The City finds that such a development would strengthen the local economy, attract new businesses to Warrenton and increase the diversity of retail commercial uses available to Clatsop County residents.

Section 3.330 Industrial Lands

(1) It is the City's policy to support the establishment of a variety of well-designed industrial facilities in appropriate locations in order to expand employment opportunities, make use of land best suited for industry, increase the local tax base and insure a stable economy. Industrial development shall take place in the following areas:

(a) The purpose of the General Industrial Zone is to provide sites for light, heavy, and airport-related industrial activities in the City of Warrenton. These areas are suitable for uses involving manufacturing, fabrication, processing, trans-shipment and bulk storage. General Industrial areas are near or adjacent to arterial transportation corridors.

(b) Water-Dependent Industrial Shoreland areas have unique characteristics that make them especially suited for water-dependent development. Characteristics that contribute to suitability for water-dependent development include:

- (i) deep water close to shore with supporting land transportation facilities suitable for ship and barge facilities;
- (ii) potential for aquaculture;
- (iii) protected areas subject to scour which would require little dredging for use as marinas;
- (iv) potential for recreational utilization of coastal waters or riparian resources.

Uses of Water-Dependent Industrial Shorelands areas shall maintain the integrity of the estuary and coastal waters. Water-dependent uses receive highest priority, followed by water-related uses. Uses which are not water-dependent or water-related are provided for, but only when they do not foreclose options for future higher priority uses and do not limit the potential for more intensive uses of the area.

(2) Appropriate industrial, commercial and other uses are allowed to occur in the Aquatic Development Zone (A-1). Waters in these locations may be used more intensively than those in a Conservation or Natural zone. Marinas, port facilities, aquaculture and other water-dependent development facilities are the primary uses which are permitted with standards or allowed as a conditional use. Piers, secured floats, dredging and filling are acceptable when adequately justified.

(3) Some industrial uses may also be allowed in other types of zones, primarily commercial districts. For example, boat building and seafood processing are permitted with suitable conditions in a Marine Commercial Zone. Printing firms may locate in General Commercial areas.

(4) Any industrial development exempt from taxation under ORS 307.120, Chapter 705, Oregon Laws 1979, or similar statutes as now or may hereinafter be enacted shall not be allowed unless specifically authorized. Any applicant must prove that no need for additional public services will directly or indirectly result from the industrial development which will cause a burden on or tax shift to other local taxpayers. Payments or other considerations to affected local public agencies may be made by applicant or others in lieu of taxes to offset any revenue deficit.

Section 3.340 Agriculture, Forestry, Wetlands and Open Space

(1) **Open Space:** It is the City's policy to encourage efficient urban development, protect environmentally sensitive areas, and otherwise benefit the public by setting aside appropriate locations for open space, agriculture and forestry. Rural development and conservation areas or zones, described elsewhere in this plan, include important open-space tracts, such as portions of Fort Stevens State Park. Cluster development, appropriate landscaping and other efforts to preserve open space are encouraged in urban development areas. The extensive estuarine areas within the City limits and UGB are a significant open space resource.

(2) **Agriculture:** Agricultural operations are permitted in Rural Development and Conservation areas. Large tracts of land in Urban Development areas also may be used for these purposes. A major concern is avoiding nuisances to nearby property used for urban purposes.

(3) **Forestry:** Forestry operations are permitted in Rural Development and Conservation areas. Large tracts of land in Urban Development areas also may be used for these purposes. A major concern is avoiding nuisances to nearby property used for urban purposes.

(4) **Wetlands:** The City is preparing a Wetland Conservation Plan to guide management of the extensive areas of non-tidal wetlands in the City and UGB area. Tidal wetlands are addressed in Article 5 of this Plan.

(5) The purpose of the Open Space & Institutional zone is to provide for development, use and management of parks, school grounds, golf courses, cemeteries and other relatively large tracts of publicly-used land.



CITY OF WARRENTON COMPREHENSIVE PLAN

ARTICLE 5 COLUMBIA RIVER ESTUARIES AND ESTUARY SHORELANDS

**ORDINANCE NO. 1058-A
(AS AMENDED BY ORDINANCE NO. 1153-A)**

ADOPTED ON JANUARY 25, 2011

(7) The City will consider the recreational and public access value of any public lands proposed to be leased or sold to private interests, or used for public purposes which would reduce needed public access. The City will hold a public hearing to dispose of or lease public property, and will consider public input.

Section 5.325 Recreation and Tourism

These policies are applicable to recreational and tourist-oriented facilities in Columbia River Estuary shoreland and aquatic areas.

(1) New non-water-dependent uses in aquatic areas or in areas zoned Marine Commercial Shorelands or Water-Dependent Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.

(2) Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by providing water access points, waterfront viewing areas, and structures visually compatible with the waterfront.

(3) The following sites (described in the *Economic Evaluation of the Columbia River Estuary*), as well as other potential development sites in the Columbia River Estuary, are suitable for estuary-related recreational development, including moorage, boat building and repair, charter offices, fuel, boat ramps, and associated facilities;

Warrenton Boat Basin	Hammond Boat Basin
Ilwaco Boat Basin	Chinook Boat Basin
Skamokawa	Cathlamet Boat Basin
South Astoria	Port of Astoria
East Astoria	Bradwood

Development of a new recreational marina at any of these sites, or at another site in the Columbia River Estuary, will trigger reevaluation of the need for remaining vacant sites designated for recreational development.

Section 5.327 Residential, Commercial and Industrial Development

These policies apply to construction *or* expansion of residential, commercial or industrial facilities in Columbia River Estuary shoreland and aquatic areas. Within the context of this subsection, residential uses include single-family, duplexes, townhomes, triplexes, quadplexes, courtyard cottages, and multi-family structures, ~~mobile homes~~ manufactured homes, and floating residences (subject to an exception to Oregon Statewide Planning Goal 16). Duck shacks, recreational vehicles, hotels, motels and bed-and-breakfast facilities are not considered residential structures for purposes of this subsection. Commercial structures and uses include all retail or wholesale

storage, service or sales facilities and uses, whether water-dependent, water-related, or non-dependent, non-related. Industrial uses and activities include facilities for fabrication, assembly, storage, and processing, whether water-dependent, water-related or non-dependent non-related.

(1) New non-water-dependent uses in aquatic areas and in Marine Commercial Shorelands or Water-Dependent Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.

(2) Residential, commercial or industrial development requiring new dredging or filling of aquatic areas may be permitted only if all of the following criteria are met:

(a) The proposed use is required for navigation or other water-dependent use requiring an estuarine location, or if specifically allowed in the applicable aquatic zone; and

(b) A substantial public benefit is demonstrated; and

(c) The proposed use does not unreasonably interfere with public trust rights; and

(d) Feasible alternative upland locations do not exist; and

(e) Potential adverse impacts are minimized.

(3) Piling or dolphin installation, structural shoreline stabilization, and other structures not involving dredge or fill, but which could alter the estuary may be allowed only if all of the following criteria are met:

(a) A substantial public benefit is demonstrated; and

(b) The proposed use does not unreasonably interfere with public trust rights; and

(c) Feasible alternative upland locations do not exist; and

(d) Potential adverse impacts are minimized.

CHAPTER 16.12
DEFINITIONS

§ 16.12.010. Definitions.

Abutment. A substructure composed of stone, concrete, brick or timber supporting the end of a single-span bridge or the ends of a multi-span superstructure and, in general, retaining or supporting the approach embankment placed in contact therewith.

Abutting. Contiguous or adjoining. It shall include the terms adjacent, adjoining and contiguous.

Access. The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

Access Easement. An easement recorded for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

Accessible. Approachable and useable by people with disabilities. Complies with the Americans With Disabilities Act.

Access Management. The control of street (or highway) access for the purpose of improving the efficiency, safety and/or operation of the roadway for vehicles; may include prohibiting, closing, or limiting direct vehicle access to a roadway from abutting properties, either with physical barriers (curbs, medians, etc.) or by land dedication or easement. See also Section 16.120.020.

Accessory Dwelling. A small, secondary housing unit, usually the size of a studio apartment, located on the same lot as an established detached single-family residence. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. An accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.

Accessory Structure. A structure incidental and subordinate to the primary structure on the property and located on the same lot (i.e., a detached garage used for storage of personal is an accessory structure to a residence). All accessory structures shall comply with the standards of Chapter 16.180, Accessory Structures, Garages, and Carports, and other applicable sections of this Code.

Access/Road Approach Permit. The authorization to connect the edge of a driveway or road approach to a public right-of-way in accordance with applicable City, county, state, or federal access permit requirements.

Accessory Use. A use incidental and subordinate to the primary use of the property and located on the same lot.

Accretion. The buildup of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

Adjacent. Abutting or located directly across a street right-of-way.

Administrative. A discretionary action or permit decision made without a public hearing, but requiring public notification and an opportunity for appeal. See also Section 16.208.040.

Adult Foster Home. A family home or facility in which 24-hour care is provided for five or fewer adults who are not related to the provider by blood or marriage.

Advance Maintenance Dredging. Dredging with the aim of providing year-round channel availability and to allow for an annual dredging cycle. Will not deepen the facility beyond its previously authorized depth.

Adverse Impact. Negative effect of development that can be measured (e.g., noise, air pollution, vibration, dust, etc.).

Affordable. Means housing affordable to a certain percentage of the population earning a specified level of income and spending no more than 30% of their income on housing expenses. For more information, refer to the Federal Department of Housing and Urban Development and the Oregon Department of Housing and Community Services.

Agitation Dredging. A sand by-passer dredge uses a prop-wash to stir up sediments. The current will then carry the sediments downstream away from the shoal area.

Agriculture. As used in this Code, "agriculture" is the same as "farm use" as defined by ORS 215.203(2)(a). See also Chapter 16.196, Agriculture, Horticulture, and Livestock.

Airport.

1. **Approach Surface.** A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. The inner edge of the approach surface is the same width as the primary surface and extends to a width of 1,510 feet for Runway 8; 4,000 feet for Runway 26; 1,000 feet for Runway 13; and 700 feet for Runway 31. The approach surface extends outward a distance of 8,500 feet at a slope of 34:1 for Runway 13; 1,000 at a slope of 20:1 for Runway 31; 10,000 feet at a slope of 50:1 for Runway 26; and 1,700 feet at a slope of 34:1 for Runway 8.
2. **Clear Surface.** Extends from the primary surface to a point where the approach surface is 50 feet above the runway end elevation.
3. **Conical Surface.** A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
4. **Hazard.** Any structures, trees or other objects of natural growth from penetrating airport imaginary surfaces.
5. **Horizontal Surface.** A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the primary surface of each visual or utility runway and 10,000 feet from the center of each end of the primary surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.
6. **Imaginary Surfaces.** Those imaginary areas in space which are defined by the approach surface, transitional surface, horizontal surface, clear surface and conical surface.
7. **Noise Sensitive Areas.** Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 Ldn.
8. **Place of Public Assembly.** Structure or place, which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement,

awaiting transportation or similar activity.

9. **Primary Surface.** A surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is 500 feet for Runway 31-13, and 1,000 feet for Runway 8-26.
10. **Sponsor.** The owner, manager, other person, or entity designated to represent the interests of an airport [OAR 660-013-0020(6)].
11. **Transitional Surface.** These surfaces extend seven feet outward for each one foot upward (7:1) beginning on each side of the primary surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (horizontal surface).
12. **Utility Runway.** A runway that is constructed and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Alley. A street that affords only a secondary means of access to the property. See Section 16.120.020(F).

Ambient. Something that surrounds, as in the level of light, dust or noise.

Apartment. A portion of a building which is occupied or which is intended or designed to be occupied as an independent dwelling unit and contains separate housekeeping facilities for living, sleeping, cooking, and eating. As used in this Code, apartment refers to a secondary and accessory use of a portion of an otherwise nonresidential building; although apartment, as it is commonly used, may refer to an individual unit within a multifamily dwelling.

Appeal. A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

Aquaculture. The raising, feeding, planting and harvesting of fish, shellfish, aquatic plants, or other aquatic organisms, including associated facilities necessary to engage in the use.

Aquatic Area. The tidal waters and wetlands, and the land underlying these waters. The upper limit of aquatic areas is the upper limit of aquatic vegetation or, where such a line cannot be accurately determined, mean higher high water.

Arcade. An arched or covered passageway; often along building fronts or between streets.

Area of Shallow Flooding. A designated AO, or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly-defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

Area of Special Flood Hazard. The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Areas so designated on Flood Insurance Rate Maps (FIRMs) always include the letters A or V.

Arterial. A street or road of considerable continuity, which is primarily a traffic artery for intercommunication among large areas. See Chapter 16.136.

Articulate/Articulation. The joining and interrelating of building spaces through offsets,

projections, overhangs, extensions and similar features.

Arts and Crafts Establishment. The sales, teaching, practice, production, and repair of articles in the arts and crafts field, providing that such establishments shall be limited to those requiring special artistic skills or manual skills of a handicraft nature.

Automobile.

1. **Oriented Uses.** "Automobile-oriented uses" means automobiles and/or other motor vehicles which are an integral part of the use; includes drive-up, drive-through, vehicle sales, service, or repair, and similar uses. These uses may be restricted when they detract from the pedestrian-friendly, storefront character of the district and can consume large amounts of land relative to other permitted uses.
2. **Repair.** A business which repairs all aspects of a vehicle, including painting.
3. **Sales or Service Establishment.** A business engaged in the storage, sales or servicing of automobiles, trucks, recreation vehicles, or other vehicles. Gasoline service stations are not included in this definition.
4. **Service Station.** A business primarily engaged in the retail sale and dispensing of internal combustion fuels and lubricating oils for use in automobiles, light trucks, and recreation vehicles. A gasoline service station may also service vehicles (tune-up, brake work, lubrication, engine repair, electrical system work, etc.) if such work is conducted in an enclosed structure built especially for that purpose.

Avulsion. A tearing away or separation by the force of water. Land, which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

Bankline Alteration. Realignment of a stream bank or the entire stream, either within or outside of its normal high water boundaries.

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on Flood Insurance Rate Maps (FIRMs) always includes the letters A or V.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Base Zone. The underlying (or base) zoning district for a particular lot or land area. Chapters 16.24 through 16.88 list all of the City's base zones. Not included in this definition are overlay zones, which are listed in Chapters 16.92 through 16.112.

Beach. Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

Beach Nourishment. Placement of sand material on actively eroding beach sites as a means of preventing further erosion of the bankline and to maintain the historic beach profile. Beach nourishment does not include creation of new land area or beaches and must provide for the protection of estuarine resources (including habitat, nutrient, fish, wildlife, and aesthetic resources). Dredged material may be used for beach nourishment.

Bed and Breakfast Inn. An owner- or operator-occupied dwelling where no more than five

rooms are available for transient lodging and where a morning meal is provided.

Below-Grade Crawl Space. An enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawlspace to the top of the crawlspace foundation, does not exceed four feet at any point.

Beneficial Use. Placement or use of dredged material for some productive purpose. These uses may involve either the dredged material or the placement site as the integral component of the beneficial use.

Berm. A sloped wall or embankment used to prevent inflow or outflow of material and/or water into or from an area.

Beveled Building Corner. A rounded or flat edge on a building, usually at a street corner; may include an entrance, windows, pillars, or other architectural details and ornamentation.

Block. A parcel of land or group of lots bounded by intersecting streets. See also Chapter 16.120.

Boarding, Lodging or Rooming House. A residential type of building or portion thereof, other than a hotel or motel, where lodging with or without meals is provided for not less than two persons nor more than 10 persons, not including members of the owner- or tenant-occupied family.

Boat House. A floating or pile-supported structure used for the protection and storage of a boat or boats.

Boat Ramp. An improved sloped surface extending from a shoreland area into an aquatic area suitable for removing a boat from the water and launching a boat into the water from a trailer.

Bollard. A post of metal, wood or masonry that is used to separate or direct traffic (vehicles, pedestrians and/or bicycles). Bollards are usually decorative, and may contain sidewalk or pathway lighting.

Boulevard. A major landscaped street (arterial) that carries moderate to heavy volumes of traffic at moderate to high speeds with broad open space areas; typically with planted medians. See Chapter 16.132.

Break-a-Way Wall. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Bridge Crossing. The portion of a bridge spanning a waterway, not including supporting structures or fill located in the waterway or adjacent wetlands.

Bridge Crossing Support Structure. Piers, piling, abutments, and similar structures necessary to support a bridge span, but not including fill for causeways or approaches.

Buildable Lot. A legal lot which is proposed for use in compliance with this Code and has received approval of the water supply and sewerage disposal method as appropriate to such use.

Building. Any structure used or intended for supporting or sheltering any use or occupancy. Recreational vehicles and fences are not included in this definition.

Building Footprint. The outline of a building, as measured around its foundation.

Building Height. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height (the center height between the highest and lowest point) of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of that building. The reference datum shall be whichever of the following two measurements results in the greater building height:

1. The reference datum is the lowest grade when the highest ground surface within a five-foot horizontal distance of the exterior wall of the building is not more than 10 feet above that lowest grade (see also definition of "Grade");
2. The reference datum is 10 feet higher than the lowest grade when the ground surface described in paragraph (1) above is 10 feet or more above that lowest grade (see also definition of "Grade").

Building Mass. The aggregate size of a building, or the total height, width, and depth of all its parts.

Building Scale. The dimensional relationship of a building and its component parts to other buildings.

Bulkhead. A vertical wall of steel, timber or concrete used for erosion protection or as a retaining wall.

Business Service Establishment. Businesses primarily engaged in rendering services to other business establishments. These services include, but are not limited to, employment services, advertising services, consumer credit and reporting services, collection services, mailing services, and building maintenance services. Not included in this definition are repair, professional, educational or contract construction services.

Capacity. Maximum holding or service ability, as used for transportation, utilities, parks and other public facilities.

Care Facility. See "Residential Facility."

Cellular Tower. See "Wireless Communication Facility."

Centerline Radius. The radius of a centerline of a street right-of-way.

Child Care Center. Provides care and supervision of four or more, not to exceed 12 minor children for periods of less than 24 hours. See also ORS 657A for certification requirements.

Clamshell Dredge. A mechanical cable excavator dredge that uses a single bucket attached to the dredge crane with cables. The dredge operates by lifting the bucket (the clamshell), dropping it into the bottom sediments, lifting the bucket and dredged material to the surface, and emptying the dredged material into a nearby disposal facility or barges for transportation to either an upland or in-water site disposal facility.

Clear and Objective. Relates to decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

Coastal High Hazard Area. An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone

V1-V30, VE or V.

Coastal Shorelands. Those areas immediately adjacent to the ocean, estuaries, associated wetlands, and coastal lakes. Coastal shorelands are limited in landward extent by the coastal shorelands boundary, described in the Comprehensive Plan.

Collector. A street or road supplementary to the arterial street system and a means of interconnection between this system and smaller areas used to some extent for through traffic and to some extent for access to abutting properties. See Section 16.136.010.

Commercial. Land use involving buying/selling of goods or services as the primary activity.

Commercial Timber Harvesting. The harvesting of timber for commercial purposes on tracts of land larger than one acre.

Common Area. Land commonly owned to include open space, landscaping or recreation facilities (e.g., typically owned by homeowners associations).

Communication Facility. Power and communication lines and towers, antennas, microwave receivers and transmitters, and wireless communication facilities.

Communication Service Establishment. Businesses primarily engaged in communication activities, including newspaper and printing services, television and radio services, and telephone and telegraphy services.

Community Garden. A piece of land cultivated and planted with fruits and vegetables by members of a community. May also include structures for storage of garden equipment and cleaning of fruits and vegetables (i.e., garden shed, gazebo, etc.).

Comprehensive Plan. The comprehensive development plan for the City of Warrenton, comprising plans, maps and reports or any combination thereof, relating to the City's economy, physical growth, development, and redevelopment.

Conditional Use. A use, which requires a conditional use permit. See Chapter 16.220.

Condominium. A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. Condominium means unit ownership pursuant to Oregon Revised Statutes, including multiple-unit buildings or single-unit buildings, or any combination thereof. See also "Multifamily Housing Development."

Confined Aquatic Disposal (CAD). An in-water disposal location where dredged material is contained (see "Confined Disposal Facility"). Contaminated and capping material is placed in a natural or man-made bottom depression providing lateral support to the capped mound.

Confined Disposal Facility (CDF). Include any disposal location where dredged material is contained, upland, in-water, or near-shore. Such disposal involves the controlled placement of the dredged material at a designated dredged material disposal site. Such a process may involve the construction of levees or other holding facilities as a means of containing the material.

Consensus. Agreement or consent among participants.

Conservation Easement. An easement that protects identified conservation values of the land, such as wetlands, woodlands, significant trees, floodplains, wildlife habitat, and similar resources.

Corner Radius. The radius of a street corner, as measured around the curb or edge of pavement.

Cornice. The projecting horizontal element that tops a wall or flat roof.

Cottage Manufacturing. A small-scale, decentralized manufacturing business often operated out of a home rather than a purpose-built facility.

Courtyard. A court or enclosure adjacent to a building, which usually provides amenities such as gardens, planters, seating, or art.

~~**Courtyard Cottages. Cottage Clusters.** Consist of Four or more cottages that are built or placed around a shared open space and shared parking. Cottages are subject to Chapter 16.202. Four or more cottages that are 1,200 square feet or less built or placed around a shared open space and shared side yard parking. Cottages can be on fee simple lots or one lot in common ownership.~~

Critical Facility. A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Curb Cut. A driveway opening where a curb is provided along a street.

Day Care. The residence of the day care provider which receives no more than three children for the purpose of providing care (excludes children's relatives).

Deciduous. Tree or shrub that sheds its leaves seasonally.

Dedication. The designation of land by its owner for any public use as shown on a subdivision plat or deed. The term may also be used for dedications to a private homeowners association.

Density. A measurement of the number of dwelling units in relationship to a specified amount of land. As used in this Code, density does not include land devoted to street right-of-way. Density is a measurement used generally for residential uses but is also applied to mixed use developments. Density calculations resulting in fractions of more than one-half can be rounded up.

1. Maximum. The maximum amount of dwelling units on a given lot that is larger than one acre.
2. Minimum. The amount of dwelling units that are the minimum necessary to develop a one acre or larger lot.
3. Net. The amount of density allowed when non-buildable land (wetlands, riparian, floodplain) is subtracted from the gross acres.

Department Store. A store that carries several lines of merchandise and is organized into separate departments for the purpose of promotion, service, accounting and control.

Designated Water-Dependent Shoreland Site. An estuarine shoreland area designated in a comprehensive plan and land use regulation to comply with Coastal Shoreland Uses Requirement 2 of Goal 17, Coastal Shorelands [OAR 660-015-0010(2)].

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

Dike.

1. **Dredged Material Disposal.** A structure consisting of sediments, rock, or other material designed to contain the dredged material and allow for settling of solids in a specific area while it is being deposited and after deposition has occurred.

2. Flood Protection. A structure designed and built to prevent inundation of a parcel of land by water.

Discontinued. With regard to residential structures in the general commercial (C-1) zoning district, a discontinued building is one that can be classified as a dangerous building and/or can no longer be used for habitation purposes, as determined by the building official. For general regulatory purposes, "discontinue" means to interrupt the continuance of; to put an end to; to cause to cease; to cease using, to stop; to leave off. See Sections 16.44.020 and 16.48.020. See also Chapter 16.276, Nonconforming Uses and Development.

Discretionary. Describes a permit action or decision that involves substantial judgment or discretion.

Dividing Land. The process of separating a parcel of land or a lot into a number of lots or parcels by partitioning or subdividing. The dividing has occurred when an approved plat or map has been filed. See Chapter 16.216, Land Divisions and Lot Line Adjustments.

Dock. A pier or secured float for vessel moorage, fishing, or other water use.

Dolphin. A structure consisting of two or more wood, concrete or steel pilings, usually fastened together by means of cable, and driven into the bottom of an aquatic area.

Double Frontage Lot. A lot having frontage on two parallel (or near parallel) streets other than alleys. See "Through Lot."

Dredged Material. Sediments, sand, gravel, and other solids removed from an aquatic area.

Dredged Material Disposal. The deposition of dredged materials in aquatic or upland areas.

Dredged Material Evaluation Framework (DMEF). The DMEF provides a consistent technical framework to follow in identifying environmentally acceptable alternatives for the management of dredged material. This document represents the best available knowledge regarding dredged material assessment. As new information and technologies become available the document will be updated. The DMEF was prepared by a working group of the following agencies: ACOE, EPA, and DEQ.

Dredging. The removal of sediment or other material from an aquatic area for the purpose of deepening the area, obtaining fill material, or maintaining existing structures.

Dredging Project Proponent. The entity that is undertaking the dredging and dredged material disposal project.

Drift Right. A specific area or section of river bottom that has been cleared of snags and sunken debris and is shared and actively maintained by a group of fishermen as their fishing grounds.

Drip-Line. The distance around a tree or shrub from the trunk to the canopy (leaf and branch) spread.

Drive Lane/Travel Lane. An improved (e.g., paved) driving surface for one lane of vehicles.

Drive-Through/Drive-Up Facility. A facility or structure that is designed to allow drivers to

remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; automatic teller machines; coffee kiosks and similar vendors; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. All driveways queuing and waiting areas associated with a drive-through/drive-up facility are similarly regulated as part of such facility.

Driveway. Areas that provide vehicular access to a site, except for public and private streets. A driveway begins at the property line and extends into the site. Driveways do not include parking, maneuvering, or circulation areas in parking space areas. See Chapter 16.120, Access and Circulation.

Driveway Apron/Approach. The edge of a driveway where it abuts a public way; usually constructed of concrete. See Section 16.120.020.

Drought-Tolerant/Drought-Resistant Plants. Refer to Sunset Western Garden Book (latest edition).

Dune. A hill or ridge of sand built up by wind along sandy coasts.

1. **Active.** A dune that migrates, grows and diminishes from the force of wind and supply of sand. Active dunes include all open sand dunes, active hummocks and active foredunes.
2. **Conditionally Stable.** A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.
3. **Older Stabilized.** A dune that is stable from wind erosion and that has significant soil development and that may include diverse forest cover. May include older foredunes.
4. **Open Sand.** A collective term for active unvegetated dune land forms.
5. **Recently Stabilized.** A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.
6. **Younger Stabilized.** A wind stable dune with weakly developed soils and vegetation.

Duplex. A detached building located on a single legal lot that contains two attached dwelling units designed for occupancy by two families.

Dwelling.

1. ~~**Accessory.** A small, secondary housing unit, usually the size of a studio apartment, located on the same legal lot as a detached single family residence. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.~~
2. ~~**Multifamily.** A building located on a single legal lot designed and used for occupancy by four or more families, all living independently of each other, and having separate housekeeping facilities for each family.~~

- ~~3. **Single Family.** An attached or detached building located on a single legal lot designed and used for occupancy by one family.~~
- ~~4. **Single Family Attached (Duplex, Townhome, Triplex, Rowhouse).** Two (duplex, townhome) or more (triplex, rowhouse) single family dwellings with common end walls. See Chapter 16.184, Single Family Attached, Duplex, and Triplex Design Standards.~~
1. Single-family detached: One dwelling unit located on a lot or parcel.
 2. Accessory dwelling: A small, secondary housing unit, usually the size of a studio apartment, located on the same legal lot as a single-family detached unit. The accessory dwelling can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. For purposes of this Code, an accessory dwelling is an accessory structure and shall comply with the accessory structure standards of Chapter 16.180 and more particularly Section 16.180.040, Accessory Dwelling Standards.
 3. Townhouse (single-family attached/rowhouse): A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.
 4. Duplex: Two attached dwelling units on a lot or parcel in any configuration.
 5. Triplex: Three dwelling units on a lot or parcel in any configuration.
 6. Quadplex: Four dwelling units on a lot or parcel in any configuration.
 7. Multifamily: Five or more dwelling units located on a lot or parcel subject to the provisions of Chapter 16.188.

Dwelling Unit. A living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, for not more than one family, or a congregate residence for 10 or less persons. (UBC 205) Recreational vehicles or temporary structures are not included in this definition.

Easement. A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

Educational Service Establishment. Businesses primarily engaged in education, including vocational and trade schools, business and stenographic schools, art and music schools, dancing schools, and correspondence schools.

Effluent.

1. With respect to water quality in general, treated or untreated liquid discharged from a point source.
2. With respect to dredging, water, including dissolved and suspended materials, which flows from a dredged material disposal site.

Elevated Building. For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Elevation. Refers to a building face, or scaled drawing of the same, from grade to roof ridgeline.

Emergency. With respect to permit requirements in the Columbia River Estuary, emergency conditions are limited to: (1) severe bankline or dike erosion during a storm event or a high tide that threatens property or public safety; or (2) oil or hazardous waste spills subject to U.S. Coast Guard Captain of the Port (COTP) authority; or (3) a 100-year (or more severe) flood event; or (4) flooding caused by a tsunami; or (5) extreme sedimentation, such as that caused by the eruption of Mt. St. Helens.

Environmentally Sensitive Areas. See "Sensitive Lands."

Estuarine Enhancement. An action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a creation or restoration action.

Estuarine Open Water Dredged Material Disposal. All types of in-water dredged material disposal within the estuary which do not fall into the classifications of flow-lane disposal, beach nourishment, sump disposal, and disposal to provide fill material for an approved aquatic area fill project.

Estuary. A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: estuarine water, inter-tidal areas, and submerged lands.

Evidence. Application materials, plans, data, testimony and other factual information used to demonstrate compliance or noncompliance with a code standard or criterion.

Existing Manufactured Home Park or Subdivision. See "Manufactured Home Park."

Expansion to an Existing Manufactured Home Park or Subdivision. See "Manufactured Home Park."

Family. One person or two or more persons related by blood, marriage, legal adoption, or guardianship; or a group of not more than five persons (excluding employees) all or part of whom are not related by blood, marriage, legal adoption or guardianship, living together as a single housekeeping unit in a dwelling unit. For purposes of accessory dwellings, family members shall include only those persons related by blood, marriage, legal adoption, or guardianship. "Household" may be used interchangeably with "family."

Family Day Care. See "Child Care Center."

Fence. An accessory structure designed and intended to serve as a barrier or as a means of enclosing a yard or other area or other structure; or to serve as a boundary feature separating two or more properties.

Sight-Obscuring. A fence designed to obstruct vision.

Fill. The placement by man of sand, sediment, or other material to create new uplands or raise the elevation of land.

Fire Apparatus Lane. Shall be as defined in the Uniform Fire Code, as amended.

Flag Lot. A lot or parcel which has access to a road, street or easement, by means of a narrow strip of lot or easement.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters; and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance

Administrator has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Hazard Boundary-Floodway map, and the water surface elevation of the base flood.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area. The area of the building, exclusive of porches and exterior stairs which shall extend to the exterior faces of all walls. Floor area shall include all levels within a structure, including mezzanines and additional stories above the first floor.

Flow-Lane Disposal. In-water deposition of dredged material in or adjacent to the maintained navigation channel. Flow-lane disposal is allowed only in development management units between 20 and 65 feet below MLLW.

Food Cart. A vehicle from which foodstuffs and/or refreshments are sold or offered for sale for human consumption, primarily operating from a single location for more than a month;

Food Pod. A site containing two or more food carts and associated amenities on private or public property.

Foredune.

- 1. Active.** An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass and occur on sandspits and at river-mouths as well as elsewhere.
- 2. Conditionally Stable.** An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.
- 3. Older.** A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

Frontage. The dimension of a property line abutting a public or private street.

Frontage Street or Road. A minor street which parallels an arterial street in order to provide access to abutting properties and minimize direct access onto the arterial.

Functional Classification. The classification given to streets (e.g., "local/collector/arterial") by the City's Comprehensive Plan, Transportation System Plan, adopted county plans, and Oregon Department of Transportation.

Grade, Ground Level. The average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

Groundcover. A plant material or non-plant landscape material (e.g., mulch, bark chips/dust, hardscape materials) that is used to cover bare ground. See also Chapter 16.124, Landscaping, Street Trees, Fences and Walls.

Habitable Floor. Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

Hammerhead Turnaround. A "T" or "L" shaped dead-end street that allows for vehicles to turn around. See also Section 16.136.020.

Hardscape. Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

Hazardous Soils. Soils which may be hazardous to facilities on the parcel or to nearby property due to the soil's load bearing capacity, the potential for wind or water erosion, or the soil's wetness or slope characteristics.

Hearings Body. Land use decision-making bodies, which consists of the Planning Commission, hearings officer, or City Commission when conducting public hearings on land use applications.

Hearings Officer. An independent land use consultant or attorney hired to conduct public hearings and make final decisions, subject to Section 16.208.020(C)(3) on Type III land use applications.

Height of Building. The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest point of other types of roofs. See "Building Height."

Historic Structure. Any structure that is: (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (3) individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (a) by an approved state program as determined by the Secretary of the Interior, or (b) directly by the Secretary of the Interior in states without approved programs.

Home Occupation. Any lawful business, profession, occupation, or trade conducted for gain or support entirely within a dwelling unit (or a structural accessory thereto) by its inhabitants only, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building. Home occupations are permitted in all residential zones when authorized by the Community Development Director and determined to be consistent with the provisions of Section 16.240.020. Not included in this definition is "Home Office."

Home Office. That portion of a primary residence (not accessory structure) that is used for client meetings, bookkeeping, Internet-only businesses, telecommuting, or other similar activity that is accessory, incidental, and secondary to the primary business use that is conducted off-site or in cyberspace. Home offices are differentiated from home occupations by having no measurable effect on the traffic, noise, and appearance of the residence and surrounding area. Home offices are permitted uses in all residential zones. Compliance with the minimum standards of Section 16.240.030, Home Office Permits, is required.

Homestay Lodging. A short-term rental in an owner-occupied, single-family detached dwelling unit using up to five bedrooms, including bedrooms in accessory dwellings.

Hopper Dredge. A hopper dredge is a type of hydraulic dredging consisting of a propelled floating plant, capable of dredging material, storing it onboard, transporting it to the disposal area, and dumping it. Material from hopper dredges is disposed of in deep water in or alongside the

navigation channel.

Hotel. A building in which lodging is provided for guests for compensation. Also includes motel, youth hostel and dormitory.

Household. See "Family."

Human-Scale Design/Development. Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtowns and main street developments); larger buildings which have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, lighting, weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

Impervious Surface. Development which does not allow for water infiltration (e.g., pavement, roofs, compacted gravel (as in a gravel driveway or roadway), etc.).

Incidental and Subordinate to. A use or portion of a development that is secondary to, and less apparent, than the primary use or other portion of the development.

Incidental Use. A use that is in conjunction with, and smaller than, the main part of the facility or use.

Infill. The development of vacant, bypassed lands located in an area that is mainly developed.

Intertidal. Between extreme low tide and the landward limit of aquatic vegetation or, where vegetation is absent, mean higher high water.

In-Water Disposal. Deposition of dredged materials in a body of water. Methods include beach nourishment, flow-lane disposal, estuarine open-water disposal, in-water sump disposal, agitation dredging and ocean disposal.

Junk Yard. Old metal, paper, rags, scrap, etc. to throw away or sell as junk. This type of use is not allowed in any of the zoning districts within the City limits of Warrenton.

Land Disposal. Deposition of dredged material on uplands or shorelands, including on the top or landward sides of flood control dikes.

Land Division. The process of dividing land to create parcels or lots.

Landing. A level part of a staircase, as at the end of a flight of stairs.

Landscaping. Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains or the like. Landscaping also includes irrigation systems, mulches, topsoil, and revegetation or the preservation, protection and replacement of existing trees.

Land Transportation Facility. Highways, railroads, bridges and associated structures and signs which provide for land transportation of motorized and non-motorized vehicles. Logging roads are not included in this definition.

Land Use. The main activity that occurs on a piece of land, or the structure in which the activity occurs (e.g., residential, commercial, mixed use, industrial, open space, recreation, street rights-of-way, vacant, etc.).

Land Use District. As used in this Code, a land use district is the same as a zone district.

Lane, Mid-Block Lane. A narrow, limited use roadway facility usually used to access a limited number of dwelling units, similar to an alley in design.

Large Scale Development. A development which is: (1) a planned unit development, manufactured dwelling park, recreational vehicle park, or campground; or (2) a multifamily housing development or row house/townhouse (single-family attached) development which within two calendar years will have 10 or more dwelling units; or (3) a commercial, industrial, public or institutional development which within two calendar years will use two or more acres of land or will have buildings with 10,000 square feet or more of floor area; or (4) dependent on the expansion of City utility system(s) to service the development, including, but not limited to, development (or improvement) of transportation facilities or water and/or sewer mainline extensions.

Legal Lot. A unit of land that meets the minimum requirements of the zone in which it is situated. See Chapter 16.236, Code Interpretations, for additional information on legal lot determination procedures.

Legislative. A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use (e.g., adoption of, or amendment to, a comprehensive plan or development regulation). See Section 16.208.060.

Levee.

1. A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding; or
2. With regard to dredged material disposal, a structure consisting of sediments, rock, or other material designed to contain the dredged material and allow for settling of solids in a specific area while it is being deposited and after deposition has occurred. Flood control levees are sometimes repaired or reinforced with dredged material.

Levee System. A flood protection system which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Level of Service. For transportation, a standard of a street's carrying capacity, based upon prevailing roadway, traffic and traffic control conditions during a given time period. The Level of Service range, from LOS A (free flow) to LOS F (forced flow), describes operational conditions within a traffic stream and their perception by motorists/passengers. Level of Service is normally measured for the peak traffic hour, at intersections (signalized or unsignalized) or street segments (between signalized intersections).

Livestock. Domestic animal types customarily raised or kept on farms.

Local Improvement District (LID). A small public district formed for the purpose of carrying out local improvements (paving of streets, construction of storm sewers, development of a park, etc.). Property owners within the LID are assessed for the cost of the improvements in accordance with ORS 223.387-223.485. See also Division 3.

Log Dump or Sort Area. The use of an area to transfer logs between land and water, normally associated with log storage/sort yards, log booming or processing/shipping facilities where rafts are built or dismantled.

Log Storage (In-Water). The use of water surface area to store commercial logs in rafts until ready for market.

Lot. A single unit of land that is created by a subdivision of land.

1. **Buildable.** A legal lot which is proposed for use in compliance with this Code and has received approval of the water supply and sewerage disposal method as appropriate to such use.
2. **Corner.** A lot abutting on two or more streets, other than an alley, at their intersection.
Legal. A unit of land that meets the minimum requirements of the zone in which it is situated.
3. **Of Record.** Any lot or parcel lawfully created by subdivision or partition plat of record in the County Clerk's Office, or lawfully created by deed or land sales contract prior to land use partitioning requirements, and of record in the Deed Records of Clatsop County. Development of a "lot of record" is contingent on compliance with all applicable development standards of this Code, state and federal statutes, and administrative rules. See Chapter 16.236, Code Interpretations, for additional information about lot of record determination procedures.
4. **Through.** A lot with frontage on two parallel streets, other than alleys.

Lot Area. The total surface area (measured horizontally) within the lot lines of a lot exclusive of streets and easements of access to other property.

Lot Coverage. The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

Lot Line. The property line bounding a lot.

1. **Front.** The lot line separating the lot from the street, other than an alley. In the case of a corner lot, the front lot line is the shortest lot line along a street other than an alley. In the case of a through lot, each street has a front lot line.
2. **Rear.** The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
3. **Side.** Any lot line not a front or rear lot line.

Lot Line Adjustment. The adjustment of a property line by the relocation of a common line between lots or parcels, where no additional lots are created. See Section 16.216.210.

Lot Width. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered the building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Code.

Main/Primary Entry/Entrance. A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. Main entrances may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior

ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales area, a courtyard, or plaza.

Maintenance and Repair. Routine upkeep of an existing structure or remedial restoration of a damaged structure. Maintenance and repair may involve changes in the structure's location, configuration, orientation, or alignment if these changes are limited to the minimum amount necessary to retain or restore its operation or function or to meet current building, engineering or safety standards.

Maintenance Dredging. Dredging of a channel, basin, or other water-dependent facility, which has been dredged before and is currently in use, or operation, or has been in use or operation sometime during the past five years, provided that the dredging does not deepen the facility beyond its previously authorized or approved depth plus customary advanced maintenance dredging.

Major Utility. Towers, facilities and lines for communication or power transmission; wastewater treatment plants; stormwater and treated wastewater outfalls, both municipal and industrial; and major water, sewer and gas lines.

Maneuvering Area/Aisle. Refers to the driving area in a parking lot where motor vehicles are able to turn around and access parking spaces.

Manufactured Dwelling.

1. **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
2. **Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
3. **Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

"Manufactured dwelling" does not mean any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer.

Manufactured Dwelling Park. As defined by ORS 446.003(27): Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision

being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190. See Chapter 16.172.

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

1. **Existing.** A manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.
2. **Expansion.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
3. **New.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

Marina. A facility which provides moorage, launching, storage, supplies and a variety of services for recreational, commercial, and fishing vessels. They are differentiated from individual docks and moorages by their larger scale, the provision of significant landside services or the use of a solid breakwater (rock, bulkheading, etc.).

Mean Sea Level (MSL). The average height of the sea for all stages of the tide.

Mining and Mineral Extraction. The removal for economic use of minerals, petroleum resources, sands, gravel or other naturally occurring materials from shorelands or submerged lands.

Ministerial. A routine governmental action or decision that involves little or no discretion. The issuance of a building permit is such an action. See also Section 16.208.040.

Minor Navigation Improvements. Alterations necessary to provide water access to existing or permitted uses including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

Mitigation. To avoid, rectify, repair, or compensate for negative impacts which result from other actions (e.g., improvements to a street may be required to mitigate for transportation impacts resulting from development).

1. **In Kind.** Any actions that duplicate the full array of wetland and aquatic area characteristics that are lost or impaired by a development action.
2. **Off-Site.** An area separated from the impact area by a significant distance and that offers little or no opportunity for reestablishing lost values and functions to organisms which

originally benefited from the lost habitat.

3. **On Site.** An area adjacent to or near the impact area that offers a reasonable opportunity for reestablishing lost values and functions to organisms which originally benefited from the lost habitat.
4. **Out-of-Kind.** Any action that replaces wetland or aquatic area characteristics that have been impaired or lost due to a development action with a different set of characteristics that are judged to be of equal resource value.
5. **Wetland.** The reduction of adverse effects of a proposed development project in wetlands by considering, in the following order: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of an action and its implementation; (3) rectifying the impact by repairing, rehabilitating or restoring the affected environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations; and (5) compensating for the impact by creation, restoration, or enhancement of wetlands and aquatic areas to maintain their functional processes, such as natural biological productivity, habitat and species diversity, unique features and water quality. Any mitigation action or combination of actions may involve monitoring and remedial follow up measures.

Mixed Use. Commercial and residential space built on the same lot in vertical or horizontal format.

Modular Home. A dwelling unit manufactured off-site, built to be used for permanent residential occupancy, to be set on a permanent foundation, and conforming to the Uniform Building Code.

Moorage. Piling, a dock, or buoys or some combination of these used to secure a boat, ship or barge.

~~**Multifamily Housing Development.** A building or grouping of related buildings that contain four or more dwelling units (total) located on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Included in this definition is "condominium." Unless otherwise permitted by this Code (i.e., master planned developments), single family dwellings are not permitted in multifamily housing developments. See Chapter 16.188 for multifamily housing design standards.~~

Multi-Use Pathway. See Section 16.120.030.

Municipal Support Structure. City-owned buildings used for the purpose of fire protection, police, administration, municipal court, public works, recycling, and similar uses.

Natural Hazard. Natural areas that can cause dangerous or difficult development situations. For example, natural hazard areas include steep slopes, unstable soils, landslides, flood areas.

Navigation Aid. Beacons, buoys, lights, range markers and other objects providing directional assistance for air or water navigation.

Navigational Structures. Jetties, groins, pile dikes, breakwaters and other in-water structures

designed to change or moderate hydraulic characteristics for the purpose of improving navigation.

Neighborhood. A geographic area lived in by neighbors and usually having distinguishing character.

Neighborhood-Scale Design. Site and building design elements that are dimensionally related to housing and pedestrians, such as narrower streets with tree canopies, smaller parking areas, lower building heights (as compared to downtown areas) and similar neighborhood characteristics. These features are generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

New Construction. Structures for which the "start of construction" commenced on or after the effective date of this Development Code.

New Manufactured Home Park or Subdivision. See "Manufactured Home Park or Subdivision."

New Work Dredging. Dredging a channel, basin, or other water-dependent facility that has not been dredged before; deepening an existing dredged channel, basin, or other water-dependent facility beyond its previously authorized or approved depth; dredging a channel, basin, or other water-dependent facility that has not been in use or operation in the past five years.

Nonconforming Structure or Use. A lawful, existing structure or use at the time this Development Code or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located. See Chapter 16.276.

Non-Native Invasive Plants. See Oregon State University Extension Service Bulletin for Warrenton.

Nursing or Convalescent Home. A facility providing one, some or all of the following services:

1. **Alzheimer's Care Unit.** A special care unit in a designated, separate area for individuals with Alzheimer's disease or other dementia that is locked, segregated, or secured to prevent or limit access by a resident outside the designated or separated area. An Alzheimer's care unit is referred to as a memory care community.
2. **Assisted Living Facility (ALF).** A building, complex, or distinct part thereof, consisting of fully self-contained, individual living units where six or more seniors and adult individuals with disabilities may reside in homelike surroundings. The assisted living facility offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents as described in these rules. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, privacy, individuality, and independence.
3. **Residential Care Facility (RCF).** A building, complex, or distinct part thereof, consisting of shared or individual living units in a homelike surrounding where six or more seniors and adult individuals with disabilities may reside. The residential care facility offers and coordinates a range of supportive services available on a 24-hour basis to meet the activities of daily living, health, and social needs of the residents as described in these rules. A program approach is used to promote resident self-direction and participation in decisions that emphasize choice, dignity, individuality, and independence.
4. **Nursing Facility.** An establishment with permanent facilities including inpatient beds, that provide medical services, including nursing services, but excluding surgical

procedures, and that provide care and treatment for two or more unrelated residents. In this definition, "treatment" means complex nursing tasks that cannot be delegated to an unlicensed individual. "Nursing Facility" shall only include facilities licensed and operated pursuant to ORS 441.020(2).

Ocean Disposal. The deposition of dredged material in approved ocean disposal sites.

Ocean Flooding. The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

Open Space. Lands, excluding streets, which remain substantially undeveloped for one or more of the following reasons: (1) public or private outdoor recreation (passive or active); (2) a buffer or separation between uses (excluding private yards and setbacks); or (3) managed resource preservation (such as freshwater wetlands).

Open Space Buffer. That area between two otherwise conflicting land uses which is designated to remain in open space in order to absorb sound, screen visual clutter and reduce other potential nuisances of the more intensive land use.

Orientation. To face toward a particular point of reference (e.g., a building oriented to the street).

Oriented to a Street. See "Orientation."

Outdoor Commercial Use. A use supporting a commercial activity which provides goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Examples of outdoor commercial uses include automobile sales or services, nurseries, lumber yards and equipment rental businesses.

Overlay Zone/District. Overlay zones provide regulations that address specific subjects that may be applicable in more than one land use district. See also Chapters 16.92 through 16.112.

Owner. One who possesses title in property, or to whom property belongs with the requisite intent to own. This definition includes an authorized agent of the owner.

Parcel. A parcel is a single unit of land that is created by a partitioning of land.

Park Host. An approved RV site for a "park host" in a designated area of the City's dedicated parks, and the Hammond and Warrenton Marinas. A "park host" structure may be a RV or a park model approved by the City Manager.

Parking.

1. **Lot Perimeter.** The boundary of a parking lot area which usually contains a landscaped buffer area.
2. **Off-Street.** All off-street areas designed, used, required or intended to be used for the parking of motor vehicles. Off-street parking areas shall conform to the requirements of Chapter 16.128.
3. **On-Street.** Parking in the street right-of-way, typically in parking lanes or bays. Parking may be "parallel" or "angled" in relation to the edge of the right-of-way or curb. See also Chapter 16.128.

- 4. **Space.** An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one motor vehicle, and connected with a street, driveway or alley which affords ingress and egress for motor vehicles. Motor vehicle parking spaces shall meet the dimensional requirements of Section 16.128.030.C.

Commented [HA1]: Adding this reference to existing standards for dimensions of off-street parking space.

Parking vs. Storage. "Parking" is the area used for leaving motor vehicles for a temporary time. "Storage" is to place or leave in a location for maintenance, repair, sale, rental, or future use.

Park Model. A structure designed for temporary use as a dwelling; less than 400 square feet in size and having a state license as a "recreational vehicle."

Partition Land. To divide land into two or three parcels within a calendar year, but does not include:

1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
2. Any adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable provision of this Code;
3. The division of land resulting from the recording of a subdivision or condominium plat;
4. A sale or grant by a person to a public agency or public body for state highway, county road, City street or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(p) to (r) and 215.283(2)(q) to (s). However, any property divided by the sale or grant of property for state highway, county road, City street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned; or
5. A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, City streets or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

Pathway/Walkway/Access Way. See Figure 16.120.030(A). As defined in this Code, a pathway or multi-use pathway may be used to satisfy the requirements for "access ways" in the Transportation Planning Rule. (OAR 660-012-045).

Permit. To consent to; to allow; permission, especially in written form; a document or certificate giving permission to do something; a license or warrant. The Warrenton Development Code provides for (1) development for which a permit is granted as of right on compliance with the terms of the Code; (2) development for which a permit is granted discretionarily in accordance and consistent with the requirements of the Code and ORS 227.173; (3) development which need not be under a development permit but shall comply with the Code; and (4) development which is exempt from the Code.

Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate receiver, syndicate, branch of government, or any group or combination acting as a unit.

Personal Service Establishment. Businesses primarily engaged in providing services involving apparel or the care of a person, including laundering and dry cleaning services, beauty and barber services, garment alterations, and funeral homes.

Pier. Exterior vertical building elements that frame each side of a building or its ground-floor windows (usually decorative).

Piling. Wood, concrete or steel posts driven into the bottom in aquatic areas either as mooring devices, or to support a dock, float, range marker, or other structure.

Pipeline Dredge. Pipeline dredges usually consist of a large centrifugal pump mounted on a non-propelled, specially designed barge. The bottom materials are then pumped up through a large diameter suction pipe to the barge, and then to the disposal area through a pipeline. The dredging end of the suction pipe is equipped with a revolving cutter-head that breaks up the bottom for easier transport.

Planter Strip, Tree Cut-Out, Bulb-Out. A landscape area for street trees and other plantings within the public right-of-way, usually between the street and a sidewalk.

Plat. A final subdivision plat, replat or partition plat, prepared as specified in ORS 92.080, and recorded with the Clatsop County Assessor's Office. All plats shall also conform to Chapter 16.216, Land Divisions and Lot Line Adjustments.

Plaza. A public square or extra-wide sidewalk (e.g., as on a street corner) that allows for special events, outdoor seating, sidewalk sales, and similar pedestrian activity.

Pocket Park. A small park, usually less than one-half acre.

Primary. The largest or most substantial element on the property, as allowed in the zoning district: use, residence, entrance, etc. All other similar elements are secondary (see definition of "Secondary") in size or importance.

Professional Office. A room, rooms or building used for administrative, recordkeeping, consulting, management or related purposes by administrative, technical, managerial, executive or clerical staff.

Professional Service Establishment. Businesses primarily engaged in providing services such as medical and other health services, engineering and other architectural services, and accounting and bookkeeping services.

Public Facilities. See Chapter 16.136.

Public Improvements. Development of public facilities. See Chapter 16.136.

Public Use. A structure or use intended or used for a public purpose by a city, school district, county, state, or by any other public agency or by a public utility.

Public Utility. A private business or organization such as a public service corporation, performing some public service and subject to governmental regulation; or a governmental agency performing similar public services. Such services shall include, but are not limited to, electricity, gas, and telephone.

Quasi-Judicial. Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code, and usually involves a public hearing. See Section 16.208.050.

Recreation. Any experience voluntarily engaged in largely during leisure time from which the individual derives satisfaction.

1. **Coastal.** Recreation occurring in offshore ocean waters, estuaries and streams; along beaches and bluffs; and in adjacent shorelands. It includes a variety of activities, from swimming, SCUBA diving, boating, fishing, hunting, use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing; to coastal resorts and water-oriented restaurants.
2. **High-Intensity.** Recreation using specially built facilities, or occurring in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.
3. **Low-Intensity.** Recreation not requiring developed facilities and accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation. Facilities included as low-intensity recreation include picnic tables, trail signs, unpaved trails and portable restrooms.
4. **Vehicle.** A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
5. **Vehicle Park.** A plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Regulatory Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Repair Service Establishment. Businesses engaged primarily in repairing items and which undertake no more than a minimal amount of manufacturing.

Residence. Same as "Dwelling Unit."

Residential.

1. **Care Facility.** A facility licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with training or treatment or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.
2. **Home.** A home licensed by or under the authority of the Department of Human Resources under ORS 443.400 to 443.825 which provides residential care alone or in conjunction with training or treatment or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Restoration. Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events. For the purpose of Oregon Statewide Planning Goal 16, estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A

restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

1. **Active.** Active restoration involves the use of specific remedial actions, such as removing fills, installing water treatment facilities, rebuilding deteriorated urban waterfront areas, or returning diked areas to tidal influence.
2. **Passive.** Passive restoration is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

Restoration as Mitigation. For the purposes of Statewide Planning Goal 16, "estuarine restoration" means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

Retail Sales Establishment. Businesses, including restaurants or bars, which are primarily engaged in selling merchandise to customers for personal, household or farm use.

Retail Store. A store or place of business engaged in the sale of commodities or goods to final consumers.

Ridge Line (Building). The top of a roof at its highest elevation.

Right-of-Way. Land that is owned in fee simple by the public, usually for transportation facilities.

Riparian. Of, pertaining to, or situated on the edge of the bank of a river or other body of water, such as a lake or stream.

1. **Area.** The area adjacent to a river, lake, or stream consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem.
2. **Corridor.** A Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary.
3. **Vegetation.** Grasses, shrubs and trees growing in riparian areas.

Riprap. A layer, facing, or protective mound of stones selectively placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

Roadway. That part of a road or street that actually carries traffic. This term distinguishes the paved surface of a road or street from the broader term "right-of-way."

Roof Pitch. The slope of a roof, usually described as ratio (e.g., one foot of rise per two feet of horizontal distance).

Roof-Top Garden. A garden on a building terrace, or at top of a building with a flat roof (usually on a portion of a roof).

Sand Dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Secondary. Not primary as allowed in the zoning district (see definition of "Primary"); minor or lesser use.

Semi-Public Use. A structure or use intended or used for a semi-public purpose by a church, lodge, club or any other non-profit organization.

Senior Housing. Housing designated and/or managed for persons over the age of 55. (Specific age restrictions vary.)

Sensitive Lands. Wetlands, riparian areas, significant trees, steep slopes, floodplains and other natural resource areas designated for protection or conservation by the Warrenton Comprehensive Plan.

Setback. The distance between a building (or other feature of development) and a property line.

Shared Driveway. When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) may be created for this purpose.

Shared Parking. See Chapter 16.128.

Shopping Center. A group of stores sharing a common off-street parking facility and leasing or sharing common property ownership.

Shoreland Resources, Significant. Significant shoreland resources are described in subarea plans, and are included in the coastal shorelands boundaries. Significant shoreland resources include significant non-tidal wetlands, significant shoreland fish and wildlife habitat, significant riparian vegetation, exceptional aesthetic resources and coastal headlands.

Shoreline. The boundary line between a body of water and the land, measured on tidal waters at the landward limit of aquatic vegetation or, where aquatic vegetation is absent, mean higher high water; and on non-tidal waterways at the ordinary high water mark.

1. **Stabilization.** The protection from erosion and sloughing of ocean and estuary shorelines and the banks of tidal and non-tidal streams, rivers or lakes by vegetative or structural means.
2. **Stabilization, Structural.** Use of riprap, bulkheads, seawalls or other non-vegetative material to prevent shoreline erosion.
3. **Stabilization, Vegetative.** Use of plants that anchor the soil to prevent shoreline erosion and sloughing.

Sign. An identification, description, illustration or device which is affixed to, or represented directly or indirectly upon, a building, structure or land and which directs attention to a product, place, activity, person, institution or business. See Chapter 16.144.

Significant Trees, Significant Vegetation. Individual trees with a trunk diameter of 18 inches or greater, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected. See Section 16.124.020. See also Chapter 16.156, Wetland and Riparian Corridor Development Standards, for additional protection measures for riparian and wetland vegetation.

Single-Family Attached (Duplex, Townhome, Triplex, Rowhouse). Two (duplex, townhome) or more (triplex, rowhouse) single-family dwellings with common end walls. Townhouses are distinct in architectural features and color. Rowhouses use similar architectural features. See Chapter 16.184, Single-Family Attached, Duplex, and Triplex Design Standards.

Site. A property (or group of adjacent parcels or lots under the same ownership) that is subject to a permit application under this Code.

Site Design Review, Development Review. See Chapter 16.212.

Specific Area Plan. See Section 16.40.050.

Standards and Criteria. Standards are code requirements. Criteria are the elements required to comply with a particular standard.

Start of Construction. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State Building Codes. The combined specialty codes.

Steep Slopes. Slopes of greater than 25%.

Storefront Character. The character expressed by buildings placed close to the street with ground-floor display windows, weather protection (e.g., awnings or canopies), corner building entrances or recessed entries, and similar features.

Stormwater Facility. A detention and/or retention pond, swale, or other surface water feature that provides storage during high-rainfall events and/or water quality treatment.

Story. That portion of a building included between the upper surface of any floor and the upper floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above grade, each basement or cellar shall be considered a story.

Street/Road. A public or private way for travel by vehicles, bicycles, and pedestrians that meets the City design standards and fire and emergency protection standards of this Code, and complies with the Uniform Fire Code, as amended, and combined ODOT/APWA construction standards, as amended.

1. **Access.** See Section 16.120.020.
2. **Arterial.** Primary function of an arterial is to provide mobility; therefore, arterials typically carry higher traffic volumes and allow higher travel speeds while providing limited or no access to adjacent properties.
3. **Collector.** Collects traffic from local streets and provides connections to arterial streets; generally operates with moderate speeds and provides more access in comparison to arterials.
4. **Connectivity.** The number of street connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through

neighborhoods.

5. **Furniture/Furnishings.** Benches, lighting, bicycle racks, drinking fountains, mail boxes, kiosks, and similar pedestrian amenities located within a street right-of-way.
6. **Local.** Provides access to local traffic and routes users to collector streets; generally, operates with low speeds, providing limited mobility, and carries low traffic volumes in comparison to other street classifications.
7. **Stub.** A temporary street ending; i.e., where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.
8. **Tree.** A tree planted in a planter strip or tree cut-out.

Structural Alteration. A change to the supporting members of a structure, including foundations, bearing walls or partitions, columns, beams girders or any structural change in the roof or in the exterior walls.

Structure. A walled and roofed building, a modular or temporary building, or a gas or liquid storage tank that is principally above ground.

Subdivide Land. To divide land into four or more lots within a calendar year.

Subdivision. Either an act of subdividing land or an area or tract of land subdivided.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its original condition before damaged would equal or exceeds 50% of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Subtidal. Below the level of extreme low tide. In the Columbia River Estuary this is generally three feet below mean lower low water.

Sump Disposal. Deposition of dredged materials in a temporary in-water site. The material is subsequently rehandled to an upland disposal site.

Swale. A type of stormwater facility. Usually a broad, shallow depression with plants that filter and process contaminants.

Tangent. Meeting a curve or surface in a single point.

Temporary.

1. **Estuarine Alteration.** Dredging, filling, or other estuarine alteration occurring over a specified short period of time which is needed to facilitate an allowed use. Temporary alterations may not be for more than three years and the affected area must be restored to its previous condition. Temporary alterations include: (1) alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetty maintenance); (2) alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations; and (3) minor structures (such as blinds) necessary for research and educational observation.
2. **Food Vendor.** A temporary restaurant, seasonal temporary restaurant, single event temporary restaurant, or mobile unit as regulated by WMC 16.240.010(D).
3. **Sign.** A sign not permanently attached to a building, structure, or the ground.
4. **Use.** A non-permanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and is removed from the site within one year.

Terrace. A porch or promenade supported by columns, or a flat roof or other platform on a building.

Tidal Marsh. Tidal wetlands vegetated with emergent vascular plants lying between extreme low tide and the landward limit of aquatic vegetation.

Tidegate. A flood control structure designed to regulate tidal exchange between the ocean or estuary and inland sloughs.

Topographical Constraint. Where existing slopes prevent conformance with a Code standard.

Tract, Private/Public. A piece of land set aside in a separate area for dedication to the public, a homeowner's association, or other entity (e.g., open space, recreation facilities, sensitive lands, etc.).

Transportation Facilities. The physical improvements used to move people and goods from one place to another (e.g., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.).

Transportation Mode. The method of transportation (e.g., automobile, bus, walking, bicycling, etc.).

Triplex. A building with three attached housing units located on one lot or parcel designed for occupancy by three families.

Upland. Those areas that are not inundated or saturated by surface or ground water at frequency or duration sufficient to support, and that under normal circumstances do not support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. **Disposal.** Deposition of dredged material on uplands or shorelands, including on the top and landward sides of flood control levees.

Use. To bring or put into service or action. The purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

Vacate Plat/Street. To abandon a subdivision or street right-of-way. For example, vacation of a

public right-of-way that is not needed or cannot be used for a street or other public purpose. A plat may be vacated, returning the property to an undivided condition.

Vacation Rental Dwelling. A single-family dwelling or accessory dwelling that is nonowner occupied and is rented for terms of less than 30 days; reference Resolution No. 2588 (2021).

Variance. A grant of relief from the requirements of this title which permits construction in a manner that would otherwise be prohibited by this Development Code.

Vision Clearance Area. A triangular area of clear vision maintained at the intersection of two streets or a street and a railroad to provide a clear view of streets to motorists, pedestrians, and bicyclists. See Figure 16.120.020(N).

Warehouse. A structure used exclusively or principally for the storage of commercial goods, machinery, equipment, fishing gear or other items of a commercial or industrial nature.

Water Area. The area between the banks of a lake, pond, river, perennial or fish-bearing intermittent stream, excluding man-made farm ponds.

Water-Dependent. A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water. In addition, the following definitions apply:

1. "Access" means physical contact with or use of the water.
2. "Requires" means the use either by its intrinsic nature (e.g., fishing, navigation, boat moorage) or at the current level of technology cannot exist without water access.
3. "Water-borne transportation" means uses of water access: (a) which are themselves transportation (e.g., navigation); (b) which require the receipt of shipment of goods by water; or (c) which are necessary to support water-borne transportation (e.g., moorage fueling; servicing of watercraft, ships, boats, etc.; terminal and transfer facilities).
4. "Recreation" means water access for fishing, swimming, boating, etc. Recreational uses are water-dependent only if use of the water is an integral part of the activity.
5. "Energy production" means uses which need quantities of water to produce energy directly (e.g., hydroelectric facilities, ocean thermal energy conversion).
6. "Source of water" means facilities for the appropriation of quantities of water for cooling processing or other integral functions.
7. Typical examples of water-dependent uses include the following:
 - a. Industrial. Manufacturing to include boat building and repair; water-borne transportation, terminals, and support; energy production which needs quantities of water to produce energy directly; water intake structures for facilities needing quantities of water for cooling, processing, or other integral functions.
 - b. Commercial. Commercial fishing marinas and support; fish processing and sales; boat sales, rentals, and supplies.
 - c. Recreational. Recreational marinas, boat ramps, and support.
 - d. Aquaculture.
 - e. Certain scientific and educational activities which, by their nature, require access to coastal waters-estuarine research activities and equipment mooring and support.

For purposes of this definition, examples of uses that are not "water-dependent uses" include restaurants, hotels, motels, bed and breakfasts, residences, parking lots not associated with water-dependent uses, and boardwalks.

Water-Oriented. A use whose attraction to the public is enhanced by a view of or access to coastal waters.

Water-Related. Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

Watercourses. Rivers, sloughs, creeks and major drainage ditches.

Wetland. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

1. **Creation.** Alteration, by excavation or other means, of upland areas to allow local hydrologic conditions to convert soils and vegetation to a hydric character.
2. **Enhancement.** An action which results in a long term improvement of existing wetland functional characteristics and processes that is not the result of a creation or restoration action.

Wholesale Trade Establishments. Businesses which generally have substantial quantities of merchandise on the premises and which are primarily engaged in selling merchandise to other wholesalers, retailers, manufacturers, other businesses, governments, or institutions.

Window Hood. An architectural detail placed above a window, used as an accent.

Wireless Communication Facilities. An unstaffed facility for the transmission and reception of radio or microwave signals used for commercial communications. WCFs are composed of two or more of the following components: (1) antenna; (2) support structure; (3) equipment enclosures; and (4) security barrier. See Chapter 16.148.

Wrecking Yard. Any property where two or more motor vehicles not in running condition or the parts thereof, are wrecked, dismantled, disassembled, substantially altered or stored in the open and are not to be restored to operation. This type of use is not allowed in any of Warrenton's zoning districts.

Yard. The area defined by setbacks (i.e., between the setback line and respective property line) that is unobstructed by any structure from the ground upward except as otherwise provided in this title. Fences, posts, poles, yard accessories, landscaping, ornaments, furniture which do not violate height limitations or obstruct clear vision areas may be included in these areas.

1. **Front.** A yard between side lot lines and measured horizontally at right angles from the front lot line to the nearest point of a building or other structure.
2. **Rear.** A yard between side lot lines and measured horizontally at right angles from the rear lot line to the nearest point of a building or other structure.
3. **Side.** A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building or other structure.
4. **Street Side.** A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building or

other structure.

5. **Zero Lot Line.** Living units that can be built up to the property line providing space in the rear for accessory structures and common space.

(Ord. 1175-A § 1, 2013; Ord. 1177-A § 1, 2013; Ord. 1220 § 1, 2018; Ord. 1221 § 1, 2018; Ord. 1225 § 2, 2019; Ord. 1234 § 1, 2020; Ord. 1248 § 1, 2021; Ord. 1258 § 2, 2022)

CHAPTER 16.24
LOW DENSITY RESIDENTIAL (R-40) DISTRICT

§ 16.24.010. Purpose.

The Low Density Residential Zone is intended for areas which are physically isolated from the developed portions of the City, and for which extension of sewer and water services would be prohibitively expensive; however, all new sewer and water connections for a proposed development shall comply with all City regulations. Lands in this zone must be able to support development with on-site sewage disposal systems, and comply with all local, state and federal requirements. Agriculture, open space and residential uses will be permitted in this zone subject to wetlands, weak foundation soils, and active dune constraints.

§ 16.24.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-40 zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.24.040 through 16.24.050, applicable Development Code standards, and other City laws:~~

A. Single-family detached dwelling.

~~A.B.~~ Duplex dwelling.

~~B.C.~~ Modular home.

~~C.D.~~ Manufactured home subject to the standards in Chapter 16.168.

~~D.E.~~ Residential home.

~~E.F.~~ Residential (care) facility.

~~F.G.~~ Day care.

~~G.H.~~ Farming, grazing, truck gardening, orchards and production of nursery stock.

~~H.I.~~ A temporary dwelling for no more than six months while building a permanent residence.

~~I.J.~~ Accessory structure, no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.

~~J.K.~~ Transportation facilities and improvements subject to the standards of Section 16.20.040.

~~K.L.~~ Similar uses as stated above.

~~L.M.~~ Community garden(s) (see definitions).

~~M.N.~~ Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

~~N.O.~~ Home occupations.

~~O.P.~~ Accessory dwelling that complies with Section 16.180.040.

~~P.Q.~~ Homestay lodging subject to the standards in Chapter 8.24.
 (Ord. 1175-A § 2, 2013; Ord. 1221 § 2, 2018; Ord. 1248 § 2, 2021)

§ 16.24.030. Conditional Uses.

The following uses and their accessory uses may be permitted in the R-40 zone when approved under Chapter 16.220:

- A. Government buildings and uses, subject to standards of Sections 16.24.040(C) and 16.24.050.
- B. Public utility structure.
- C. Golf course.
- D. Parks, playground and community center.
- E. Bed and breakfast.
- F. Church, synagogue, or other place of worship.
- G. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.

~~H. Accessory dwelling that complies with Section 16.180.040.~~

~~I.H.~~ Child care center.

~~J.I.~~ Similar uses as stated above.
(Ord. 1175-A § 3, 2013)

§ 16.24.040. Development Standards.

The following development standards are applicable in the R-40 zone:

- A. Density Provisions.
 - 1. Minimum lot area for residences with on-site sewage disposal systems: 40,000 square feet.
 - 2. Minimum lot area for residences connected to the City of Warrenton sewer system: 10,000 square feet.
 - 3. Minimum lot width at the front building line: 50 feet.
 - 4. Minimum lot depth: 80 feet.
 - 5. Not more than 35% of lot area shall be covered by buildings or other impervious surfaces, except that if the lot contains an ADU, the maximum lot coverage shall be 40%. as may be permitted by conditional use permit or variance.
 - 6. Maximum building height: 30 feet.
 - 7. Maximum building height for agricultural buildings, solar collectors, wind energy systems and radio receivers: 40 feet.
- B. Setback Requirements.
 - 1. Minimum front yard setback:

- a. Lots of 40,000 square feet: 20 feet;
 - b. Lots of 10,000 square feet: 15 feet.
2. Minimum side yard setback: 10 feet.
 3. Corner lot minimum street side, side yard setback: 10 feet.
 4. Minimum rear yard setback: 10,000 square foot lot, 15 feet; except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of the rear property line; and for 40,000 square foot lots the dwelling and any accessory structure must maintain a 15-foot setback.
 5. Corner lot minimum rear yard setback: 10 feet.
- C. Government Building. The following development standards are applicable:
1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.
 - d. Maximum building height: 45 feet.
 - e. Maximum lot coverage, government building/uses: none.
 2. Setback requirements:
 - a. Minimum front and rear yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
 3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
 4. Any government building shall comply with Chapter 16.116 of the Development Code.

§ 16.24.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. All uses must comply with parking standards in Chapter 16.128.

- H. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- I. Manufactured homes must comply with the criteria of Section 16.168.010.
- J. A garage or carport is required and shall conform to the standards of Chapter 16.180.
- K. All new sewer and water connections for a proposed development shall comply with all City regulations.

CHAPTER 16.28
INTERMEDIATE DENSITY RESIDENTIAL (R-10) DISTRICT

§ 16.28.010. Purpose.

The purpose of the Intermediate Density Residential Zone is to provide areas within the City which have the capacity to accommodate single-family dwellings in conventional subdivisions or planned unit developments. These areas are intended for service by municipal utilities and urban type street systems, and, consequently, the residents must be willing to support the costs associated with this density of development. Certain public facilities and other nonresidential uses are permitted when desirable conditions and safeguards are satisfied. This zone includes those areas in Hammond that were in Hammond's Low Density Residential Zone (R-10).

§ 16.28.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-10 zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.28.040 through 16.28.050, applicable Zoning Ordinance standards, and other City laws:~~

A. Single-family detached.

B. Townhouse.

~~A.~~ ~~Duplex dwelling, attached or duplex dwelling.~~

~~B.C.~~ Modular home.

~~C.D.~~ Manufactured home subject to standards in Chapter 16.168.

~~D.E.~~ Residential home.

~~E.F.~~ Residential (care) facility.

~~F.G.~~ Day care.

~~G.H.~~ Cemetery.

H.I. Farming, grazing, truck gardening, orchards and production of nursery stock.

I.J. A temporary dwelling for no more than six months while building a permanent residence.

J.K. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.

~~K.L.~~ Transportation facilities and improvements subject to the standards of Section 16.20.040.

~~L.M.~~ Similar uses as stated above.

M.N. Community garden(s) (see definitions).

N.O. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

O.P. Home occupations.

P.Q. Accessory dwelling that complies with Section 16.180.040.

~~Q.R.~~ Homestay lodging subject to the standards in Chapter 8.24.
(Ord. 1175-A § 4, 2013; Ord. 1221 § 2, 2018; Ord. 1234 § 1, 2020; Ord. 1248 § 2, 2021)

§ 16.28.030. Conditional Uses.

The following uses and their accessory uses may be permitted in the R-10 zone when approved under Chapter 16.220:

- A. Government buildings and uses subject to standards of Sections 16.28.040(C) and 16.28.050.
- B. Hospital, sanitarium, rest home, nursing or convalescent home.
- C. Public utility structure.
- D. School: nursery, primary, elementary, junior or senior high; public or private.
- E. Child care center.
- F. Golf course.
- G. Parks, playgrounds and community centers.
- H. Church, synagogue, or other place of worship.
- I. Bed and breakfast.
- J. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.

~~K.—Accessory dwelling that complies with Section 16.180.040.~~

~~L.K.~~ RV park.

~~M.L.~~ Similar uses as stated above. (Ord. 1175-A § 5, 2013)

§ 16.28.040. Development Standards.

The following development standards are applicable in the R-10 zone:

- A. Density Provisions.
 1. Minimum lot area for ~~residence~~single-family detached dwelling or duplex: 8,000 square feet. Minimum density is five dwelling units per acre.
 2. Minimum lot width at the front building line for single-family detached dwelling or duplex: 50 feet.
 3. Minimum lot area for ~~single-family attached~~townhouse dwelling: ~~2,500~~1,400 square feet.
 4. Minimum lot width at the front building line for ~~single-family attached dwelling~~townhouse dwelling: ~~25–20~~ feet.
 5. Minimum lot depth: 70 feet.

6. Not more than 35% of the lot area shall be covered by buildings except that if the lot contains an ADU, the maximum lot coverage shall be 40% and if the lot contains a townhouse, the maximum lot coverage shall be 75%. ~~except as may be permitted by conditional use permit or variance.~~

B. Setback Requirements.

1. Minimum front yard setback: 15 feet.
2. Minimum side yard setback: 10 feet (0 feet where attached townhouse units connect).
3. Corner lot minimum street side yard setback: 10 feet.
4. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020, may extend to within five feet of a rear property line.
5. Corner lot minimum rear yard setback: 10 feet.

C. Government Building. The following development standards are applicable:

1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.
 - d. Maximum building height: 45 feet.
 - e. Maximum lot coverage, government building/uses: none.
2. Setback requirements:
 - a. Minimum front and rear yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1234 § 1, 2020)

§ 16.28.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.

- F. Manufactured homes must comply with the criteria of Section 16.168.010.
- G. A garage or carport is required and shall conform to the standards of Chapter 16.180.
- H. All other applicable Development Code requirements must be met.
- I. All new sewer and water connections for a proposed development shall comply with all City regulations.
- J. RV parks shall comply with Chapter 16.176 and all applicable State and Federal laws and regulations.

CHAPTER 16.32
MEDIUM DENSITY RESIDENTIAL (R-M) DISTRICT

§ 16.32.010. Purpose.

The Medium Density Residential Zone is intended to accommodate a variety of housing types including single-family dwellings, duplexes, other middle housing options, and, where appropriate, manufactured dwelling subdivisions and manufactured dwelling parks. This intensity of residential use is envisioned for locations in the City where community services and adequate access are available. Residential densities permitted are somewhat greater than those permitted in an R-10 zone. Certain public facilities and other nonresidential uses are also permitted when desirable conditions and safeguards are satisfied. Those lands in the Hammond area that were in the Hammond R-6 zone have been placed in this zone.

§ 16.32.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-M Zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.32.040 through 16.32.050, and any other applicable Development Code standards, and other City laws:~~

- A. Single-family detached dwelling.
- B. Modular home.
- C. Manufactured home subject to the standards in Chapter 16.168.
- ~~D. Duplex dwelling.~~
- ~~E. Townhouse townhome, and triplex subject to standards of Chapter 16.184.~~
- ~~F. Triplex, subject to standards of Chapter 16.184~~
- ~~D.G. Cottage cluster, subject to standards of Chapter 16.202~~
- ~~E.H. Residential home.~~
- ~~F.I. Residential (care) facility.~~
- ~~G.J. Day care.~~
- ~~H.K. Master planned development with a minimum lot size of three contiguous acres, subject to provisions in Chapter 16.224.~~
- ~~I.L. A temporary dwelling for no more than six months while building a permanent residence.~~
- ~~J.M. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.~~
- ~~K.N. Transportation facilities and improvements subject to the standards of Section 16.20.040.~~
- ~~L.O. Dredge material disposal (DMD) subject to Section 16.32.050 (Sites 19S and 21S) and Chapter 16.104.~~
- ~~M.P. Similar uses as those stated above.~~

~~N.Q.~~ Community garden(s) (see definitions).

~~O.R.~~ Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.

~~P.S.~~ Home occupations.

~~Q.T.~~ Accessory dwelling that complies with Section 16.180.040.

~~R.U.~~ Homestay lodging subject to the standards in Chapter 8.24.

(Ord. 1175-A § 6, 2013; Ord. 1221 § 2, 2018; Ord. 1234 § 1, 2020; Ord. 1248 § 2, 2021)

§ 16.32.030. Conditional Uses.

The following uses and their accessory uses may be permitted when approved under Chapter 16.220:

- A. Church, synagogue, or other place of worship.
- B. Government buildings and uses subject to applicable standards of Sections 16.32.040(C) and 16.32.050.
- C. Hospital sanitarium, rest home, nursing or convalescent home.
- D. School: nursery, primary, elementary, junior or senior high; private or public.
- E. Child care center.
- F. Public utility structure.
- G. Parks, playgrounds, and community centers.
- H. Bed and breakfast.
- I. Manufactured dwelling park subject to standards in Chapter 16.172.

~~J. — Accessory dwelling that complies with Section 16.180.040.~~

~~K.J.~~ Similar uses as those stated above.

(Ord. 1175-A § 7, 2013)

§ 16.32.040. Development Standards.

The following development standards are applicable in the R-M zone:

A. Density Provisions.

1. Minimum lot area for single-family detached dwelling or duplex: 5,000 square feet.
Minimum density is eight dwelling units per acre.

~~1-2.~~ Minimum lot area for triplex: 2,500 square feet per dwelling unit.

3. Minimum lot area for ~~single-family attached townhouse~~ dwelling: ~~2,500~~1,400 square feet.

~~2-4.~~ Minimum lot area for cottage cluster: 10,000 square feet.

~~3.5.~~ Minimum lot width at the front building line for single-family detached dwelling, ~~or duplex, triplex or cottage cluster~~: 50 feet.

~~4.6.~~ Minimum lot width at the front building line for ~~single family attached townhouse~~ dwelling: ~~25-20~~ feet.

~~5.7.~~ Minimum lot depth: 70 feet.

~~6.8.~~ Not more than 40% of the lot area shall be covered by buildings, except that if the lot contains an ADU, the maximum lot coverage shall be 45% and if the lot contains a townhouse, the maximum lot coverage shall be 75%. as may be permitted by conditional use permit or variance.

~~7.9.~~ Maximum building height: 30 feet.

B. Setback Requirements.

1. Minimum front yard setback: 15 feet.

~~4.2.~~ Minimum front yard setback for townhouses with rear-loaded parking: 10 feet.

~~2.3.~~ Minimum side yard setback: 8 feet (0 feet where attached townhouse units connect).

~~3.4.~~ Corner lot minimum street side yard setback: 8 feet.

5. Minimum rear yard setback: 15 feet, except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.

6. Minimum rear yard setback for townhouses with rear loaded parking: 15 feet.

~~4.7.~~ Minimum rear yard setback for townhouses with front loaded parking: 10 feet.

~~5.8.~~ Corner lot minimum rear yard setback: 10 feet.

C. Government Building. The following development standards are applicable:

1. Density provisions:

- a. Minimum lot size, government building/uses: none.
- b. Minimum lot width, government building/uses: none.
- c. Minimum lot depth, government building/uses: none.
- d. Maximum building height: 45 feet.
- e. Maximum lot coverage, government building/uses: none.

2. Setback requirements:

- a. Minimum front and rear yard setback, government building: 15 feet.
- b. Minimum side yard setbacks, government building: 10 feet.

3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.

4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1234 § 1, 2020)

§ 16.32.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- H. Manufactured homes must comply with the criteria of Chapter 16.168.
- I. Manufactured dwelling parks shall comply with the criteria of Chapter 16.172.
- J. Duplexes and townhomes shall comply with standards of Chapter 16.184.
- K. A garage or carport is required for each dwelling unit and shall conform to the standards of Chapter 16.180.
- L. All other applicable Development Code requirements must be met.
- M. All new sewer and water connections for a proposed development shall comply with all City regulations.
- N. Master planned development with a minimum lot size of three contiguous acres, subject to provisions in Chapter 16.224.
- O. Accessory structures no larger than 1,200 square feet, in conjunction with an existing residence on the same property, and subject to standards of Chapter 16.180.
- P. Manufactured dwelling placed in an approved manufactured dwelling park subject to standards in Chapter 16.172 and ORS Chapter 446.
- Q. Accessory dwelling that complies with Section 16.180.040.
- R. Prior to undertaking disposal, the dredging project proponent shall consult with the Army Corps and Oregon DSL to determine if the disposal site contains wetlands that are regulated under permit programs administered by those agencies. If the site contains regulated wetlands, the dredging project proponent shall either alter the disposal site boundaries to avoid the wetlands and leave an acceptable protective buffer, or obtain the necessary Corps and DSL permits to fill the wetlands.

CHAPTER 16.36
HIGH DENSITY RESIDENTIAL (R-H) DISTRICT

§ 16.36.010. Purpose.

The High Density Residential Zone is intended to encourage the development of duplexes and other multi-family dwellings. It provides for high density uses in locations close to the downtown area or other locations which have suitable streets, utilities and other characteristics. Certain nonresidential uses are allowed if they will not detract from the character of this district. Land in the Hammond area that was in the Town's R-H zone has been placed in this zone.

§ 16.36.020. Permitted Uses.

The following uses and their accessory uses are permitted in the R-H zone ~~if the Community Development Director determines that the uses conform to the standards in Sections 16.36.040 through 16.36.050, applicable Development Code standards, and other City laws:~~

A. Single-family detached dwelling.

B. Modular housing.

C. Manufactured home.

~~D. Duplex and townhome subject to standards of Chapter 16.184.~~

~~E. Townhouse, subject to standards of Chapter 16.184.~~

~~D-F. Cottage cluster, subject to standards of 16.202.~~

~~G. Triplex subject to standards of Chapter 16.184.~~

~~E-H. Quadplex, subject to standards of Chapter 16.184.~~

~~F-I. Multifamily housing development subject to standards of Chapter 16.188.~~

~~G-J. Residential home.~~

~~H-K. Residential (care) facility.~~

~~I-L. Day care.~~

~~J-M. A temporary dwelling for no more than six months while building a permanent residence.~~

~~K-N. Accessory structure no larger than 1,200 square feet, in conjunction with an existing residence on the same property and subject to the additional criteria under Chapter 16.180.~~

~~L-O. Master planned development with a minimum lot size of three contiguous acres, subject to the provisions in Chapter 16.224.~~

~~M-P. Transportation facilities and improvements subject to the standards of Section 16.20.040.~~

~~N-Q. Similar uses as stated above.~~

~~O-R. Incidental sales of firewood, cut flowers, produce grown on the premises, lemonade, and similar items.~~

~~P.S.~~ Home occupations.

~~Q.T.~~ Accessory dwelling that complies with Section 16.180.040.

~~R.U.~~ Homestay lodging subject to the standards in Chapter 8.24.
(Ord. 1175-A § 8, 2013; Ord. 1221 § 2, 2018; Ord. 1248 § 2, 2021)

§ 16.36.030. Conditional Uses.

The following uses and their accessory uses may be permitted when approved under Chapter 16.220:

- A. Boarding, lodging or rooming houses.
- B. Hospitals, sanitariums, rest homes, nursing or convalescent homes, medical clinic or office in conjunction with a residential facility.
- C. Churches, synagogues, or other places of worship.
- D. Parks, playgrounds and community centers.
- E. Government buildings and uses subject to standards of Sections 16.36.040(C) and 16.36.050.
- F. Public utility structure.
- G. School: nursery, primary, elementary, junior or senior high: public or private.
- H. Child care center.
- I. Bed and breakfast.
- J. Accessory dwelling subject to standards of Section 16.180.040.
- K. Similar uses as stated above.
(Ord. 1175-A § 9, 2013)

§ 16.36.040. Development Standards.

The following development standards are applicable in the R-H zone:

- A. Density Provisions.
 - 1. Minimum lot area for a single-family detached dwelling: ~~4,500~~2,170 square feet. Minimum density is 20 units per acre.
 - 2. Minimum lot area ~~for duplex, triplex, and quadplex townhome, rowhouse:~~ 2,500~~2,170~~ square feet per dwelling unit.
 - 3. ~~Minimum lot area for townhouses: 1,400 square feet per dwelling unit. Minimum lot area for a triplex: 7,500 square feet.~~
 - 4. Minimum lot area for a multifamily dwelling and cottage cluster developments: 10,000 square feet.
 - 5. Maximum density for multifamily structures: one dwelling unit per 1,600 square feet of site area.

6. Lot coverage: not more than ~~55~~65% of an individual lot area shall be covered by buildings, except as may be permitted by conditional use permit or variance.
7. Minimum lot width at the front building line for single-family detached dwelling, duplex, triplex, quadplex, cottage cluster development or multifamily dwelling: 50 feet.
8. Minimum lot width at the front building line for ~~duplex, townhouse~~townhome, rowhouse: ~~25-20~~ feet per unit.
9. Minimum lot depth: 70 feet.
10. Maximum building height: 40 feet.
11. The lowest density which will be allowed in new subdivisions and other developments with four or more units that are located on sites without significant natural feature problems is five dwelling units per gross acre.

B. Setback Requirements.

1. Minimum front yard setback: 15 feet.
- ~~1.2.~~ Minimum front yard setback for townhouses with rear-loaded parking: 10 feet
- ~~2.3.~~ Minimum side yard setback: eight feet (0 feet where attached townhouse units connect).
- ~~3.4.~~ Corner lot minimum secondary street side yard setback: eight feet.
5. Minimum rear yard setback: 15 feet except accessory structures that meet the criteria of Section 16.280.020 may extend to within five feet of a rear property line.
- ~~4.6.~~ Minimum rear yard setback for townhouses with front-loaded parking: 10 feet.
- ~~5.7.~~ Corner lot minimum rear yard setback: 10 feet.

C. Design Standards.

1. An entry door of 36-inch minimum width must face the front yard setback or onto a driveway.
2. A minimum of 20 square feet of glazing must be on the side of the dwelling facing a street.
3. ~~Duplexes, townhomes, rowhouses~~Townhouses, and triplexes and quadplexes shall comply with the standards of Chapter 16.184.
4. Multifamily housing developments shall comply with the standards of Chapter 16.188.

D. Government Building. The following development standards are applicable:

1. Density provisions:
 - a. Minimum lot size, government building/uses: none.
 - b. Minimum lot width, government building/uses: none.
 - c. Minimum lot depth, government building/uses: none.

- d. Maximum building height: 45 feet.
- e. Maximum lot coverage, government building/uses: none.
- 2. Setback requirements:
 - a. Minimum front yard setback, government building: 15 feet.
 - b. Minimum side yard setbacks, government building: 10 feet.
- 3. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.
- 4. Any government building shall comply with Chapter 16.116 of the Development Code. (Ord. 1175-A § 10, 2013; Ord. 1234 § 1, 2020)

§ 16.36.050. Other Applicable Standards.

- A. Outside sales and service areas shall be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- B. Outside storage areas shall be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- C. All uses shall comply with access and parking standards in Chapters 16.116 and 16.128 except as may be permitted by conditional use or variance.
- D. Signs shall comply with standards in Chapter 16.144.
- E. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- F. All other applicable Development Code requirements shall also be satisfied.
- G. For any common boundary between an R-H zone and any other residential zone there shall be a visual buffer strip at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet.
- H. All uses must comply with the criteria of Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
- I. Manufactured homes must comply with the criteria of Chapter 16.168.
- J. A garage (attached or detached) or carport is required for each dwelling unit up to three units, and shall conform to the standards of Chapter 16.180. In place of garages, multifamily units are encouraged to provide storage facilities for residents subject to site design review.
- K. All new sewer and water connections for a proposed development shall comply with all City regulations. (Ord. 1242 § 3, 2020)

**CHAPTER 16.92
AIRPORT OPERATIONS OVERLAY DISTRICT**

§ 16.92.010. Purpose.

The purpose of the Airport Operations Zone is to encourage and support the continued operation and vitality of Port of Astoria Regional Airport in the City of Warrenton, Clatsop County, OR, by allowing certain airport-related commercial, recreational and industrial uses in accordance with state law. In order to carry out the provisions of this overlay zone there are hereby created and established certain zones which include all of the land lying beneath the airport imaginary surfaces as they apply to the Astoria Regional Airport. Such zones are shown on the current Airport Approach and Clear Zone Map. This overlay zone is further intended to prevent the establishment of air space obstructions in airport approaches and surrounding areas through restrictions and other land use controls as deemed essential to protect health, safety, and welfare.

(Ord. 1221 § 3, 2018)

§ 16.92.015. Application and Conformance.

This zoning district applies to Port of Astoria Regional Airport in the City of Warrenton, Clatsop County, OR. All uses, activities, facilities and structures allowed in the Airport Zone shall comply with the requirements of the Airport Safety and Compatibility Overlay Zone. In the event of a conflict between the requirements of this zone and those of the Airport Safety and Compatibility Overlay Zone, the requirements of the overlay zone shall control.

(Ord. 1221 § 3, 2018)

§ 16.92.020. Special Definitions.

Aircraft. Includes airplanes, helicopters, and unmanned aerial vehicles (UAV), but not hot air balloons or ultralights.

Airport Sponsor. The owner, manager, person or entity designated to represent the interests of an airport.

Approach Surfaces. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. The Federal Aviation Administration establishes and can potentially amend the following standards. The Approach Surfaces are described:

Approach Surface Runway	MSL Elev. At Primary Surface	Width at Primary Surface	Slope of Surface	Extended Horizontal Distance	Terminal Width	MSL Terminal Elevation
8	14.9'	1,000'	34:1	10,000'	4,000'	308.2'
26	14.9'	1,000'	50:1	10,000'	4,000'	214.9'
14	14.9'	500'	20:1	5,000'	1,500'	263.7'
32	14.9'	500'	20:2	5,000'	1,500'	264.9'

Airport Imaginary Surfaces. Those imaginary areas in space which are defined by the approach surface, transitional surface, horizontal surface, and conical surface.

Conical Surface. A surface extending outward and upward from the periphery of the horizontal

surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the primary surface of each visual or utility runway and 10,000 feet from the center of each end of the primary surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.

Noise Sensitive Areas. Within 1,500 feet of an airport or within established noise contour boundaries exceeding 65 Ldn.

Primary Surface. A surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is 500 feet for Runway 31-13, and 1,000 feet for Runway 8-26.

Runway Protection Zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground.

Sponsor. The owner, manager, other person, or entity designated to represent the interests of an airport [OAR 660-013-0020(6)].

Transitional Surface. These surfaces extend seven feet outward for each one foot upward (7:1) beginning on each side of the primary surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (horizontal surface).
(Ord. 1221 § 3, 2018)

§ 16.92.030. Uses Permitted Outright Within Airport Imaginary Surfaces.

The following uses and activities are permitted outright in the Airport Zone:

- A. Farm use, excluding the raising and feeding of animals which would be adversely affected by aircraft passing overhead.
- B. Landscape nursery, cemetery or recreation areas, which do not include buildings or structures.
- C. Roadways, parking areas and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. The approach surface must clear these by a minimum of 15 feet.
- D. Pipeline.
- E. Underground utility wire.
- F. Customary and usual aviation-related activities, including, but not limited to, takeoffs and landings; aircraft hangars and tie-downs; construction and maintenance of airport facilities; fixed based operator facilities; a residence for an airport caretaker or security officer; and other activities incidental to the normal operation of an airport. Except as provided in this ordinance, "customary and usual aviation-related activities" do not include residential, commercial, industrial, manufacturing and other uses.
- G. Air passenger and air freight services and facilities, at levels consistent with the classification and needs identified in the Oregon Department of Aviation Airport System Plan.

- H. Emergency medical flight services, including activities, aircraft, accessory structures, and other facilities necessary to support emergency transportation for medical purposes. Emergency medical flight services do not include hospitals, medical offices, medical labs, medical equipment sales, and other similar uses.
- I. Law enforcement and firefighting activities, including aircraft and ground-based activities, facilities and accessory structures necessary to support federal, state or local law enforcement or land management agencies engaged in law enforcement or firefighting activities. Law enforcement and firefighting activities include transport of personnel, aerial observation, and transport of equipment, water, fire retardant and supplies.
- J. Search and rescue operations, including aircraft and ground-based activities that promote the orderly and efficient conduct of search or rescue related activities.
- K. Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, but does not include schools for flight attendants, ticket agents or similar personnel.
- L. Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components. "Aircraft service, maintenance and training" includes the construction and assembly of aircraft and aircraft components for personal use, but does not include activities, structures or facilities for the manufacturing of aircraft or aircraft related products for sale to the public.
- M. Aircraft rental, including activities, facilities and accessory structures that support the provision of aircraft for rent or lease to the public.
- N. Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and sales of aircraft and aeronautic equipment and supplies to the public but not including activities, structures or facilities for the manufacturing of aircraft or aircraft related products for sale to the public.
- O. Crop dusting activities, including activities, facilities and structures accessory to crop dusting operations. Crop dusting activities include, but are not limited to, aerial application of chemicals, seed, fertilizer, defoliant, and other chemicals or products used in a commercial agricultural, forestry or rangeland management setting.
- P. Agricultural and Forestry Activities, including activities, facilities and accessory structures that qualify as a "farm use" as defined in ORS 215.203 or "farming practice" as defined in ORS 30.930.

(Ord. 1221 § 3, 2018)

§ 16.92.035. Uses Permitted Subject to the Acceptance of the Port of Astoria.

The following uses and activities and their associated facilities and accessory structures are permitted in the Airport Zone upon demonstration of acceptance by the airport sponsor.

- A. Aeronautic recreational and sporting activities, including activities, facilities and accessory

structures at airports that support recreational usage of aircraft and sporting activities that require the use of aircraft or other devices used and intended for use in flight. Aeronautic recreation and sporting activities authorized under this paragraph include, but are not limited to, fly-ins; glider flights; hot air ballooning; ultralight aircraft flights; displays of aircraft; aeronautic flight skills contests; and gyrocopter flights, but do not include flights carrying parachutists or parachute drops (including all forms of skydiving).

B. Event camping in a designated area on the airport for transient aircraft.
(Ord. 1221 § 3, 2018)

§ 16.92.040. Uses Permitted Under Prescribed Conditions Within Airport Imaginary Surfaces.

The following uses and activities and their associated facilities are permitted conditionally in the Airport Zone upon demonstration of compliance with the standards of Section 16.92.060, Conditional Use Standards.

- A. A structure or building accessory to a permitted use.
- B. Single-family dwellings, manufactured dwellings, duplexes, triplexes, quadplexes, and multifamily dwellings, when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Clatsop County a hold harmless agreement and aviation and hazard easement and submits them to the Port of Astoria and to the Warrenton Planning Department.
- C. Commercial and industrial uses, when authorized in the primary zoning district, provided the use does not result in the following:
 - 1. Creating electrical interference with navigational signals or radio communication between the airport and aircraft.
 - 2. Making it difficult for pilots to distinguish between airports lights or others.
 - 3. Impairing visibility.
 - 4. Creating bird strike hazards.
 - 5. Endangering or interfering with the landing, taking off or maneuvering of aircraft intending to use the airport.
 - 6. Attracting large number of people.
- D. Buildings and uses of a public works, public service or public utility nature.
- E. Production, processing, assembling, packaging or treatment of such products as food products, pharmaceutical, hardware and machine products.
- F. Production, processing, assembling, packaging or treatment of articles and products from previously-prepared or semi-finished materials, such as paper, wood, rubber, plastics, fibers and sheet metal.
- G. Research and development laboratories.

- H. Printing facilities.
- I. Public utility facilities such as power stations, sewage and water treatment plants.
- J. Storage and distribution services and facilities (i.e., truck terminals, warehouses and storage buildings and yards, contractor's establishments, lumber yards and sales) or similar uses.
- K. Vehicle repair (welding, painting and service, and parts facilities).
- L. Airport support structures: hangars, weather stations, fuel terminals and storage buildings, etc.
- M. Mini-warehouses or similar storage uses.
- N. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- O. Cabinet, carpenter, woodworking, sheet metal shops or similar establishments.
- P. Professional, financial or business offices.
- Q. Public utilities, including structures, pipelines, cables, and utility crossings.
- R. Government buildings and uses.
- S. Passive restoration.
- T. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- U. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- V. Food and/or beverage trucks or carts, or restaurant in connection with the operation of an FBO or terminal facility.
- W. Military facilities.
- X. On airport camping by occupants of transient aircraft.
(Ord. 1221 § 3, 2018)

§ 16.92.045. Uses Permitted Under Prescribed Conditions Acceptable to the Port of Astoria.

- A. Air Quality. The air quality standards set by the Department of Environmental Quality shall be the guiding standards in this zone, except that open burning is prohibited in any case.
- B. Noise. As may be permitted under all applicable laws and regulations.
- C. Storage. All materials, including wastes, shall be stored and maintained in a manner that will not attract or aid the propagation of insects or rodents or other animals or birds, or otherwise create a health hazard or nuisance.
- D. Fencing. Will be allowed inside a boundary planting screen and where it is necessary to protect property of the use concerned or to protect the public from a dangerous condition.

Proposed fence locations and design shall be subject to City review.

- E. **Buffer.** Where this zone adjoins another non-industrial zone there shall be a buffer area at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of eight feet, or such other screening measures as may be prescribed by the City in the event differences in elevation or other circumstances should defeat the purpose of this requirement.
- F. **Vibration.** No vibration other than that caused by highway vehicles, trains and aircraft shall be permitted which is discernible without instruments at the property line of the use concerned.
- G. **Airport Interference.** No use shall create electrical or lighting interference with the operations of the Port of Astoria Airport.
- H. **Setbacks.** The minimum front, side and rear yard setbacks shall be 10 feet. When across a street from a non-industrial zone, the setback from the property line shall be 10 feet. When a property abuts a nonindustrial zone, the setback shall be as follows:
 - 1. 50 feet for buildings and other structures more than 10 feet in height;
 - 2. 30 feet for buildings and structures more than six feet high but not more than 10 feet high; and
 - 3. 10 feet for structures no more than six feet high (except fences no more than six feet high may be on the property line).
- I. All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.
- J. **Building Height.** The maximum building height shall be 45 feet, except that it may be lower under either of the following circumstances:
 - 1. Within 100 feet of a non-industrial zone, where the maximum building height shall be the same as the maximum building height in that zone.
 - 2. Within the Airport Operations Overlay Zone, where the maximum building height is described by the Airport Operations Overlay Zone.
- K. All other applicable Code requirements shall be satisfied.
- L. All new sewer and water connections for a proposed development shall comply with all City regulations.
- M. Prior to undertaking disposal, the dredging project proponent shall consult with the Army Corps and Oregon DSL to determine if the disposal site contains wetlands that are regulated under permit programs administered by those agencies. If the site contains regulated wetlands, the dredging project proponent shall either alter the disposal site boundaries to avoid the wetlands and leave an acceptable protective buffer, or obtain the necessary Corps and DSL permits to fill the wetlands.

(Ord. 1221 § 3, 2018)

§ 16.92.050. Conditional Use Procedures.

An applicant seeking a conditional use under Section 16.92.040 shall follow procedures set forth in Chapter 16.220. Information accompanying the application shall also include the following:

- A. Property boundary lines as they relate to airport imaginary surfaces;
- B. Location and height of all existing and proposed buildings, structures, utility lines and roads;
- C. Statement from the Oregon Aeronautics Division indicating that the proposed use will not interfere with operation of the landing facility.

§ 16.92.060. Conditional Use Standards.

- A. No object of natural growth or terrain, nor any structure, equipment, or materials shall be permitted to extend above the applicable airport imaginary surface without a determination from the Federal Aviation Administration and the Oregon Department of Aviation and supported by the airport sponsor that such object, structure, equipment or materials would not pose a hazard to air navigation.
- B. No place of public assembly shall be permitted in the approach surface.
- C. No structure or building shall be allowed within the clear surface.
- D. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.
- E. No glare producing material shall be used on the exterior of any structure located within the approach surface.
- F. In noise sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 55 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit or development approval. In areas where the noise level is anticipated to be 55 Ldn and above, prior to issuance of a building permit for construction of noise sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design which will achieve an indoor noise level equal to or less than 55 Ldn. The planning and building department will review building permits for noise sensitive developments.

§ 16.92.070. Marking and Lighting.

As a condition of any permit or land use approval, the City shall require the owner of any object of natural growth, terrain, structure, equipment, or materials to install, operate, and maintain, at the owner's expense, such marking and lightings as recommended or required by the Federal Aviation Administration and the Oregon Department of Aviation.

CHAPTER 16.112
GROWTH MANAGEMENT (GM) ZONE STANDARDS

§ 16.112.010. Purpose.

The purpose of this chapter is to set forth growth management standards to insure the orderly conversion of the large amount of urbanizable residential land within the City to urban uses. The standards will apply to outlying areas of the City which are largely vacant and currently have a low level of urban services. These areas are projected to develop over time to a density of at least four units per acre. This chapter is intended to insure that public facilities adequate to serve development at this density are provided, either before or concurrent with development. [This section is intended as policy guidance only and shall not be applied as an approval standard for housing subject to ORS 197A.400.](#)

§ 16.112.020. Boundaries of Growth Management Areas.

The growth management standards in this chapter shall apply to areas designated on the Comprehensive Plan/Zone Map with the symbol "GM."

§ 16.112.030. Growth Management Standards.

The following standards shall apply to development within growth management areas:

- A. All development shall provide the following primary urban services: water, sanitary sewer facilities connecting to the City sewer system, local streets, fire protection and drainage. [Primary urban services shall be considered available and adequate if the proposed development can be served in compliance with adopted City design, construction, and capacity standards identified in the City's Public Works Standards, adopted facility plans, and applicable provisions of this Code. A land use application for housing shall be approved with respect to primary urban services if the applicant demonstrates compliance with the applicable adopted standards or provides a public improvement guarantee pursuant to Section 16.112.080.](#)~~An inability to provide an acceptable level of all primary services shall result in the denial of a land use application.~~
- B. [For purposes of housing development subject to ORS 197A.400, secondary urban services shall not be used as a basis for denial provided that:](#)
1. [The development complies with all applicable adopted City standards governing access, circulation, and public facilities; and](#)
 2. [Any required improvements identified in adopted transportation system plans, parks plans, or capital improvement programs are either:](#)
 - a) [Already funded and scheduled for construction; or](#)
 - b) [Guaranteed by the applicant pursuant to Section 16.112.080.](#)
- ~~B.—The City shall not deny a housing development based on a discretionary determination of service adequacy, level of service, or timing of improvements not expressly stated in the applicable adopted standards. All development shall be reviewed to ascertain whether an adequate level of the following secondary urban services exists: collector and arterial streets, school, police protection and parks. Where the City determines and supports with~~

~~findings that an unacceptable level of secondary urban services exist, the City may deny the land use application unless the developer insures the availability of an acceptable level of the services within five years from occupancy.~~

- C. ~~Compliance with service requirements shall be determined solely by reference to adopted City standards, specifications, and plans in effect on the date a complete land use application is submitted. No discretionary determination of acceptability shall be applied. City specifications shall be the standard used as measurement of acceptability of a service.~~
- D. ~~This subsection is a policy statement intended to guide long-range planning decisions. It shall not be applied as an approval standard or basis for denial of housing development subject to ORS 197A.400. Encourage the development within urban areas before the conversion of urbanizable areas.~~

§ 16.112.040. Exceptions to Growth Management Standards.

Growth management standards shall not apply to the following land use actions:

- A. ~~The exception provisions of this section shall not apply to housing development subject to ORS 197A.400. Construction of a single family residence on a buildable lot.~~
- B. ~~For development not subject to ORS 197A.400, exceptions to the growth management standards may be approved in accordance with the procedures and criteria below. Exceptions approved by the Community Development Director, or in the case of a conditional use, an exception approved by the Planning Commission. In either case, the following findings must be made to support the exception to growth management standards:~~
 1. That the impact of the proposed development or land partition upon the unacceptable service(s) will be similar to that of a single-family residence;
 2. That the approval of the development or land division without the particularly unacceptable service(s) will not impede the orderly, efficient provision of any primary or secondary service to that area;
 3. That the public or nearby residents will not be endangered by the granting of the exception; and
 4. That it is consistent with the intent and purpose of Statewide Planning Goals 11 and 14, and the purpose of this chapter stated in Section 16.112.010.

§ 16.112.050. Land Divisions.

- A. All land divisions which would create a parcel under five acres in size shall be subject to approval under the appropriate procedures in this Code (Chapter 16.216). Land divisions which would create a parcel under five acres in size in growth management areas shall be approved only if:
 1. The lots created are at R-10 urban densities;
 2. Primary and secondary urban services are supplied in accordance with Section 16.28.050;
 3. An exception is approved as provided in Section 16.112.040.

- B. All land divisions that would create parcels between five and 10 acres in size shall be reviewed to insure that the proposed parcel layout (i.e., relationship to roads, easements and utilities) and building placement is such that the parcel can be re-divided at urban densities.

§ 16.112.060. Cost Allocation.

The cost of providing the required urban services for a particular land use proposal under consideration shall be borne by the applicant or benefited properties unless otherwise authorized by the City Commission.

§ 16.112.070. Administration of Growth Management Standards.

Compliance with the growth management standards shall be determined in conjunction with any land use application in accordance with the same procedural requirements as the accompanying land use request, except that the following shall also apply: Any published notice required of the accompanying land use request shall indicate compliance with the growth management standards will be considered.

§ 16.112.080. Public Improvement Guarantee.

For the purposes of this section, the word "insure" shall mean a legal and enforceable document, contract or process which guarantees to the City a public improvement will be accomplished. Assurances include, but are not limited to, the following:

- A. Performance bond.
- B. Cash in escrow, assignment of letter of credit, etc.
- C. Establishment of an LID (post-remonstrance period).
- D. Evidence of formal action by other public or private agencies or companies authorizing monies or scheduling of a requisite public improvement.
- E. The requisite improvement is included in an adopted capital improvement program with funds assured by the City.
- F. Any other legally binding agreement which assures the improvement will be made.

CHAPTER 16.114
NEIGHBORHOOD MASTER PLANS

§ 16.114.010. Purpose.

The purpose of this chapter is to set forth design overlay standards for new neighborhood master plans to insure the orderly conversion of a large amount of urbanizable land to mixed use, residential and commercial land within the City to higher intensity, urban uses to maximize investment in public facilities. The standards will apply to areas identified through City or developer initiated master planning. The subject areas are largely vacant and currently have a low level of urban services. These areas are projected to develop over time to a density of at least 25 units per acre similar to High Density Residential Zone (RH). This chapter is intended to insure that public facilities adequate to serve development at this density are provided, either before or concurrent with development.

(Ord. 1233 § 1, 2020)

§ 16.114.020. Boundaries of Neighborhood Master Plan Areas.

The neighborhood master plan standards in this chapter shall apply to areas designated on the Comprehensive Plan/Zone Map with the symbol "NMP-NAME." In addition, a specific master plan will be adopted and referenced herein that illustrates the boundaries and physical layout of new streets, parks, and other land uses.

(Ord. 1233 § 1, 2020)

§ 16.114.030. Neighborhood Master Plan Development Standards.

The following standards shall apply to new development within designated areas:

- A. All development shall provide the following primary urban services: water, sanitary sewer facilities connecting to the City sewer system, local streets, fire protection and drainage. Primary urban services shall be considered available and adequate if the proposed development can be served in compliance with adopted City design, construction, and capacity standards, including Public Works Standards, adopted facility plans, and applicable provisions of this Code. A housing development shall be approved with respect to primary urban services if the applicant demonstrates compliance with applicable adopted standards or provides a public improvement guarantee in accordance with Section 16.112.080. An inability to provide an acceptable level of all primary services shall result in the denial of a land use application.
- B. For housing development subject to ORS 197A.400, secondary urban services shall not be used as a basis for denial provided that:
1. The development complies with all applicable adopted City standards related to access, circulation, and public facilities; and
 2. Any improvements identified in an adopted transportation system plan, parks master plan, school facilities plan, or capital improvement program are either:
 - a) Funded and scheduled for construction; or
 - b) Guaranteed by the applicant pursuant to Section 16.112.080.

The City shall not deny a housing development based on discretionary determinations

~~regarding adequacy, acceptability, or timing of secondary urban services not expressly stated in adopted standards. All development shall be reviewed to ascertain whether an adequate level of the following secondary urban services exists: collector and arterial streets, transit, schools, police protection, and parks. Where the City determines and supports with findings that an unacceptable level of secondary urban services exist, the City may deny the land use application unless the developer insures the availability of an acceptable level of the services within five years from occupancy.~~

~~B-C. Compliance with service requirements shall be determined solely by reference to adopted City standards, specifications, and plans in effect on the date a complete application is submitted. If street standards are proposed that differ from those identified in the Transportation System Plan, the proposal shall be approved if it meets objective alternative street standards adopted by the City or otherwise expressly authorized by this Code. No discretionary findings or policy consistency determinations shall be required for housing development subject to ORS 197A.400. City specifications shall be the standard used as measurement of acceptability of a service, including traffic engineering and adopted City transportation policies, to disperse new traffic trips generated by the impact of new development. If street standards are proposed that differ from the TSP, findings and analysis shall be provided to demonstrate compliance and consistency with neighborhood planning principles.~~

~~D. Development shall comply with the following objective standards to support pedestrian- and transit-oriented neighborhood design:~~

- ~~1. Blocks shall not exceed the maximum block length specified in the adopted master plan or applicable development code;~~
- ~~2. Sidewalks or shared-use paths shall be provided along all public streets in accordance with adopted City standards;~~
- ~~3. Primary building entrances shall face a public street, park, or plaza; and~~
- ~~4. Ground-floor uses and building orientation shall comply with applicable zoning and design standards.~~

~~Compliance with these standards shall be determined ministerially. Encourage the maximum redevelopment of the area to facilitate the creation of a pedestrian friendly, transit supportive, and people oriented neighborhood where residents and visitors can walk to services within the neighborhood and adjacent areas.~~

~~C-E. Development that is consistent with the adopted neighborhood master plan, applicable zoning standards, and this Code shall be processed ministerially. Development shall not be denied based on subjective determinations regarding neighborhood planning principles, policy preferences, or qualitative design objectives not expressly stated as approval criteria in this Code. Development proposed within the neighborhood overlay that is consistent with the master plan is streamlined whereas any proposed development that does not support neighborhood planning principles in Comprehensive Plan and other policies should be discouraged.~~

(Ord. 1233 § 1, 2020)

§ 16.114.040. Spur 104 Performance Measures & Redevelopment Standards.

The following standards shall apply to new development in the Spur 104 Neighborhood Master

Plan area.

- A. Development shall consider either the "Mixed Use Concept" or "Residential Concept" contained herein. At a minimum, streets, parks, open space, and trails shall be adhered to and planned for in future development.
- B. The total number of housing units for the new neighborhood shall not exceed 350 units. The types of units and minimum density are described in the Commercial Mixed Use (CMU) Zone and High Density Residential Zone (RH) standards. Housing units that existed prior to 2018 shall not be counted towards the cap on the total amount. Adaptive reuse of cultural or historic structures built prior to 1940 is strongly encouraged.
- C. The total amount of commercial space shall not exceed 50,000 SF. No building footprint shall be larger than 20,000 SF to encourage a mixed use, neighborhood scale, and pedestrian-oriented design. Maximum of building floor area shall be regulated by height standard. The types of uses allowed are described in the Commercial Mixed Use (CMU) Zone. However, drive thrus shall be prohibited to reduce traffic impacts.

D. Architectural design shall be governed by Chapter 16.116 Design Standards. In addition, the following objective standards shall apply:

1. A minimum of three distinct exterior building materials shall be used, excluding glass entries and vestibules;
2. Each principal building shall include a clearly defined primary entrance that is architecturally articulated through massing, material change, or canopy;
- 1.3. New off-street parking for commercial uses shall be located to the rear or side of the lot where feasible, as determined by compliance with adopted parking and access standards. In addition, at least three distinct exterior materials shall be used. Glass entries and vestibules shall not be counted towards the required amount of materials. A distinctive entry is required. New parking for commercial uses should be located to the rear or side portion of the lot.

~~D.E.~~ All new development shall contribute to planned parks and trails identified on the concept plans and Parks Master Plan.

~~E.F.~~ Zero lot line developments for single family attached townhouses are allowed subject to site design review.

(Ord. 1233 § 1, 2020)

CHAPTER 16.120
ACCESS AND CIRCULATION

§ 16.120.010. Purpose.

The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. Section 16.120.020 provides standards for vehicular access and circulation. Section 16.120.030 provides standards for pedestrian access and circulation. Planning and design standards for improvements to public and private transportation facilities and utilities are provided in Chapter 16.136.

§ 16.120.020. Vehicular Access and Circulation.

A. Intent and Purpose.

1. The intent of this section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain adequate performance standards and to maintain the functional classification of roadways as required by the Warrenton Comprehensive Plan and Transportation System Plan. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. Access management is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This section attempts to balance the right of reasonable access to private property with the right of the citizens of the City and the State of Oregon to safe and efficient travel. It also requires all developments to construct planned streets (arterials and collectors) and to extend local streets.
2. To achieve this policy intent, state and local roadways have been categorized in the Transportation System Plan by function. Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well designed road and access systems and discouraging the unplanned subdivision and development of land.

B. **Applicability.** This chapter shall apply to all transportation facilities and improvements (e.g., public and private streets, driveways, multi-use paths, etc.) within the City and to all properties that abut these facilities. Additional standards can be found in Chapter 16.136, Public Facilities Standards.

C. **Access Permit Required.** Access to a street requires an access permit in accordance with the following procedures:

1. Permits for access to state highways shall be subject to review and approval by Oregon

Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Clatsop County. In that case, the City or County shall determine whether access is granted based on its adopted standards.

2. Permits for access to county highways shall be subject to review and approval by Clatsop County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted City standards.
- D. **Traffic Study Requirements.** The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also Chapter 16.136, Public Facilities Standards, and Chapter 16.256, Traffic Impact Study.)
- E. **Conditions of Approval.** The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas (other than driveways that serve single-family, ~~two-family, or three-family~~ duplex, triplex, or quadplex dwellings) shall not permit backing onto a public street.
- F. **Access Options.** When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required under Division 2, or through conditions required by the hearings body.
1. **Option 1.** Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.
 2. **Option 2.** Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.
 3. **Option 3.** Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection G of this section, and require an access permit in accordance with subsection C of this section.
 4. **Subdivisions and Partitions Fronting Onto an Arterial Street.** Land divisions fronting onto a City arterial street shall be required to provide alley or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes). Land divisions fronting onto state highways are expected to meet state

access management and mobility standards.

5. **Double-Frontage Lots.** When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in all residential districts, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in a residential district, a landscape buffer with trees and/or shrubs and groundcover not less than 10 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).
 6. **Important Cross-References to Other Code Sections.** Divisions 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or Transportation System Plan. (Please refer to Chapter 16.136, Public Facilities Standards.)
- G. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:
1. **Local Streets.** A minimum of 25 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials) for all single-family detached dwellings, except as provided in paragraph 3 of this subsection. A minimum of 20 feet separation shall be required on local streets for all ~~single-family attached~~townhouse dwellings, duplexes, ~~and~~ triplexes, and quadplexes except as provided in paragraph 3 of this subsection. Shared driveways are permitted and encouraged as provided in subsection I of this section.
 2. **Arterial and Collector Streets.** Unless directed otherwise by this Development Code or by the Warrenton Comprehensive Plan/TSP, access spacing on City collector and arterial streets and at controlled intersections (i.e., with four-way stop sign or traffic signal) in the City of Warrenton shall be determined based on the policies and standards contained in the Warrenton Transportation System Plan, Manual for Uniform Traffic Control Devices, or other applicable documents adopted by the City.
 3. **Special Provisions for All Streets.** Direct street access may be restricted for some land uses, in conformance with the provisions of Division 2, Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by paragraphs 1 and 2 of this subsection, may be required by the City, County or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See subsection I of this section.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.
 4. **Corner Clearance.** The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street

classification in the Warrenton TSP.

- H. **Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per dwelling unit, when alley access or shared driveways cannot otherwise be provided; except that one additional access point may be permitted for one-family, two-family and three-family housing types on corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection G of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection I of this section, in order to maintain the required access spacing, and minimize the number of access points.
- I. **Shared Driveways.** The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division, development review, or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).
 2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Chapter 16.216) or as a condition of development review or site development approval (Chapter 16.212).
 3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent consolidation of access points to public streets.
 4. Cross Access. Cross access is encouraged, and may be required, between contiguous sites in commercial (C-1, C-MU, C-2 & R-C) and industrial (I-1 & I-2) districts and for multifamily housing developments in the High Density Residential District in order to provide more direct circulation between sites and uses for pedestrians, bicyclists, and drivers.
- J. **Street Connectivity and Formation of Blocks Required.** In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:
1. Block Length and Perimeter. The maximum block length shall not exceed 600 feet between street corner lines in Residential and C-1 zones, 400 feet in the C-MU zone,

and 1,000 feet in other zones unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The minimum length of blocks along an arterial in zones other than Residential, C-1, and C-MU is 1,800 feet. A block shall have sufficient width to provide for two tiers of building sites unless topography or location of adjoining streets justifies an exception.

2. Street Standards. Public and private streets shall conform to the standards of Chapter 16.136, Public Facilities Standards; Section 16.120.030, Pedestrian Circulation; applicable Americans With Disabilities Act (ADA) design standards; City construction standards for streets; and other applicable Development Code sections.
3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of Section 16.120.030. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles.

Figure 16.120.020.J Street Connectivity and Formation of Blocks

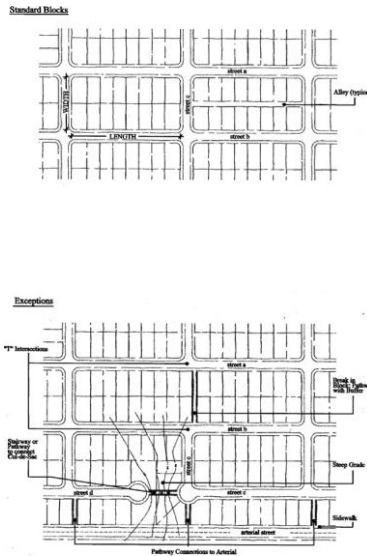
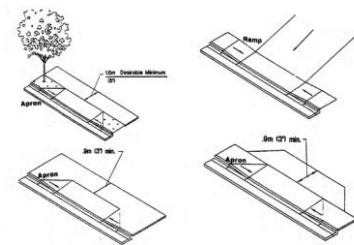


Figure 16.120.020.K Examples of Acceptable Driveway Openings Next to Sidewalks/Pathways



K. Driveway Openings and Widths. Driveway openings (or curb cuts) shall be the minimum

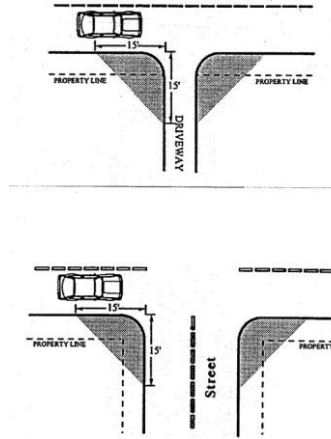
width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians:

1. Single-family, ~~two family, and three family~~ duplex, triplex, and quadplex uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing at least 5,000 square feet of area.
 2. Multiple-family uses with between ~~four~~ five and seven dwelling units, and cottage cluster housing, shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet.
 3. Multiple-family uses with eight or more dwelling units shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Community Development Director, City-appointed engineer, or Planning Commission determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.
 4. Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 16.128.
 5. Setback Required. A minimum five-foot setback from the edge of driveway to any property line is required. The setback area shall be kept free of impervious surfaces at all times and shall be vegetated to minimize surface water runoff to adjoining properties. These requirements may be increased if the Community Development Director, building official, City-appointed engineer, or Planning Commission determines that topography, soil conditions, or other circumstances dictate the need for additional protection measures.
 6. Driveway Aprons. Driveway aprons shall meet City construction standards and be installed between the street right-of-way and the private drive, as shown in Figure 16.120.020.K. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three feet in width, with a cross slope not exceeding two percent.
 7. Driveway Approaches. Driveway approaches should be designed and located to provide an existing vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes or tapers should be avoided due to potential for vehicle conflicts.
 8. Loading Area Design. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall consider the anticipated storage length for entering and exiting vehicles, in order to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.
- L. Fire Access and Circulation. The City of Warrenton adopts the Uniform Fire Code, as amended, including administrative sections and all appendices and all the State of Oregon

revisions. All development in the City of Warrenton is required to meet these minimum adopted standards.

1. **Required Access.** A fire equipment access drive that meets City construction standards shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an improved public street or approved fire equipment access drive. Plans for fire apparatus access roads shall be submitted to the Warrenton Fire Department and Warrenton City-appointed engineer for review and approval prior to issuance of building permits, grading permits, or start of construction. When fire apparatus access road(s) are required, the road(s) shall be installed and made serviceable prior to and during time of construction. Fire department access roads shall be provided and maintained in accordance with the fire department access requirements of the Uniform Fire Code, as amended.
 2. **Dimensions.** Fire apparatus roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. Fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.
 3. **Turnaround Required.** Dead-end fire apparatus roads in excess of 150 feet shall be provided with approved provisions for the turning around of fire apparatus. See Table 16.136.010 for minimum standards.
 4. **Grade.** The gradient for a fire apparatus access road shall not exceed 12% except that isolated segments no longer than 250 feet may have grades up to 15% upon approval by the Warrenton Fire Chief. Non-fire apparatus access roads (driveways and private streets) shall maintain a maximum grade of 15% unless otherwise approved by the Warrenton City-appointed engineer. See Table 16.136.010 for other applicable standards.
 5. **Parking Areas.** Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. See also Chapter 16.136, Public Facilities Standards.
- M. **Vertical Clearances.** Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.
- N. **Vision Clearance.** No signs, structures or vegetation in excess of three feet in height shall be placed in vision clearance areas, as shown in Figure 16.120.020.N. The minimum vision clearance area may be increased by the Community Development Director, City-appointed engineer, or Planning Commission upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). See also Chapter 16.132 for additional requirements.

Figure 16.120.020.N Vision Clearance Area

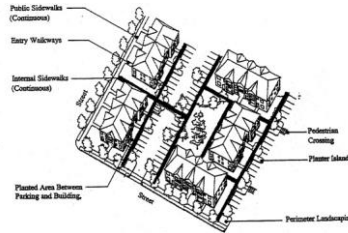


- O. Construction. The following development and maintenance standards shall apply to all driveways, parking areas, and private streets in the City of Warrenton:
1. Surface Options. All driveways, parking areas, aisles, and turn-a-rounds in the City of Warrenton shall be paved with asphalt, concrete, or other comparable surfacing. A durable non-paving material may be used for driveways and private streets that serve three or fewer residential dwelling units and in other instances where the need to reduce surface water runoff and protect water quality can be demonstrated through adequate findings of fact submitted by the applicant and/or property owner as part of the development proposal. All paving and non-paving surfaces shall meet City construction standards and shall be subject to review and approval by the Community Development Director, City-appointed engineer, and/or Planning Commission.
 2. Surface Water Management. All driveways, parking areas, aisles and turn-a-rounds shall have onsite collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facility plans shall be prepared by a qualified person and constructed in conformance with City standards. Such plans shall attempt to follow the principle that water falling on a given site should be absorbed or retained on-site to the extent that the quantity and rate of water leaving the site after the development would not be significantly different than if the site had remained undeveloped.
 3. Driveway Aprons. When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and meet City construction standards.

(Ord. 1225 § 5, 2019)

§ 16.120.030. Pedestrian Access and Circulation.

Figure 16.120.030.A Pedestrian Pathway System for Multifamily Housing Development (Typical)



A. Pedestrian Access and Circulation. To ensure safe, direct and convenient pedestrian circulation, all developments, including cottage cluster housing, except single-family detached housing, duplexes, ~~or~~ triplexes, or quadplexes on individual lots, shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in paragraphs 1 through 3 of this subsection:

1. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 16.120.020, Vehicular Access and Circulation, and Chapter 16.136, Public Facilities Standards.
2. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and existing or planned transit stops, based on the following definitions:

Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

Safe and Convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

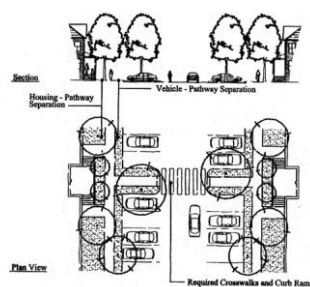
For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling.

3. Connections Within Development. For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall

connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

4. **Street Connectivity.** Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 16.120.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:
 - a. Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than six feet wide.
 - b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted.
 - c. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep.
 - d. The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.
 - e. The Planning Commission or Community Development Director may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of the ordinance codified in this chapter prohibit the pathway connection.

Figure 16.120.030.B Pathway Standards (Typical)



- B. **Design and Construction.** Pathways shall conform to all of the standards in paragraphs 1 through 5 of this subsection:
 1. **Vehicle/Pathway Separation.** Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from

the driveway/street by a five-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

2. **Housing/Pathway Separation.** Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 16.128. No pathway/building separation is required for commercial, industrial, public, or institutional uses.
3. **Crosswalks.** Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermoplastic striping or similar type of durable application.
4. **Pathway Surface.** Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least six feet wide. (See also Chapter 16.136, Public Facilities Standards, for public multi-use pathway standards.)
5. **Accessible Routes.** Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.

(Ord. 1225 § 5, 2019)

CHAPTER 16.128
VEHICLE AND BICYCLE PARKING

§ 16.128.010. Purpose.

The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., "minimum" and "performance-based" standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

§ 16.128.020. Applicability.

All developments in the City of Warrenton shall comply with the provisions of this chapter.

§ 16.128.030. Vehicle Parking Standards.

At the time a structure is erected or enlarged, or the use of a structure or parcel of land is changed within any zone in the City, off-street parking spaces shall be provided in accordance with requirements in this section, chapter, and Code, unless greater requirements are otherwise established. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 16.128.030.A.

A. General Provisions.

1. Groups of four or more off-street parking spaces shall be served by a driveway or aisle so that no backing movements or other maneuvering within a street or right-of-way, other than an alley, will be required. Section 16.120.020 contains driveway opening and width standards.
2. Service drives or aisles to off-street parking areas shall be designed and constructed to facilitate the flow of traffic and to provide maximum safety to pedestrian, bicycle, and vehicular traffic on the site.
3. Service drives or aisles shall be clearly and permanently marked and defined through the use of bumper rails, fences, buildings, walls, painting, or other appropriate markers.
4. Fractional space requirements shall be counted as a whole space.
5. All parking lots shall be designed and constructed to meet the City standards of Section 16.120.020, this chapter, Chapter 16.136, and this Code.

6. Uses not specifically listed above shall furnish parking as required by the Community Development Director, who shall consider uses similar to those listed in Table 16.128.030.A and the Institute of Traffic Engineers *Parking Generation* as guides for determining requirements for other uses.
7. Parking spaces and parking areas may be used for transit related uses such as transit stops and park- and-ride/rideshare areas, provided minimum parking space requirements can still be met.
8. Parking areas that have designated employee parking and more than 20 automobile parking spaces shall provide at least 10% of the employee parking spaces (minimum two spaces) as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.
9. Sites that are adjacent to existing or planned transit stops or are in the General Commercial (C-1) and Commercial Mixed Use (C-MU) districts are subject to maximum off-street vehicle parking requirements. The maximum number of off-street vehicle parking spaces allowed per site shall be equal to the minimum number of required spaces, pursuant to Table 16.128.030.A, multiplied by a factor of:
 - a. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
 - b. 1.5 spaces, for uses not fronting a street with adjacent on-street parking; or
 - c. A factor determined according to a parking analysis prepared by a qualified professional/registered engineer and submitted by the applicant.
10. The applicant may propose a parking space standard that is different than the standard in Table 16.128.030.A, for review and action by the Community Development Director through a variance procedure, pursuant to Chapter 16.272. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional/registered engineer. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent transit service, carpools, or private shuttles; and other relevant factors.

~~10.~~

The Community Development Director may reduce or waive the off-street parking standards for sites with one or more of the following features:

- a. Site has a transit stop with existing or planned frequent transit service (30-minute headway or less) located adjacent to it, and the site's frontage is improved with a transit stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20% reduction to the standard number of automobile parking spaces;
- b. Site has dedicated parking spaces for carpool/vanpool vehicles: Allow up to a 10% reduction to the standard number of automobile parking spaces;

- c. Site has dedicated parking spaces for motorcycle and/or scooter or electric carts: Allow reductions to the standard dimensions for parking spaces and the ratio of standard to compact parking spaces;
- d. Available on-street parking spaces adjacent to the subject site in amounts equal to the proposed reductions to the standard number of parking spaces.
- e. Site has more than the minimum number of required bicycle parking spaces: Allow up to 10% reduction to the number of automobile parking spaces.
- f. The property is located in the downtown area as defined by the intersection of E Harbor Drive, S Main Avenue and 4th Street.

**Table 16.128.030.A
Off-Street Parking Requirements**

	Parking Spaces Required
Residential Uses	
Single-family detached dwelling (including manufactured home on individual lot)	2 spaces
Two and three family Duplex, triplex, townhouse or quadplex dwelling	1.5 spaces per dwelling unit
Cottage cluster development	See parking requirements in Chapter 16.202
Multifamily and single family attached dwelling	
Studio units or 1-bedroom units less than 500 sq. ft.	1 space per unit
1-bedroom units 500 sq. ft. or larger	1.5 spaces per unit
2-bedroom units	1.75 spaces per unit
3-bedroom or greater units	2 spaces per unit
Senior housing; retirement complexes seniors 55+ years	1 space per unit
Rooming and boarding houses; dormitories	2 spaces per each 3 guest rooms, or 1 space per 3 beds, whichever is greater
Bed and breakfast	1 space per guest bedroom
Manufactured home parks	2 spaces per dwelling unit
Accessory dwelling	None if lot already contains at least 2 spaces; otherwise, 1 space is required
Commercial Uses	

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Auto, boat, or RV sales; retail nurseries and similar bulk retail uses	1 space per 1,000 square feet of the first 10,000 sq. ft. of gross land area plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area and 1 space per 2 employees on the largest shift
General retail or personal services businesses including banks, salons, and markets	1 space per 350 sq. ft. of gross floor area
Shopping centers and multi-tenant commercial centers with:	
Less than 25,000 sq. ft. gross leasable floor area	4 spaces per 1,000 sq. ft. of gross leasable floor area
At least 25,000 sq. ft. of gross leasable floor area but not more than 400,000 sq. ft. of gross leasable floor area	4 spaces per 1,000 sq. ft. of gross leasable floor area plus 8 spaces per 1,000 sq. ft. of gross restaurant or café area plus theater seating pursuant to this table (if applicable)
More than 400,000 sq. ft. of gross leasable floor area	A special parking study shall be prepared by the applicant and submitted to the City-appointed engineer for review and approval. In no case shall the off-street parking requirement be less than that required for commercial centers with 25,000 to 400,000 sq. ft. of gross leasable floor area
Furniture or appliance repair shop	1 space per 750 sq. ft. of retail store
Chapels and mortuaries	1 space per 4 fixed seats in the main chapel or 8 ft. of bench length
Hotels and motels	1 space per each guest room plus 1 space for the manager
Medical and dental offices	1 space per 350 sq. ft. of gross floor area
General offices providing on-site customer service	1 space per 450 sq. ft. of gross floor area
General offices not providing on-site customer service	1 space per employee on the largest shift
Restaurants, bars, cafés, ice cream parlors, and similar uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross leasable floor area, whichever is less
Theaters, auditoriums, gymnasiums, and similar uses	1 space per 4 seats

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Dance hall, skating rink	1 space per 300 sq. ft. of dance floor of skating area plus 1 space per 2 employees
Bowling alley	2 spaces for each lane plus 1 space for each employee
Espresso stand	1 space
Industrial Uses	
Industrial uses, except warehousing	1 space per 2 employees on the largest shift or for each 700 sq. ft. of gross floor area, whichever is less, plus 1 space per company vehicle
Warehousing, including mini-storage warehouses	1 space per 1,000 sq. ft. of gross floor area or for each 2 employees, whichever is greater, plus 1 space per company vehicle
Public utilities (gas, water, telephone, etc.)	1 space per 2 employees on the largest shift, plus 1 space per company vehicle; a minimum of 2 spaces is required
Wireless communication facilities	1 space
Passenger terminal	1 space per 500 sq. ft. of gross floor area
Public, Recreational, and Institutional Uses	
Child care centers having 13 or more children	1 space per 2 employees; a minimum of 2 spaces is required
Churches and similar places of worship	1 space per 4 fixed seats or 8 feet of bench length, or 72 sq. ft. of floor area not containing fixed seating, whichever is less
Club, lodge, or association	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.
Golf, except miniature	8 spaces per hole, plus additional spaces for auxiliary uses set forth in this section
Marina	1 space per each 2 slips
Miniature golf	1 space per hole plus 1 space per employee
Hospitals	1.5 spaces per patient bed
Library	1 space per 400 sq. ft. of gross floor area
Nursing and convalescent homes	1 space per 3 patient beds

Table 16.128.030.A Off-Street Parking Requirements	
	Parking Spaces Required
Post office	1 space per 50 sq. ft. of patron service area, plus 1 space per employee
Rest homes or assisted living facilities	1 space per 2 patient beds or 1 space per apartment unit
Kindergarten, pre-school, or equivalent private or parochial school	1 space per employee
Elementary and junior high schools equivalent	1.5 spaces per classroom, or 1 space per 4 seats, or 8 feet of bench in auditorium, or assembly room, whichever is greater
High school or equivalent	1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate, or 1 space per 4 seats or 8 feet of bench in auditorium or assemble room, whichever is greater
Colleges, universities, trade schools, or equivalent	1.5 spaces per classroom plus 1 space per 5 students the school is designed to accommodate, plus requirements for on-campus student housing (if any)
Stadium, sports arena, or similar open assembly	1 space per 6 seats or 12 feet of bench length
RV park	1 off-street parking space shall be provided for each RV space, plus 1 additional space for each 6 RV spaces to provide for guest parking. Grouped parking spaces shall be located within 150 feet of the RV spaces served

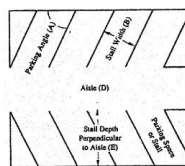
B. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this Code. Parking and loading areas shall not be located in required yards adjacent to a street unless otherwise specifically permitted in this ordinance. Side and rear yards that are not adjacent to a street may be used for such areas when developed and maintained as required in this chapter. See also Chapter 16.120, Access and Circulation.
2. Off-Site Parking. Except for single-family, ~~two-family, and three-family dwellings~~ duplex, triplex, and quadplex dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 200 feet or a reasonable walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest

parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

3. **Mixed Uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile 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 at different times of the day). In that case, the total requirements shall be reduced accordingly.
 4. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.
 5. **Availability of Facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 16.144.
- C. **Parking Stall Standard Dimensions and Compact Car Parking.** All off-street parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping. See Section 16.120.020 for parking lot construction standards. Up to 40% of the required spaces may be sized to accommodate compact cars. Standard parking spaces shall conform to the dimensions in Figure 16.128.030.C. Disabled person parking spaces shall conform to the standards (and dimensions) in this section.

**Figure 16.128.030.C Parking Stall Dimensions
 (See Section 16.128.030(D) for Disabled Parking)**



Minimum Parking Space and Aisle Dimensions						
Angle (A)	Type	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	Standard	8 ft.	22 ft. 6 in.	12 ft.	24 ft.	8 ft.
	Compact	7 ft. 6 in.	19 ft. 6 in.	12 ft.	24 ft.	7 ft. 6 in.
	Disabled	9 ft.	18 ft.	12 ft.	24 ft.	17 ft.
30°	Standard	7 ft. 6 in.	15 ft.	12 ft.	24 ft.	14 ft.
	Disabled	9 ft.	12 ft. 6 in.	12 ft.	24 ft.	19 ft.
45°	Standard	7 ft. 6 in.	10 ft. 6 in.	12 ft.	24 ft.	16 ft.
	Disabled	9 ft.	10 ft. 6 in.	12 ft.	24 ft.	19 ft.
60°	Standard	7 ft. 6 in.	8 ft. 6 in.	15 ft.	24 ft.	16 ft. 6 in.
	Disabled	9 ft.	10 ft. 6 in.	18 ft.	24 ft.	20 ft.
90°	Standard	7 ft. 6 in.	7 ft. 6 in.	22 ft.	24 ft.	15 ft.
	Compact	7 ft. 6 in.	7 ft. 6 in.	22 ft.	24 ft.	15 ft.
	Disabled	9 ft.	9 ft.	24 ft.	24 ft.	19 ft.

Important Cross-References. See also Division 2, Land Use District standards; Chapter 16.120, Access and Circulation; Chapter 16.124, Landscaping, Street Trees, Fences, and Walls; and Chapter 16.140, Stormwater and Surface Water Management.

- D. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans With Disabilities Act. Disabled parking is included in the minimum number of required parking spaces in this subsection.

Figure 16.128.030.D
Disabled Person Parking Requirements: Minimum Number of Accessible Parking Spaces ADA Standards for Accessible Design

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van Accessible Parking Spaces with Minimum 96" Wide Access Aisle	Accessible Parking Spaces with Minimum 60" Wide Access Aisle
	Column A		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1,000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1,001 and over	20 plus 1 for each 100 over 1,000	1/8 of Column A*	7/8 of Column A**

Notes:

- * 1 out of every 8 accessible spaces.
- ** 7 out of every 8 accessible parking spaces.

(Ord. 1175-A § 12, 2013; Ord. 1225 § 6, 2019)

§ 16.128.040. Bicycle Parking Requirements.

- A. All uses shall provide bicycle parking in conformance with the following standards which are evaluated during development review or site design review.
- B. Number of Bicycle Parking Spaces. The minimum number of bicycle parking spaces required for uses is provided in Table 16.128.040.A.

Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to the vehicle parking standard, pursuant to 16.128.030(A)(10), the City may require bicycle parking spaces in addition to those in Table 16.128.040.A.

Table 16.128.040.A Bicycle Parking Requirements		
Use	Minimum Required Bicycle Parking Spaces	Long and Short Term Bicycle Parking (As % of Minimum Required Bicycle Parking Spaces)
Use	Minimum Number of Spaces	
Multifamily residential (required for 4 or more dwelling units)	1 space per 4 dwelling units	75% long term 25% short term
Commercial	2 spaces per primary use or 1 per 5 vehicle spaces, whichever is greater. Maximum of 28 spaces per commercial lot.	25% long term 75% short term
Schools (all types)	2 spaces per classroom	100% long term
Parks (active recreation areas only)	4 spaces	100% short term
Transit stops	2 spaces	100% short term
Transit centers	4 spaces or 1 per 10 vehicle spaces, whichever is greater	50% long term 50% short term
Other uses	2 spaces per primary use or 1 per 10 vehicle spaces, whichever is greater	50% long term 50% short term

C. Design and Location.

1. All bicycle parking shall be securely anchored to the ground or to a structure.
2. All bicycle parking shall be lighted for theft protection, personal security and accident prevention.
3. All bicycle parking shall be designed so that bicycles may be secured to them without undue inconvenience, including being accessible without removing another bicycle. Bicycle parking spaces shall be at least six feet long and two-and-one-half feet wide, and overhead clearance in covered spaces should be a minimum of seven feet. A five foot aisle for bicycle maneuvering should be provided and maintained beside or between each row/rack of bicycle parking.
4. Bicycle parking racks shall accommodate locking the frame and both wheels using

either a cable or U-shaped lock.

5. Direct access from the bicycle parking area to the public right-of-way shall be provided at-grade or by ramp access, and pedestrian access shall be provided from the bicycle parking area to the building entrance.
 6. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall not conflict with the vision clearance standards of Chapter 16.132.
 7. All bicycle parking should be integrated with other elements in the planter strip when in the public right-of-way.
 8. Short-term bicycle parking.
 - a. Short-term bicycle parking shall consist of a stationary rack or other approved structure to which the bicycle can be locked securely.
 - b. If more than 10 short-term bicycle parking spaces are required, at least 50% of the spaces must be sheltered. Sheltered short-term parking consists of a minimum 7-foot overhead clearance and sufficient area to completely cover all bicycle parking and bicycles that are parked correctly.
 - c. Short-term bicycle parking shall be located within 50 feet of the main building entrance or one of several main entrances, and no further from an entrance than the closest automobile parking space.
 9. Long-term bicycle parking. Long-term bicycle parking shall consist of a lockable enclosure, a secure room in a building onsite, monitored parking, or another form of sheltered and secure parking.
- D. Exemptions. This section does not apply to single-family, [duplex, triplex, quadplex and townhouse dwellings](#), ~~and duplex housing~~, home occupations, and agricultural uses. The City may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.
- E. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located so as to not conflict with the vision clearance standards of Chapter 16.132. (Ord. 1175-A § 13, 2013; Ord. 1225 § 6, 2019)

CHAPTER 16.168
MANUFACTURED HOME DESIGN STANDARDS

§ 16.168.010. Manufactured Home Design Standards.

A manufactured home placed on an individual lot, other than a lot in an approved manufactured dwelling park, shall conform to the requirements of the zone in which it is located, applicable state installation standards, and ~~the following additional provisions:~~ shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwelling constructed under the State Building Code ORS 455.010.

- ~~A. The manufactured home shall be multi sectional and enclose a floor space of not less than 1,000 square feet.~~
- ~~B. The manufactured home shall be placed on an excavated and/or back filled foundation and enclosed by skirting at the perimeter such that the manufactured home is located at least 16 inches from mainframe to grade.~~
- ~~C. The skirting and perimeter foundation of the manufactured home shall consist of masonry or poured concrete.~~
- ~~D. The manufactured home shall have a roof with a minimum pitch of 3:12. The roofing material shall be composition, shake, shingle or tile.~~
- ~~E. The manufactured home shall have exterior siding material such as horizontal or vertical wood, vinyl or aluminum lap siding similar to that used in single family residences constructed to the Uniform Building Code.~~
- ~~F. The manufactured home shall not have bare metal siding or roofing.~~
- ~~G. A. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family dwelling constructed under the State Building Code ORS 455.010.~~
- ~~H. The manufactured home is required to have an attached or detached garage or carport that complies with Chapter 16.180. A building permit for the associated garage or carport must be issued concurrent with the placement permit for the manufactured home.~~
- ~~I. The manufactured home shall have a permanent porch with a minimum size of 24 square feet. No temporary steps will be allowed at the time of occupancy. The Uniform Building Code will determine minimum landing size.~~
- ~~J. All porches and decks to be constructed shall be shown on the site/plot plan.~~
- ~~K. The manufactured home shall have a meter base and no power pole.~~
- ~~L. The manufactured home shall utilize at least two of the following design features:
 - ~~1. Dormer.~~
 - ~~2. Recessed entries.~~~~

- ~~3.—Architectural grade roofing.~~
- ~~4.—Bay or bow windows.~~
- ~~5.—Window shutters or treatments.~~
- ~~6.—Off sets on building face or roof (minimum 12 inches).~~
- ~~7.—Gables.~~
- ~~8.—Covered porch entry.~~
- ~~9.—Pillars or posts.~~
- ~~10.—Eaves (minimum six inches).~~
- ~~11.—4:12 pitch roof.~~

~~M.—All load bearing foundations, supports and enclosures shall be installed in conformance with the Oregon Building Codes Agency regulations and with the manufacturer's installation specifications. Manufactured homes must also be provided with a permanent perimeter enclosure.~~

~~N.—The manufactured home's wheels, axles and hitch mechanism shall be removed. The wheels, axles and hitch mechanisms shall not be left under the manufactured home.~~

~~If a manufactured home is removed from its foundation and not replaced by another manufactured home within 60 days, the owner of the lot shall immediately thereafter remove the foundation, fill all excavations and disconnect and secure all utilities.~~

CHAPTER 16.180
**ACCESSORY STRUCTURE, ACCESSORY DWELLING, GARAGE, AND CARPORT
 DESIGN STANDARDS**

§ 16.180.010. Accessory Structure Standards.

Accessory structures placed on a lot with an established residential dwelling shall conform to the requirements of the zone in which they are located and the following additional provisions:

- A. All accessory structures, except attached garages, shall not exceed 1,200 square feet in size.
- B. Siding and color must be similar, but not necessarily made of the same material, to that of the associated dwelling.
- C. The pitch and the roofing material of the accessory structure shall be compatible with the associated dwelling and shall not exceed the apex of the associated dwelling.
- D. Flooring shall be of a hard surface material: concrete, asphalt, etc.
- E. Windows, if installed, will be glass.
- F. Gutters may be required to eliminate drainage problems as directed by the building official.
- G. Fences and walls must comply with the fence and wall standards of Section 16.124.050 and the vision clearance standards of Chapter 16.132.
- H. All other applicable Code standards must be met.

§ 16.180.020. Carport Standards.

- A. Carports constructed in conjunction with a single-family detached dwelling, manufactured home, ~~or~~ modular home , or duplex shall:
 - 1. Be a minimum size of 240 square feet.
 - 2. Be compatible with accessory structure standards of Section 16.180.010.
 - 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon.
- B. Carports constructed in conjunction with a ~~single-family attached~~ townhouse dwelling, ~~duplex, or triplex,~~ or quadplex shall:
 - 1. Be a minimum size of 240 square feet per unit.
 - 2. Be compatible with accessory structure standards of Section 16.180.010.
 - 3. Be consistent with design standards of Chapter 16.184 and other applicable sections of the Code.
 - 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

- C. Carports constructed in conjunction with multifamily housing shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of the Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

§ 16.180.030. Garage Standards.

- A. Garages constructed in conjunction with a single-family detached dwelling, manufactured home, ~~or~~ modular home, or duplex shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be constructed in accordance with the Uniform Building Code Requirements of the State of Oregon.
- B. Garages constructed in conjunction with a ~~single-family attached dwelling,~~ duplex townhouse, ~~or~~ triplex, or quadplex shall:
1. Be a minimum size of 240 square feet per unit.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.
- C. Garages constructed in conjunction with multifamily housing shall:
1. Be a minimum size of 240 square feet.
 2. Be compatible with accessory structure standards of Section 16.180.010.
 3. Be consistent with design standards of Chapter 16.188 and other applicable sections of this Code.
 4. Be constructed in accordance with the Uniform Building Code requirements of the State of Oregon.

§ 16.180.040. Accessory Dwelling Standards.

An accessory dwelling is a small, secondary housing unit located on a legal lot with an established single-family residence. Accessory dwellings are typically the size of a studio apartment. The

additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house. ~~Accessory dwellings provide cost effective and independent living spaces for family members, such as in laws, retired parents, etc. Accessory dwellings can also provide semi-independent living spaces for physically or mentally disabled family members requiring partial supervision or assistance with activities of daily living.~~ Accessory dwellings may be rented long term as a permitted use. Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner-occupied. The housing density standard of residential zones does not apply to accessory dwellings, due to the small size and low occupancy level of the use. The following standards are intended to control the size and number of accessory dwellings on individual lots, so as to promote compatibility with adjacent land uses. Accessory structures shall comply with the following standards:

- A. ~~Oregon Structural Specialty Code~~Oregon Residential Specialty Code (ORSC) or Oregon Manufactured Dwelling Installation Specialty Code (OMDISC). The structure shall comply with the ~~Oregon Structural Specialty Code~~ORSC or the OMDISC if considered a manufactured dwelling.
 - B. Accessory Structure Standards. The structure shall comply with the accessory structure standards of Section 16.180.010.
 - C. Rental Unit. Accessory dwellings may be rented long-term as a permitted use. ~~Accessory dwellings may be rented as part of a permitted homestay lodging use so long as the main structure of the property is owner occupied. Accessory dwellings shall not be used as servants' quarters or as lodging (temporary or permanent) for housekeepers, gardeners, etc. Use of an accessory dwelling for purposes other than what is expressly permitted in this section is strictly prohibited and shall be subject to the enforcement and penalty provisions of Chapter 16.16.~~
 - D. One Unit. A maximum of one accessory dwelling unit is allowed per lot.
 - E. Floor Area. The maximum floor area of the accessory dwelling shall not exceed 600 square feet. An additional 200 square feet, up to a total of 800 square feet, shall be the maximum size of an accessory dwelling when one off-street parking space is provided on site in addition to off-street parking required with the primary dwelling.
 - F. Building Height. The building height of a detached accessory dwelling (i.e., separate cottage) shall not exceed the height of the primary residence, or ~~16-24~~ feet measured to the apex of the roof, whichever is less.
 - G. Buffering. A minimum six-foot hedge may be required to buffer a detached dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents.
 - ~~H. Off Street Parking. No additional off street parking is required if the lot already contains at least two off street parking spaces.~~
- (Ord. 1234 § 1, 2020; Ord. 1248 § 3, 2021)

CHAPTER 16.184

SINGLE-FAMILY ATTACHED TOWNHOUSE, DUPLEX, AND TRIPLEX, AND QUADPLEX-DESIGN STANDARDS**§ 16.184.010. Applicability.**

~~Single family attached housing (townhomes on individual lots)~~ Townhouse, duplex, and triplex, and quadplex developments shall comply with the standards of this chapter.

§ 16.184.020. Purpose.

These standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure proper management and maintenance of common areas.

§ 16.184.030. Design Standards.

- A. Building Mass Supplemental Standard. The maximum number and width of consecutively attached ~~townhomes townhouses~~ (i.e., with attached walls at property lines) shall not exceed eight units or 200 feet (from end-wall to end-wall) whichever is less.
- B. Access Standards. ~~Townhomes~~ Townhouses, duplexes and triplexes, and quadplexes receiving access directly from a public or private street (as opposed to alley access) shall comply with 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.
 1. The maximum allowable driveway width facing the street is 10 to 24 feet per dwelling unit. The maximum combined garage width per unit is 50% of the total building width. For example, a 24-foot wide unit may have one 12-foot wide garage.
 2. Two adjacent garages shall share one driveway when individual driveways would 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 agreement/easement to benefit each lot, prior to building permit issuance.
- C. 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 prior to building permit approval.

CHAPTER 16.188
MULTIFAMILY HOUSING DESIGN STANDARDS

§ 16.188.010. Applicability.

Multifamily housing developments shall comply with the standards of this chapter. Multifamily housing means housing that provides ~~four~~ five or more dwelling units on a single legal lot and sharing common walls, floor/ceilings, courtyard, playground, parking area, or other communal amenity. Condominiums are considered multifamily housing developments.

§ 16.188.020. Purpose.

These standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure proper management and maintenance of common areas.

§ 16.188.030. Design Standards.

A. Building Mass Supplemental Standard. The maximum width or length of a multiple-family building shall not exceed 200 feet (from end-wall to end-wall).

B. A minimum of 20% of the site area shall be designated and permanently reserved as common open space in all multiple-family developments. For purposes of this section:

1. Site area means the lot or parcel on which the development is located, minus any required dedication of street right-of-way or other land for public purposes;
- a) Common open space shall:
 - a. Be accessible to all residents of the development;
 - b. Have a minimum dimension of 15 feet in all directions;
 - c. Be located outside required parking aisles and driveways; and
 - d. Be improved with landscaping, pedestrian amenities, or recreational features.

Sensitive lands, including wetlands, riparian areas, and required riparian setbacks, may be counted toward the common open space requirement only if they are improved with an approved pedestrian path or viewing area consistent with applicable environmental regulations.

Historic buildings or landmarks designated by the Comprehensive Plan and open to the public may be counted toward the common open space requirement.

~~Common Open Space Standard. Inclusive of required setback yards, a minimum of 20% of the site area shall be designated and permanently reserved as useable common open space in all multiple-family developments. 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 (e.g., wetlands, riparian areas, and riparian setback areas/corridors) and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted towards meeting common open space requirements.~~

C. Trash and recycling receptacles shall comply with the following standards:

1. Receptacles shall be located a minimum of 10 feet from residential building

entrances and habitable room windows on adjacent properties; and

2. Receptacles shall be screened on all sides visible from a public street or adjacent residential property by:

a. A solid fence or wall with a minimum height of six feet; or

b. An evergreen hedge with a minimum mature height of six feet.

D. Screening materials shall be maintained for the life of the development.

~~B.E. Trash Receptacles. Trash receptacles shall be oriented away from adjacent residences and shall be screened with an evergreen hedge or solid fence or wall of not less than six feet.~~

CHAPTER 16.202

~~COURTYARD~~ COTTAGE CLUSTER HOUSING**§ 16.202.010. Purpose.**

A cottage cluster housing development is a small cluster of dwelling units ~~appropriately~~ sized for smaller households and available as an alternative to the development of typical detached single-family and two-family homes on individual lots. Cottage cluster development is intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, ~~while ensuring compatibility with surrounding single-family residential development.~~

(Ord. 1234 § 1, 2020)

§ 16.202.020. Ownership and Parcelization.

Cottage cluster developments may be sited on one commonly owned parcel with individual cottages owned in a condominium, cooperative, or similar arrangement, or cottages may be on individual lots with shared amenities and facilities owned in common. Applicants must submit proof that a homeowner's association or other long-term management agreement will be established to ensure the maintenance of development elements in common ownership.

(Ord. 1234 § 1, 2020)

§ 16.202.030. Review Procedures.

- A. Applications for cottage cluster development on a single lot will be reviewed by the Community Development Director—Type 2 application.
- B. Applications for cottage cluster development involving creation of multiple lots shall be reviewed in accordance with Chapter 16.216. Subdivision.

(Ord. 1234 § 1, 2020)

§ 16.202.040. Standards.

Cottage cluster developments are subject to the following standards:

- A. ~~Density~~ Minimum lot size. ~~Cottages may be built up to the density established for cottage cluster development in the underlying zone. Cottages are permitted outright in the R-10, RM, and RH zone.~~ Minimum lot size is ~~15,000~~ 10,000 square feet.
- B. Number of Cottages. A cottage cluster development is composed of four to 20 dwelling units.
- C. Cottage Design. The cottages in a cottage cluster development are subject to the following standards:
 1. Maximum Floor Area. The gross floor area of each cottage shall not exceed 1,250 square feet.
 2. Maximum Footprint. The footprint of each cottage unit shall not exceed 800 square feet, or 1,200 square feet including a garage. A communal garage or parking structure is

permitted and is not subject to the maximum footprint requirements for cottages.

3. **Average Size.** The average size of all dwellings combined within a cottage cluster • development will be less than 1,200 square feet.
4. **Maximum Height.** The height of each cottage shall be the same as required by the underlying zoning and applicable overlay zoning.
5. **Placement.** If cottages differ in size, smaller cottages shall be located adjacent to or in closer proximity than larger cottages to the adjacent public street or River Trail to which the development is oriented.
6. **Setbacks.** The setbacks from adjacent property lines along the perimeter of the cottage cluster development shall be the same as required by the underlying zone. The minimum distance between all structures, including accessory structures, shall be in accordance with building code requirements (at least six feet spacing between buildings).
7. **Private Open Space.** Each cottage may have private open space for the exclusive use of the cottage residents. Private open space does not count towards the required common open space.
8. **Orientation of Cottages.** Cottages shall be clustered around the common open space. Each cottage shall have a primary entrance and covered porch oriented to the common open space. All cottages shall be within 10 feet from the common open space, measured from the facade of the cottage to the nearest delineation of the common open space. Lots in a cottage cluster development are not required to abut a public right-of-way, except that the parent parcel shall have frontage on a public right-of-way in accordance with Chapter 16.120.

9. Common Open Space. [Areas that may be counted toward required common open space shall meet all of the following criteria:](#)

- [Have a minimum dimension of 15 feet in all directions;](#)
- [Be free of vehicle parking, drive aisles, and required setbacks; and](#)
- [Not consist solely of foundation landscaping, parking strips, sidewalks, or isolated residual areas less than 225 square feet.](#)

[Wetlands and required environmental protection areas may not be counted toward required common open space unless improved with a pedestrian path or seating area consistent with applicable regulations. The design of the common open space shall not use unusable lot area or projections to meet the requirement for common open space. Unusable lot area includes, but is not limited to, foundation landscaping, enlarged or enhanced parking strips or sidewalks, narrow strips of land, wetlands, or small dead-zones of the lot.](#)

~~9.10.~~ **Public Street Facing Façades.** Cottages abutting a public right-of-way or Waterfront Trail shall have a secondary entrance or a porch or bay window, ~~or other major architectural feature~~ oriented to the public right-of-way or the River Trail. Garage or carport entrances may not face a public right-of-way unless it is an alley.

~~10.11.~~ **Porches.** Each cottage shall have a covered open porch that shall be oriented toward the common open space and that shall be at least six feet in depth measured

perpendicular to the abutting building facade and at least 60 square feet in area.

- D. **Community Buildings.** Cottage cluster developments may include community buildings that provide space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. They shall have a footprint of no more than 800 square feet unless there is an existing dwelling that is renovated for community building space.

Figure 1: Example of Cottage Cluster Layout on Infill Lot



- E. **Common Open Space.** Cottage cluster developments shall have a common open space in order to provide a sense of openness and community of residents. Common open space is subject to the following standards:
1. Each cottage cluster development shall contain a minimum 2,000 square feet of common open space regardless of the number of cottages in the cluster, and not less than 200 square feet of common open space per cottage.
 2. The common open space shall include at least a single, contiguous, useable piece with no dimension less than fifteen (15) feet.
 3. Cottages shall abut the common open space on at least two sides of the open space.
 4. Parking areas, required yards, private open space, and driveways do not qualify as common open space.
- F. **Parking.** Parking for a cottage cluster development is subject to the following standards:
1. **Minimum Number of parking Spaces.** Cottage cluster developments shall have at least one parking space for each unit with a gross floor area of 700 feet or less.
 2. **Guest Parking.** Cottage cluster developments shall have at least one-half additional guest parking spaces for each cottage in the development, rounded up to the nearest whole number. These spaces shall be clearly identified as being reserved for guests.
 3. **Reduction in Number of Required Parking Spaces.** The required number of guest parking spaces may be reduced by the number of on-street parking spaces on public streets adjacent to and immediately abutting the cottage cluster development.

4. Clustering and Parking Structures. Parking areas may be arranged in clusters limited to no more than five contiguous spaces. Clustered parking areas may be covered. Up to two carriage house dwelling units are permitted on the second floor of a parking structure, with a maximum of one carriage house dwelling unit per four cottages (rounded to the nearest whole number). Parking structures may or may not be located on the same lot as the cottage they serve. Parking structures shall not be located within a common open space and are required to be screened from view from common open space areas.
5. Parking Access. Parking areas shall be accessed only by a private driveway or public alley or local street. No parking space may be between a public street and cottages that abut a public street.
- ~~6. Design. The design of garages, carports, and parking structures, including the roof lines, windows, and trim, shall be similar to and compatible with that of the cottages within the cottage cluster development.~~
- ~~7.6.~~ Screening. Landscaping or non-solid architectural screening at least three feet tall shall separate parking areas and parking structures from the common area and public streets. Solid fencing (e.g., board, cinder block) shall not be allowed as an architectural screen.
- ~~8.7.~~ Location. Parking can be grouped and located on a separate lot within 100 feet of an edge of the cottage cluster development.

G. Frontage, Access, and Walkways.

1. Frontage. The parent parcel shall have frontage on a public street. If individual lots are created within the cluster development, each lot shall abut the common open space, but is not required to have public street frontage.
2. Access. No part of any structure shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access, unless the building has a fire suppression system.
3. Walkways. A cottage cluster development shall have sidewalks abutting all public streets. A system of interior walkways shall connect each cottage to the common open space, parking areas, private driveways, any community buildings, the sidewalks abutting any public streets bordering the cottage cluster development, and other pedestrian or shared use facilities such as the Waterfront Trail. Sidewalks abutting public streets shall meet the width requirements established in the Warrenton Engineering Design Standards, and interior walkways shall be at least four feet in width.

H. Interior Fences. Fences on the interior of the cottage cluster development shall not exceed three feet in height and shall not consist of solid (e.g., board, cinder block) fencing.

- I. Existing Structures. On a lot or parcel to be used for a cottage cluster development, an existing detached single-family dwelling that may be nonconforming with respect to the requirements of this section may remain, but the extent of its non-conformity may not be increased. Such dwellings shall count towards the number of cottages allowed in the cottage cluster development unless converted for community building use.

(Ord. 1234 § 1, 2020)

§ 16.202.050. Conflicts.

In the event of a conflict between this chapter and other sections of the Warrenton Development Code, this Section shall control.

(Ord. 1234 § 1, 2020)

CHAPTER 16.224
PLANNED UNIT DEVELOPMENTS

§ 16.224.010. Planned Unit Developments (PUD).

This is intended to provide for developments incorporating a single type or variety of housing types and related uses, or institutional master plans (IMPs) which are planned and developed as a unit. Such developments may consist of individual lots or of common buildings sites. Commonly-owned land which is an essential and major element of the plan should be related to and preserve the long-term value of the homes and other developments. This chapter also is intended to foster the establishment and growth of schools, colleges, hospitals and other major public or semi-public institutions through long-term institutional master planning where such uses are allowed in the applicable base zone.

(Ord. 1231 § 1, 2019)

§ 16.224.015. Definitions.

Institutional Master Plan (IMP). A conceptual development plan that applies to all land under the control of an institution. An IMP identifies proposed uses, the general location and height of proposed structures, and the general location of areas devoted to open space, landscaping, parking and circulation, and public infrastructure. An IMP focuses on impacts that would likely result from institutional development during the life of the plan (up to 10 years) and must identify effective mitigation measures.

(Ord. 1231 § 1, 2019)

§ 16.224.020. Purpose.

The purpose of this chapter is to provide a more desirable environment through the application of flexible and diversified land development standards following an overall comprehensive site development plan.

(Ord. 1231 § 1, 2019)

§ 16.224.030. Permitted Building and Uses.

The following buildings and uses may be permitted as hereinafter provided. Buildings and uses may be permitted either singly or in combination provided the overall density of the planned development does not exceed the density of the zoning district as provided by Section 16.224.040.

- A. Single-family detached and ~~attached-townhouse~~ dwellings.
- B. Duplexes, triplexes, ~~quadplexes, courtyard~~-cottage ~~clusters~~ and multifamily dwellings.
- C. Accessory buildings and uses.
- D. Commercial uses only when supported mainly by the planned development and only when economic feasibility can be shown.
- E. Buildings or uses listed as permitted outright or conditionally in the zone on which the planned development is located. Drive thrus are prohibited.

- F. Recreational vehicle (RV) parks when the applicant provides findings of fact that demonstrate consistency with applicable provisions of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission. Where PUD standards differ from standards found elsewhere in this Code, the more stringent requirement shall apply.
- G. Campgrounds when the applicant provides findings of fact that demonstrate consistency with applicable provision of the Comprehensive Plan and this Code and the location has been approved by the Planning Commission.
(Ord. 1231 § 1, 2019)

§ 16.224.040. Development Standards.

- A. Minimum Site Size. Planned unit developments shall be established only on parcels of land which are suitable for the proposed development and are no smaller than the minimum lot size established in the zoning district. The minimum lot size for RV parks and campgrounds shall be five acres. The minimum lot size for IMPs shall be 10 acres.
- B. Open Space. In all PUDs at least 40% of the total area shall be devoted to open space. Up to 25% of this open space may be utilized privately by individual owners or users of the planned development; however, at least 75% of this area shall be common or shared open space.
 - 1. For institutional development, open space may include natural areas, outdoor athletic fields, planted areas and hardscapes such as plazas and playgrounds.
- C. Density. The density of the planned development shall not exceed the density of the zone in which it is located. Minimum space size for individual spaces within RV parks is 700 square feet (see Chapter 16.176 for additional standards; where PUD standards differ from standards found elsewhere in this Code, the more stringent requirement shall apply). The Planning Commission shall review density allowances for campgrounds on a case-by-case basis using the criteria of Section 16.220.030 as a minimum standard for approval.
- D. Subdivision Lot Sizes. Minimum area, width, depth and frontage requirements for subdivision lots in a planned unit development may be less than the minimums set forth elsewhere in this Code, provided that the overall density is in conformance with Section 16.224.040 and the lots conform to the approved preliminary development plan.
- E. Off-Street Parking. Parking areas shall conform to all provisions of Chapter 16.128.
 - 1. Pursuant to subsection M, the Planning Commission may adjust minimum parking requirements for institutional development based on a parking impact study provided by the applicant.
- F. Signs. All signs of any type within a planned unit development are subject to review and approval of the Planning Commission. The Commission shall consider each sign on its merits based on its aesthetic impact on the area, potential traffic hazards, potential violation of property and privacy rights of adjoining property owners and need for said sign.
- G. Setbacks and Yard Requirements. No structure shall be located closer than 20 feet from any public street within a planned unit development unless otherwise approved by the Planning

Commission. Other setbacks are to be determined by the Planning Commission where they are considered essential to the public health, safety or welfare. These setbacks required by the Planning Commission shall be recorded as part of the protective covenants as required by Section 16.224.060.

- H. Height Limits. Height limits in a planned unit development are the same as in the zoning district, except that the Planning Commission may further limit heights when necessary for the maintenance of the public health, safety or welfare.
1. The Planning Commission may approve institutional buildings of up to 50 feet in height, provided that any portion of the structure that exceeds the base height of the zone must be set back a proportional distance (one foot increase in set back for each additional foot above the maximum height allowed in the base zone).
- I. Streets, Sidewalks and Roads. Necessary streets, sidewalks, and roads within the planned unit development shall be constructed to City standards and dedicated to the public. See Division 3 for applicable standards. A private roadway, or a private road network, may be permitted if adequate provisions for access and circulation have been provided in accordance with Chapter 16.120 and facilities have been approved and installed in accordance with Chapter 16.136.
1. Pursuant to subsection M, the Planning Commission may adjust Chapters 16.120 and 16.136 standards through the PUD process.
- J. Dedication and Maintenance of Facilities. The Planning Commission or, on appeal, the City Commission, may as a condition of approval for a planned unit development require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:
1. Recreation Facilities. The Planning Commission or City Commission, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development.
 2. Common Areas. Whenever a common area is provided, the Planning or City Commission may require that an association of owners or tenants be created into a non-profit corporation under the laws of the State of Oregon, which shall adopt such articles of incorporation and by-laws and impose such declaration of covenants and restrictions on such common areas that are acceptable to the Planning Commission. Said association shall be formed and continued for the purpose of maintaining such common area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessment levied to maintain said common area for the purposes intended. The period of existence of such association shall be not less than 20 years and it shall continue thereafter and until a majority vote of the members shall terminate it. This provision does not apply to IMPs.
 3. Easements. Easements necessary to the orderly extension of public utilities may be required as a condition of approval.

- K. Approvals. Prior to Planning Commission (or City Commission approval upon appeal), written consent for the development shall be received from the City-appointed Engineer, Fire Chief, and any other department or agency (i.e., County Sanitarian, DEQ, ODOT, Division of Health, ODF&W, DSL, DLCD, etc.) that can demonstrate that they have legal authority or jurisdiction over the proposal [or part(s) of the proposal].
- L. Other Requirements. The Planning Commission may establish additional requirements which it deems necessary to assure that any development conforms to the purpose and intent of this section.
- M. Adjustments. When consistent with subsection K and when the Planning Commission determines that identified impacts from IMP development have been adequately mitigated pursuant to Section 16.224.050.B.3, the Planning Commission may approve adjustments to Code standards through the PUD review process set forth in Section 16.224.050.B.1. In such cases, the applicant need not address variance procedures that apply to non-PUD development proposals.
- N. Architectural Design Standards. Commercial development shall adhere to the design standards found in Section 16.116.030. For an Institutional Master Plan, the applicant shall develop a thematic plan for the design of structures to be adhered to in all future final development plans.
(Ord. 1231 § 1, 2019)

§ 16.224.050. Procedure-Preliminary Development Plan or Institutional Master Plan.

- A. The applicant shall submit four copies of a preliminary development plan to the Planning Commission prior to formal application for approval. This plan and any written statements shall contain at least the following information:
 - 1. Proposed land uses and densities.
 - 2. Location, dimensions and heights of structures.
 - 3. Plan of open or common spaces.
 - 4. Map showing existing features of site and topography.
 - 5. Proposed method of utilities service and drainage.
 - 6. Road and circulation plan, including off-street parking areas.
 - 7. Relation of the proposed development to the surrounding area and the Comprehensive Plan.
 - 8. Lot layout.
 - 9. A schedule, if it is proposed that the final development plan will be executed in stages, including the schedule for providing public infrastructure improvements for all proposed phases.
 - 10. Information deemed necessary by the Community Development Director.

11. Required application fee.
 12. An IMP application shall Identify potential impacts of future institutional development within 500 feet of the institutional site and recommend effective mitigation measures. The IMP application shall address impacts related to transportation, natural hazards, significant streams and wetlands, coastal resources, public facilities (sanitary sewer, domestic water and stormwater drainage) and lighting.
- B. Applications for planned unit development preliminary approval shall be reviewed by the Planning Commission using a Type III procedure as specified in Section 16.208.050. An applicant may apply concurrently for an institutional master plan and one or more final development plans. The Planning Commission shall determine whether the proposal conforms to Section 16.224.040. In addition, in considering the plan, the Planning Commission shall seek to determine that:
1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure (if any) from the standard Code requirements.
 2. Resulting development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area.
 3. The proposed development will be in substantial harmony with, the surrounding area. Proposed institutional development shall demonstrate that impacts related to transportation, natural hazards, significant streams and wetlands, coastal resources, public facilities (sanitary sewer, domestic water and stormwater drainage) and lighting have been adequately identified and mitigated. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.
 4. The plan can be completed within a reasonable period of time. An IMP may be approved for a period of up to 10 years and may include one or more phases. The Community Development Director may allow an extension of up to five additional years for good cause.
 5. Any proposed commercial development can be justified economically.
 6. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area based on a traffic impact study consistent with Chapter 16.256. A traffic study will be valid for four years from the notice of decision, otherwise, a new traffic study shall be required to address unanticipated traffic impacts. However, the Transportation Planning Rule (OAR 660-012-060) does not apply to PUD applications that involve uses permitted outright or conditionally in the base zone. If phasing is proposed, mitigation of impacts may be limited to those impacts associated with an individual phase at the time the phase is approved.
 7. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.
- C. The Planning Commission shall notify the applicant whether the foregoing provisions have been satisfied and, if not, whether they can be satisfied with further plan revision(s).

(Ord. 1231 § 1, 2019)

§ 16.224.060. Procedure-Final Development Plan.

- A. Within one year after preliminary approval or modified approval of a preliminary development plan or an IMP, the applicant shall, at the next regularly scheduled meeting, file with the Planning Commission a final plan for the entire development or, when submission in stages has been authorized, for the first unit of the development. The final plan shall conform in all major respects with the approved preliminary development plan or an IMP. The final plan shall include all information included in the preliminary plan, plus the following:
1. Contour map of the site showing at least two-foot contour intervals.
 2. Grading plan for the site showing future contours if existing grade is to be changed more than two feet.
 3. Existing and proposed utility lines (storm and sanitary sewer, gas, etc.).
 4. Preliminary subdivision plat meeting the requirements of Section 16.216.040 if property is to be subdivided.
 5. Location and dimensions of pedestrian ways, roads, malls, common open spaces, recreation areas and parks.
 6. Location, dimensions and arrangement of automobile off-street parking spaces including width of aisles, spaces and other design criteria.
 7. Preliminary architectural plans and elevations of typical structures.
 8. Preliminary planting and landscaping plan for the site.
 9. The applicant shall also submit drafts of appropriate deed restrictions or protective covenants to provide for the maintenance of common areas and to assure that the objectives of the planned unit development shall be followed.
- B. Upon receipt of the final development plan, the Planning Commission shall examine such plan and determine whether it conforms to all applicable criteria and standards, and whether it conforms in all substantial respects to the previously-approved preliminary development plan or IMP; or the Commission shall require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards. In so doing, the Planning Commission may permit the applicant to revise the plan and resubmit it as a final development plan within 60 days.
- C. After final development plan approval by the Planning Commission, the planned development application will be sent to the City Commission for consideration and final approval. A Type III review procedure shall be used. If the PUD is a residential subdivision or institutional use allowed in the base zone, with no commercial, RV, or campground amenities, review by the City Commission is not required; however, final subdivision plat approval in accordance with Section 16.216.070 is required.

(Ord. 1231 § 1, 2019)

§ 16.224.070. Adherence to Approved Plan and Modification Thereof.

- A. Grading permits and building permits in a planned unit development shall be issued only on the basis of the approved final development plan. Any changes in the approved plan shall be submitted to the Planning Commission for processing in accordance with Chapter 16.228. However, the Community Development Director may approve a grading and utility plan for the entire institutional site consistent with an approved institutional master plan.
- B. A performance bond may be required, in an amount to be determined by the Planning Commission, to ensure that a development proposal is completed as approved and within the agreed-upon time limits.
- C. An applicant is entitled to rely on land use regulations in effect on the date its preliminary development plan or IMP was initially submitted, pursuant to ORS 227.178(3), when seeking approval of a final development plan so long as the applicable preliminary development plan or IMP is in effect when the final development plan is submitted. At its option, an applicant may request that a final development plan be subject to the land use regulations in effect on the date its final development plan is initially submitted.

(Ord. 1231 § 1, 2019)



CITY OF WARRENTON COMPREHENSIVE PLAN

ARTICLE 5 COLUMBIA RIVER ESTUARIES AND ESTUARY SHORELANDS

**ORDINANCE NO. 1058-A
(AS AMENDED BY ORDINANCE NO. 1153-A)**

ADOPTED ON JANUARY 25, 2011

(7) The City will consider the recreational and public access value of any public lands proposed to be leased or sold to private interests, or used for public purposes which would reduce needed public access. The City will hold a public hearing to dispose of or lease public property, and will consider public input.

Section 5.325 Recreation and Tourism

These policies are applicable to recreational and tourist-oriented facilities in Columbia River Estuary shoreland and aquatic areas.

(1) New non-water-dependent uses in aquatic areas or in areas zoned Marine Commercial Shorelands or Water-Dependent Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.

(2) Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by providing water access points, waterfront viewing areas, and structures visually compatible with the waterfront.

(3) The following sites (described in the *Economic Evaluation of the Columbia River Estuary*), as well as other potential development sites in the Columbia River Estuary, are suitable for estuary-related recreational development, including moorage, boat building and repair, charter offices, fuel, boat ramps, and associated facilities;

Warrenton Boat Basin	Hammond Boat Basin
Ilwaco Boat Basin	Chinook Boat Basin
Skamokawa	Cathlamet Boat Basin
South Astoria	Port of Astoria
East Astoria	Bradwood

Development of a new recreational marina at any of these sites, or at another site in the Columbia River Estuary, will trigger reevaluation of the need for remaining vacant sites designated for recreational development.

Section 5.327 Residential, Commercial and Industrial Development

These policies apply to construction *or* expansion of residential, commercial or industrial facilities in Columbia River Estuary shoreland and aquatic areas. Within the context of this subsection, residential uses include single-family, duplexes, townhomes, triplexes, quadplexes, courtyard cottages, and multi-family structures, ~~mobile homes~~ manufactured homes, and floating residences (subject to an exception to Oregon Statewide Planning Goal 16). Duck shacks, recreational vehicles, hotels, motels and bed-and-breakfast facilities are not considered residential structures for purposes of this subsection. Commercial structures and uses include all retail or wholesale

storage, service or sales facilities and uses, whether water-dependent, water-related, or non-dependent, non-related. Industrial uses and activities include facilities for fabrication, assembly, storage, and processing, whether water-dependent, water-related or non-dependent non-related.

(1) New non-water-dependent uses in aquatic areas and in Marine Commercial Shorelands or Water-Dependent Industrial Shorelands shall not preclude or pose any significant conflicts with existing, proposed or probable future water-dependent uses on the site or in the vicinity.

(2) Residential, commercial or industrial development requiring new dredging or filling of aquatic areas may be permitted only if all of the following criteria are met:

(a) The proposed use is required for navigation or other water-dependent use requiring an estuarine location, or if specifically allowed in the applicable aquatic zone; and

(b) A substantial public benefit is demonstrated; and

(c) The proposed use does not unreasonably interfere with public trust rights; and

(d) Feasible alternative upland locations do not exist; and

(e) Potential adverse impacts are minimized.

(3) Piling or dolphin installation, structural shoreline stabilization, and other structures not involving dredge or fill, but which could alter the estuary may be allowed only if all of the following criteria are met:

(a) A substantial public benefit is demonstrated; and

(b) The proposed use does not unreasonably interfere with public trust rights; and

(c) Feasible alternative upland locations do not exist; and

(d) Potential adverse impacts are minimized.