

"Making a difference through excellence of service"



CITY OF WARRENTON

Warrenton Planning Commission

AGENDA

December 13, 2018 | 6 PM | City Hall - Commission Chambers

1. Attendance
2. Flag Salute
3. Public Comment Period on *Non-Agenda* Items
4. Approval of minutes of November 8, 2018
 - *Action Item*
5. Type 4 Public Hearing: Comprehensive Plan & Development Code Amendment (DCA 18-5)
 - Applicant: City of Warrenton, Community Development Director
 - Proposal: Adopt Transportation System Plan Update, Amend Comprehensive Plan Article 8, & Development Code
 - *Action Item: Recommend approval to City Commission*
6. Notice of Decision: Site Design Review (SDR 18-4) | Trondheim Acres: "Tractor Supply"
 - Applicant: Keith Corp
 - Property Owner: Trondheim Acres, LLC
 - Proposal: Build a 19,000 SF farm and garden supply store off SE Marlin at the corner of Alt Hwy 101 and SE King St
 - *Action Item: Approve Notice of Decision based on final conditions of approval*
7. Staff Announcements & Project Updates
8. Next Meeting: January 10, 2019

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CITY OF WARRENTON

Minutes Warrenton Planning Commission Regular Meeting November 8, 2018

Work Session: Comprehensive Plan & Development Code Amendment DCA-18-5 & Site Design SDR-18-5 Tractor Supply

Commissioners Present: Chair Paul Mitchell; Commissioners Mike Moha, Ryan Lampi, Chris Hayward, Vince Williams, Christine Bridgens, Ken Yuill

Staff Present: Community Planning Development Director Kevin Cronin; Building Clerk Janice Weese. Also present via conference call was Spencer Parsons City of Warrenton Legal Counsel.

Public Comments on Non-Agenda Items

Scott Whitacome
27 NW 17th Place
Warrenton, OR 97146

Wanted to comment on the discussion that he heard on the 36ft wide roads; he has no objections on them but approximately 1 year ago the director of public works or the department manager for water quality of Warrenton, came to one of the meetings and stated that they were having problems with the collection ponds because there was too much water coming in off of runoff. They stated that if the city continues to grow, the problem will get worse because there will be more runoff. When you went from 32 feet wide roads, which is what the fire department wanted, to 36 feet; you added 4 more feet of concrete which will create more run off especially if it is on a slant. They had said it was a problem for them to keep water quality.

Approval of minutes: Commissioner Yuill moved to approve the October 11 minutes. Commissioner Bridgens seconded. The motion passed.

Subject of Review: Site Design Review SDR-18-4 Tractor Supply; 19,000sf farm and garden supply store

Chair Mitchell spoke up and said there is more testimony to come and that they just received more information at the last moment that is pretty in depth. Making a suggestion that they continue this meeting to the following week or the following month at the next meeting.

Discussion was made in consideration to hear the applicants testimony but not make any decisions and continue the meeting to Thursday November 15.

Chair Mitchell motioned to continue the meeting to next Thursday. Commissioner Bridgens seconded. The motion passed.

Public Hearing Open

Disclosure by the Commissioners: Commissioner Lampi spoke up and stated that he works for Big River and had spoken to John Niggard and Steve Fulton previously about this project but feels he can proceed forward with no bias. Commissioner Bridgens also spoke up and said that she is familiar with the project also but has no bias or conflict. All other commissioners answered no to all questions or conflicts.

Staff Report: Development Director Cronin had issued a 43 page report to the commissioners only 2 days before the meeting to review it. He stated that it was not possible to make any decision tonight.

Public hearing is on a farm and garden store located on the corner of King Street and Alt Hwy 101. Staff has worked closely with the applicant since the spring of 2018. Has been clear and consistent about transportation from the beginning. Had tried many times to get the applicants to comply with the Development Code and now have been forced to recommend denial. There are numerous flaws with the application; street standards, design standards, outdoor storage and the variance request for the fence standard. Will not get into details tonight. Recommends to get testimony and more conversation. There were also no findings by the applicant on bike parking. Mr. Cronin will have the traffic study as an addendum in his staff report.

Applicant

Wes Giesbrecht
P.O. Box 791
Mercer Island, WA 98048

Has a long history with the City of Warrenton. There is not a huge quantity of retailers that are looking into this market. Finding a retail tenant who wants to come to Warrenton is an accomplishment. It's been over 10 years that the Nygaards have been able to find a user for this property. Thinks there is a demand for what Tractor Supply has to offer in Warrenton. We have never had these issues before with this kind of application. Have always worked things out and managed to move forward. There really isn't a lot of compromise in what Tractor Supply is going to do.

Hwy 101 is not a high density for an urban type of environment with bike access and pedestrian connectivity which might be appropriate for downtown Warrenton.

Staff wants to make one of the access roads 36 feet wide with parking on one side of it. It is a private isle not a public city street. There is no application on the city standards to those streets. The Fire Marshall is ok with the access they provide in terms of life safety issues.

Having parking spaces where trucks and trailers will be pulling in and out of on an access isle way would be dangerous and a safety issue so they want parking in front of the building.

Does not want the outdoor display areas screened with landscaping because no one would be able to see the displays.

Tractor Supply does not need to be dressed up to make a statement. It's there to sell bags of feed and supplies.

Hoping to work out differences because he has been a big promoter for Warrenton and has had success here.

John Nygaard
P.O. Box 100
Warrenton, OR 97146

Feels like the goal posts have been changed 2 days before this hearing with the added differences from staff. Would like the Planning Commission to direct staff to make the conditions of approval available to create a path forward.

Questions from Staff

Commissioner Bridgens asked for clarification on what were the moved gold posts.

Mr. Nygaard brought up what Mr. Giesbrecht mentioned about having parking alongside the proposed road which is a safety and traffic flow issue.

Connectivity issues associated with walkways.

King Street is platted but is occupied with TJ Auto's that has a significant elevation difference.

Wants' to purpose drive isles.

Ok with leaving King Street as is but it is platted and staff wants them to connect to it even though it is a road to nowhere. They may have to vacate it.

Staff would like the appearance of the front of the building to have columns.

The landscaping to have planters along the front of the merchandise area.

Public Testimony Open – Neutral or in favor of proposal

Samuel Sadler
1272 SE King Avenue
Warrenton, OR 97146

Lives on the uphill side of this proposal. Knows that it is all commercial zoning for this property. Interested in what's going on King and how it will impact the future of King. Would like copies of what the Planning Commission has. Staff offered to meet with the other property owners at a different time.

Testimony in Opposition

Henry Willener
19645 NW Sauvie Island Road
Portland, OR 97231

Received a letter regarding this project and also a call saying that this meeting tonight is cancelled and would carry over to December 13. Received another call saying that the staff report was written and would hear testimony at the November 8 meeting. He put his name on the opposition list because any time someone keeps him from coming to a public meeting he can't go wrong opposing it. You have to have enough time to have input for a review whether it is in support or opposition. Feels that the meeting next week is grossly premature. Should have it on December 13 so all the material can be reviewed by the people who are affected. Has interest that might be served by this project because he owns property the whole length on King Street across the road. Even though King Street is not developed it goes all the way to the mouth of the Skipanon. If Warrenton ever develops it would be the major road to go through. Looking at the map it looks like there is road and access problems where this is located. Not going to support anything that vacates King Street. Where is the traffic going to go because it can't be handled on Hwy 101 or Marlin.

Commission Williams motioned to have Planning Director Cronin have the conditions of approval available for the applicants and the planning commission before the continuance on November 15. Commissioner Hayward seconded. The motion passed.

Mr. Cronin spoke up and stated that by motioning on that; the planning commission and himself would have to redesign the whole project because his comments were very precise that there were multiple flaws based on the code. To put conditions on things that does not meet code puts him in a very difficult position. Suggests to the commission to deliberate as much as they can.

Commissioner Hayward spoke up and said that he will have to research the code on the private streets but feels that it meets the vision of what was mapped out for Warrenton in 2000. One thing that Warrenton has an added advantage of is in retail and is successful. Can't see a problem with this application that can't be solved.

Mr. Parsons jumped in the conversation via phone conference and said that under land use planning laws that the conditions meet are required to be specific enough that they provide how a condition is met. If the planning commission wants conditions from Kevin for review, it is up to the applicant to specify the condition but he can flag that for the planning commission.

Mr. Giesbrecht spoke up and asked Spencer if the applicant could write the conditions and submit them.

Mr. Parsons replied that the applicant could propose the conditions that would provide for compliance with the adaptable criteria.

Mr. Giesbrecht said that they would provide the planning commission with their resolution and recommendations so the planning commission could vote on it next Thursday.

Mr. Cronin responded to the testimony of the applicant regarding private street verses public street, architectural design standards, and outdoor sales. It is his job to make sure that everything meets code and they seem not be able to meet on middle ground on these issues. There is a screening requirement in the Development Code and the applicant is not willing to provide screening for the outdoor sales. He had suggested in his staff report to do some above ground planters which they are in the business of selling anyway. Addressing private streets; the code does not allow private streets unless the are built to public standard. The problem with a private street is it will be serving multiple businesses not just Tractor Supply. Building to a public standard is very important.

Discussion was brought up on how to provide a street system that works for this project and for the rest of the commercial properties.

Public Hearing Reopened

Mr. Giesbrecht spoke up and stated that this is more of a interpretation issue and they feel they are meeting the code. A lot of points they agree with the staff report and not entirely in disagreement.

Mr. Mitchell also said that the additional information will be available on our website and hard copy for those who need them before the next meeting in one week.

Mr. Giesbrecht will have drafted conditions to present at the next meeting.

Public Hearing Closed

Motion by Commissioners

Commissioner Williams motioned to have the conditions of approval available by the applicant. Commissioner Hayward seconded. The motion passed unanimously.

Will continue the meeting on Thursday November 15 at 6:00 p.m

Had a joint session before this meeting with the City Commission on the TSP regarding public streets verses private streets, road standards and drive throughs. Felt that they were good discussions. Will be coming back on the 104 Ensign intersection at some point through the zone change process.

Commissioner Yuill expressed concern that some of the critical areas and intersections are not mentioned in the TSP and if these areas are not mentioned in the plan would they be able to do anything further down the line.

Ken Shonkwiler Senior Transportation Planner at Oregon Department of Transportation spoke up and remarked that you don't want to under plan or over plan for the future. Having one way in and out of 104 / 101 and Ocean Crest intersection is designed that way primarily for safety. Ensign is busy because 10 years ago they came together and decided to create Ensign because they wanted to funnel traffic through that intersection and is working the way they planned it out. To change that intersection configuration goes against what they set back and planned for 10 years ago. Ken reiterated his concern that if it gets to the point that something needs to be done by the Ocean Crest intersection would they be able to proceed if it's not in the TSP. The community is growing and there is no option in that area to go anywhere except turning right towards Seaside but no option to turn left to go north. The reply back was yes if they surpass the operation analysis higher than what they projected.

Chair Mitchell commented that the growth of Warrenton is underestimated and is concerned about the school that is projected to be built on the east side of 101 as opposed to the west side of 101 and how to handle the infrastructure and traffic crossing the highway on 101.

Mr. Shonkwiler spoke up and stated that his agency is not going to wait 20 years to update this TSP. If Warrenton keeps growing like it is his agency would not have a problem updating this again in 5 to 8 years.

Chair Mitchell wanted to bring up that before Fred Meyers remodeled they had storage containers outside their store and then took them away to get ready for Christmas items. Now there are semi trucks backed up 3 to a row. You can barely get around the back of the building. If there were an emergency a fire truck could not go back there. They do not seem to be temporary they are permanent. There are 3 of them parked side by side and another sitting permanently at one of the loading docks. Fred Meyers came before the Commission awhile ago regarding this; now it is happening again.

Mr. Cronin suggested that the original conditions of approval needs to be looked at to see if there are specific conditions; and if need be take them to court to enforce those conditions. There are specific codes also that can be looked at and enforced. This is why the outdoor storage is an important discussion because you don't always anticipate those things down the road.

Staff updates: Will be forwarding you an invitation from DLCD for a planning commission workshop on November 29th at Astoria City Hall. Also there will be a county wide housing study to look at the buildable lands inventory.

Attest and submitted by

Janice Weese, Building Clerk

Approved

Paul Mitchell, Planning Commission Chair



CITY OF WARRENTON

December 6, 2018

To: Warrenton Planning Commission
From: Kevin A. Cronin, AICP, Community Development Director
Re: Comprehensive Plan Amendment - Section 8 Transportation, Adoption of Transportation System Plan, Development Code Amendments to Warrenton Municipal Code (WMC) 16.12 Definitions, 16.40 C-1 Commercial Uses, 16.44 Development Standards, 16.120 Vehicular Access & Circulation, 16.128.030 Vehicle Parking Standards, 16.128.040 Bicycle Parking Standards, 16.136.020 Transportation Standards, 16.208 Procedures, 16.216 General Requirements, 16.220 Conditional Use Review Criteria, 16.232 Transportation Planning Rule Compliance, & 16.256 Traffic Impact Study (File: DCR 18-5)

The purpose of this memo is to outline a proposed amendment to the Warrenton Comprehensive Plan Section 8 Transportation, adopt the new Transportation System Plan (TSP) as a reference to the Comprehensive Plan, and Development Code amendments that implement the new TSP policies and Oregon Statutes and Administrative Rules. The Development Code amendments include housekeeping, clarification of street, parking, and bike standards as well as adding "drive thru/up" as a new category for land use review as a conditional use. A summary of the changes is described below along with required findings for a text amendment to the Development Code (DCR 18-5).

First, the City of Warrenton like all cities in Oregon has a Comprehensive Plan to guide land use and growth management decisions and address Statewide Land Use Planning Goals. Section 8 of the Comprehensive Plan addresses "Goal 12: Transportation." The proposal is to replace Section 8 with the new TSP which has new goals, policies, and standards. The original Section 8 has policies from 2003 that are in conflict with the new TSP.

Second, the City of Warrenton adopted its original TSP in 2003 but became outdated after the amount of growth that occurred in the 2000s and the projected growth rate that was expected made the original TSP obsolete. The Oregon Department of Transportation (ODOT) funded the development of a new TSP in 2015 and hired DKS a Portland based consulting firm to conduct the technical analysis. A Project Advisory Committee (PAC) was formed to provide technical advice to the City, consultant team, and policymakers. Multiple, periodic PAC meetings were held to gather feedback on major element of the TSP, including new capital projects, street classifications, mobility standards, and amended codes.

A three-year process was not expected and was a result of skewed traffic numbers that were taken during the summer of 2015 from two bridge closures, construction projects, and heavy summer traffic.

In addition to the PAC meetings, two community open houses were held to gather input. The level of analysis for the TSP has been exhaustive and thorough and provides among other things a list of capital projects that are needed to maintain a working transportation system for all modes, including vehicles, bikes, pedestrians, transit, airport, and freight. However, it does not specify how the improvements will be funded over and above existing sources.

Finally, in order to implement the TSP, Development Code amendments are proposed to bring land use regulations into compliance with the State Transportation Planning Rule (TPR).

The following changes, include:

- Street standards for new development
- Refinements to vehicle parking and bike parking standards
- A drive thru category for land use review to better manage new traffic impacts of new development proposals.
- Clarifications on land use procedures
- Clarifications on traffic impact study requirements; and
- Improvements for coordinated transit improvements

Procedures, Public Notice, & Public Involvement

The Community Development Director has the authority to initiate a text amendment according to WMC 16.208.070(D) General Provisions. This proposal is being reviewed pursuant to Warrenton Municipal Code Sections 16.208.060 (Type IV Procedure - Legislative and Map Amendments), 16.232 (Land Use District Map and Text Amendments), Comprehensive Plan (CP), Statewide Planning Goals, Oregon Revised Statutes and the Oregon Administrative Rules. The City will publish notice of the Planning Commission public hearing in *The Columbia Press* before the December 13 meeting. The City, Project Advisory Committee, and consultants hosted a community open house on October 10, 2018 at the Warrenton Community Center. About 24 people signed in. One public comment was received after the community open house. A public notice was published in *The Columbia Press* as required for Type 4 applications. The Planning Commission will make a recommendation to the City Commission, which will consider it with another public hearing.

FINDINGS

Comprehensive Plan

Comprehensive Plan Section 8 is being replaced by the proposal.

Compliance with Oregon's Statewide Planning Goals and Related Rules and Statutes

Goal 1, Citizen Involvement

Goal 1 outlines policies and procedures to be used by local governments to ensure that citizens will be involved "in all phases of the planning process."

This proposal for a development code amendment is being reviewed in accordance with the acknowledged provisions for citizen involvement in the municipal code. It does not propose any changes to those provisions. This application therefore complies with Goal 1.

Goal 2, Land Use Planning

Goal 2 requires local governments to "establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions."

The proposal and applicable comprehensive land use plan policy is being reviewed by the Planning Commission who will forward a recommendation to the City Commission who will ultimately make a decision on it, which satisfies Goal 2.

Goal 3, Agricultural Lands

Goal 3 deals with conservation of "agricultural lands" as defined in that goal. The goal's provisions are directed toward counties, not cities (such as Warrenton). The goal states, "Agricultural land does not include land within acknowledged urban growth boundaries...." This goal does not apply.

Goal 4, Forest Lands

Goal 4 deals with conservation of "forest lands" as defined in that goal. Details about such conservation are set forth in related administrative rules: OAR Chapter 660, Division 006. OAR

660-006-0020 states: "Goal 4 does not apply within urban growth boundaries...." This goal does not apply.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces

The basic aim of Goal 5 is "To protect natural resources and conserve scenic and historic areas and open spaces." Because no such natural resources, scenic and historic areas and open spaces will be affected, this goal does not apply.

Goal 6, Air, Water and Land Resources

Statewide Planning Goal 6 is "to maintain and improve the quality of the air, water and land resources of the state." It deals mainly with control of "waste and process discharges from future development." Because no development is proposed, this goal does not apply.

Goal 7, Areas Subject to Natural Hazards

Statewide Planning Goal 7 is to "to protect people and property from natural hazards." This proposed code amendment does not address natural hazards and therefore is not applicable.

Goal 8, Recreational Needs

Goal 8 is "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." This goal does not apply to the proposal.

Goal 9, Economic Development

Goal 9 is to strengthen the ensure there is adequate land for commercial and industrial development and policies to support the type of industries that a local government wants to attract and grow. A community that consistently invests in quality infrastructure is an economically diverse, resilient, and stronger community. Standard is met.

Goal 10, Housing

Statewide Planning Goal 10 is "to provide for the housing needs of citizens of the state." The goal requires cities to assess future need for various housing types and to plan and zone

sufficient buildable land to meet those projected needs. The TSP does not directly address housing therefore this goal does not apply.

Goal 11, Public Facilities and Services

Goal 11 is “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” The TSP does not directly address public facilities such as city owned utilities. However, an efficient transportation network is a conduit for utility location and maintenance. Standard is met.

Goal 12, Transportation

Goal 12 is “to provide and encourage a safe, convenient and economic transportation system.” The purpose of the amendment is to comply with Goal 12 and the Transportation Planning Rule. The new TSP coupled with the Development Code amendments are intended to bring the City into compliance with applicable Oregon Revised Statutes and Oregon Administrative Rules. Standard is met.

Goal 13, Energy

Goal 13 is simply “to conserve energy” and does not apply.

Goal 14, Urbanization

Goal 14 is “to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.” An efficient transportation system supports the efficient use of urban land within the UGB. Standard is met.

Goal 15, Willamette River Greenway

Goal 15 deals with lands adjoining the Willamette River and does not apply to this proposal.

Goal 16, Estuarine Resources

Goal 16 is “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.” Because the code amendment would not affect any natural estuarine characteristics, this goal does not apply.

Goal 17, Coastal Shorelands

Goal 17 aims “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.” This goal does not apply.

Goal 18, Beaches and Dunes

Goal 18 says that “coastal areas subject to this goal shall include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms.” This goal does not apply.

Goal 19, Ocean Resources

Goal 19 deals with management of resources in Oregon’s territorial sea (the waters bordering the state’s coastline). Goal 19 does not apply to this application.

CONCLUSIONS AND RECOMMENDATION

Adoption of the amendment would fulfill the comprehensive plan policy regarding housing, airport development, and economic development. The action would also meet the applicable statewide planning goals. Most importantly, incorporating these changes to the Development Code would facilitate more investment in our transportation system in the future.

Based on these findings and conclusions, staff recommends that the Planning Commission hold a public hearing on December 13 to take public testimony.

Attachments:

- Transportation System Plan, Final Draft – October 31, 2018
- Comprehensive Plan Amendment, Section 8 – Transportation
- Attachment B: Development Code Amendments
- Technical Memorandum: Proposed Development Code Amendments, September 27, 2018

Attachment B: Development Code (Title 16 of the Warrenton Municipal Code) Amendments

Provided in this attachment are the recommended changes to the City's development requirements, based on an audit and analysis of the Development Code (Title 16 of the Warrenton Municipal Code) and input from the Project Advisory Committee and Planning Commission. Proposed amendments to development requirements are intended to both implement the goals and policies of the draft TSP and to ensure consistency with the Transportation Planning Rule (TPR).

Underlined bolded text is new, ~~strikeout~~ is current text to be removed from adopted development code language.

16.12.010 Definitions.

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.

[...]

16.40.030 Conditional Uses.

The following uses and their accessory use may be permitted in the C-1 zone when approved under Chapter 16.220 and shall comply with Sections 16.40.040 through 16.40.060 and Chapters 16.124 (Landscaping) and 16.212 (Site Design Review):

- A. Only the following uses and their accessory uses are permitted along Highway 101, SE Marlin and SW Dolphin Avenues, and shall comply with the above noted sections and Chapter 16.132:

[...]

5. RV Park.

6. New Drive-Through/Drive-Up Facility or substantially improved as defined by 25% of assessed value.

~~6.7.~~ Similar uses as those stated in this section.

[...]

16.40.040 Development Standards.

[...]

B. Setback Requirements.

1. Minimum front yard setback, commercial uses: none except where adjoining a residential zone, in which case it shall be 15 feet. See Section 16.40.050 for maximum front yard setback for commercial uses.

[...]

16.40.050 Design Standards.

The following design standards are applicable in the C-1 zone:

- A. Any commercial development shall comply with Chapter 16.116 of the Development Code.
- B. Lots fronting onto U.S. Highway 101 shall have a setback of at least 50 feet between any part of the proposed building and the nearest right-of-way line of U.S. Highway 101.
- C. Signs in General Commercial Districts along Fort Stevens Highway/State Highway 104 (i.e., S. Main Avenue, N. Main Avenue, NW Warrenton Drive, and Pacific Drive) shall comply with the special sign standards of Section 16.144.040.
- D. Maximum front yard setback for commercial buildings in the C-1 zone along Fort Stevens Highway/State Highway 104 shall be 10 feet.
- E. **Maximum front yard setback for commercial buildings in the C- 1 zone adjacent to existing or planned transit stops shall be 10 feet.**
 1. **The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design approval.**

16.44.040 Development Standards.

The following development standards are applicable in the C-MU district:

[...]

B. Setback Requirements (Residential and Multiple Uses).

1. Minimum front yard setback: 15 feet **(Residential); none (Multiple Uses)**.
2. Minimum side yard setback: 8 feet.
3. Minimum corner lot street side yard setback: 8 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. **Maximum front yard setback: 10 feet for Multiple Uses adjacent to existing or planned transit stops.**

a. The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design approval.

C. Setback Requirements (Commercial Uses).

1. Minimum front yard setback: none.
2. Minimum side yard setback: None except where adjoining a residential zone in which case there shall be a visual buffer strip of at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet. Such buffers must conform to the standards in Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
3. Minimum rear yard setback: None except where adjoining a residential zone in which case there shall be a visual buffer strip of at least 10 feet wide to provide a dense evergreen landscape buffer which attains a mature height of at least eight feet. Such buffers must conform to the standards in Chapter 16.124, Landscaping, Street Trees, Fences and Walls.
4. **Maximum front yard setback: 10 feet for Commercial Uses adjacent to existing or planned transit stops.**

a. The Community Development Director may allow a greater front yard setback when the applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed between the building and public right-of-way, subject to Site Design approval.

16.120.020 Vehicular Access and Circulation.

G. Access Spacing. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:

[...]

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 (~~see Warrenton Comprehensive Plan and TSP for a list of 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.

[...]

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** ~~1,000 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.

16.120.030 Pedestrian Access and Circulation.

A. Pedestrian Access and Circulation.

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

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.

[...]

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 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.

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 percent reduction to the standard number of automobile parking spaces;
 - b. Site has dedicated parking spaces for carpool/vanpool vehicles: Allow up to a 10 percent 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 percent 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 Ave and 4th St.

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 ordinance.** Specific locations for parking are indicated in Division 2 for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). See also Chapter 16.120, Access and Circulation.
2. Off-Site Parking. Except for single-family, two-family, and three-family 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.

Bicycle Parking

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.** A minimum of two bicycle parking spaces per use is required for all uses with more than 10 vehicle parking spaces. The following additional standards apply to specific types of development:
 1. Multifamily Residences. Every residential use of four or more dwelling units provides at least one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.
 2. Parking Lots. All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces, with a maximum of 28 bicycle parking spaces per commercial lot.
 3. Schools. Elementary and middle schools, both private and public, provide one bicycle parking space for every 10 students and employees. High schools provide one bicycle parking space for every five students and employees. All spaces should be sheltered under an eave, overhang, or bicycle shelter.

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

<u>Minimum Required Bicycle Parking Spaces</u>		<u>Long and Short Term Bicycle Parking</u>
<u>Use</u>	<u>Minimum Number of Spaces</u>	<u>(As % of Minimum Required Bicycle Parking Spaces)</u>
<u>Multifamily Residential</u> (required for 4 or more dwelling units)	1 space per 4 dwelling units	75% long term 25% short term
<u>Commercial</u>	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
<u>Schools</u> (all types)	2 spaces per classroom	100% long term
<u>Parks</u> (active recreation areas only)	4 spaces	100% short term
<u>Transit Stops</u>	2 spaces	100% short term
<u>Transit Centers</u>	4 spaces or 1 per 10 vehicle spaces, whichever is greater	50% long term 50% short term
<u>Other Uses</u>	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 (6) feet long and two-and-one-half (2 ½) feet wide, and overhead clearance in covered spaces should be a minimum of seven (7) feet. A five (5) 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 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.

16.136.020 Transportation Standards.

F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall conform to the design standards in Table 16.136.010. A variance shall be required in accordance with Chapter 16.272 of this Code to vary the standards in Table 16.136.010. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

1. ~~Street classification in the Transportation System Plan or Comprehensive Plan;~~
2. ~~Anticipated traffic generation;~~
3. ~~On-street parking needs;~~
4. ~~Sidewalk and bikeway requirements based on anticipated level of use;~~
5. ~~Requirements for placement of utilities;~~
6. ~~Street lighting;~~
7. ~~Street tree location, as provided for in Chapter 16.124;~~
8. ~~Protection of significant vegetation and wetland and riparian areas, as provided for in Chapters 16.124 and 16.156;~~
9. ~~Safety and comfort for motorists, bicyclists, and pedestrians;~~
10. ~~Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;~~
11. ~~Access needs for emergency vehicles; and~~
12. ~~Transition between different street widths (i.e., existing streets and new streets), as applicable.~~

Table 16.136.010

City of Warrenton Street Design Standards

Type of Street	Average Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes ⁴	Median/Flex Lane ⁵	Bike Lanes or On-Street Parking (both sides)	Curb	Planting Strip ⁵	Sidewalks
<i>Arterial Roads</i>									
4-Lane Arterial	Varies	80-102 ft.	64-78 ft.	12 ft. ⁴	14 ft.	8 ft.	Yes	6 ft.	6 ft.
2-Lane Arterial	Varies	80 ft.	40-54 ft.	12 ft. ⁴	14 ft.	8 ft.	Yes	6 ft.	6 ft.
<i>Collector Roads</i>									

Collector Road	Varies	60–64 ft.	36–40 ft.	12 ft. ⁴	None	6–8 ft.	Yes	6 ft.	6 ft.
<i>Local Roads</i>									
Local Road	Varies	50–60 ft.	36 ft.	10–12 ft.	None	8 ft. parking (on one or both sides ⁵)	Yes (on one or both sides)	5 ft.	5 ft. ³
Alternative Local Road²	<250	50 ft.	20–28 ft. (no curbs required)	10 ft.	None	None ⁴	None	5 ft.	None
Alleys	N/A	12–24 ft.	12–24 ft.	N/A	N/A	None	None	None	None
Multi-Use Paths	N/A	8–16 ft.	8–16 ft.	N/A	N/A	None	None	None	None

Notes:

¹—Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 35 mph) roads.

²—The alternative local road standard may be used when approved by the City of Warrenton. The standard is intended to apply under the following circumstances:

— The local road will serve 18 or fewer dwelling units upon buildout of adjacent property.

— The ADT volume of the road is less than 250 vehicles per day.

— Significant topographical or environmental constraints are present.

— Use of the alternative local road standard will not create gaps in connectivity or roadway standards with adjacent roadway sections (i.e., side-walk, parking, travel lane widths).

— The City-appointed engineer and emergency service providers have reviewed and accepted usage of the alternative local roadway standard.

³—Sidewalks are required on all local roads in high-density residential and commercial zones unless exempted by the City-appointed engineer or Planning Commission.

⁴—Where parking is constructed next to a travel lane, the travel lane shall be increased to a width of 14 feet to function as a shared roadway and accommodate bicycles.

⁵—Footnote indicates that these features are optional. Flex lanes would provide for traffic flow in one direction or another depending upon the specific traffic patterns and demands for an area. Flex lanes could be used for transit routes or emergencies, and would provide extra right-of-way width for future rail or transit. Appropriate safety measures would need to be installed in conjunction with flex lanes.

— REFER TO FIGURES 5-3, 5-4, and 5-5 OF THE TSP FOR CROSS SECTION VIEWS OF LOCAL, COLLECTOR, AND ARTERIAL ROADS.

¹ Width if on-street parking is constructed in place of bike lanes. The travel lane width shall function

<u>Type of Street</u>	<u>Standard Requirements or Alternative Minimum</u>	<u>Right-of-Way Width</u>	<u>Curb-to-Curb Pavement Width</u>	<u>Motor Vehicle Travel Lanes⁴</u>	<u>Median /Flex Lane³</u>	<u>Bike Lanes (both sides)</u>	<u>On-Street Parking (both sides)</u>	<u>Curb</u>	<u>Planting Strip³</u>	<u>Side-walks</u>
<i>Arterial Roads</i>										
<u>4 – Lane Arterial</u>	<u>Standard Requirements</u>	<u>102 ft.</u>	<u>78 ft.</u>	<u>12 ft.</u>	<u>14 ft.</u>	<u>8 ft.</u>	<u>None</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum²</u>	<u>80 ft.</u>	<u>64 ft.</u>	<u>11 ft.</u>	<u>None</u>	<u>6 ft.</u>	<u>None</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<u>2- Lane Arterial</u>	<u>Standard Requirements</u>	<u>78 ft.</u> <u>(82 ft.)¹</u>	<u>54 ft.</u> <u>(58 ft.)¹</u>	<u>12 ft.</u> <u>(14 ft.)¹</u>	<u>14 ft.</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum²</u>	<u>58 ft.</u> <u>(66 ft.)¹</u>	<u>34 ft.</u> <u>(42 ft.)¹</u>	<u>11 ft.</u> <u>(14 ft.)¹</u>	<u>None</u>	<u>6 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<i>Collector Roads</i>										
<u>Major Collector Road</u>	<u>Standard Requirements</u>	<u>64 ft.</u> <u>(68 ft.)¹</u>	<u>40 ft.</u> <u>(44 ft.)¹</u>	<u>12 ft.</u> <u>(14 ft.)¹</u>	<u>None</u>	<u>8 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum²</u>	<u>58 ft.</u> <u>(66 ft.)¹</u>	<u>36 ft.</u> <u>(42 ft.)¹</u>	<u>11 ft.</u> <u>(14 ft.)¹</u>	<u>None</u>	<u>8 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
<u>Minor Collector Road</u>	<u>Standard Requirements</u>	<u>58 ft.</u> <u>(68 ft.)¹</u>	<u>40 ft.</u> <u>(44 ft.)¹</u>	<u>11 ft.</u> <u>(14 ft.)¹</u>	<u>None</u>	<u>6 ft.</u>	<u>8 ft.</u>	<u>Yes</u>	<u>6 ft.</u>	<u>6 ft.</u>
	<u>Alternative Minimum²</u>	<u>50 ft.</u> <u>(62 ft.)¹</u>	<u>36 ft.</u> <u>(42 ft.)¹</u>	<u>10 ft.</u> <u>(14 ft.)¹</u>	<u>None</u>	<u>5 ft.</u>	<u>7 ft.</u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
<i>Local Roads</i>										
<u>Local Road</u>	<u>Standard Requirements</u>	<u>60 ft.</u>	<u>32 ft.</u>	<u>12 ft.</u>	<u>None</u>	<u>None</u>	<u>8 ft</u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
	<u>Alternative Minimum²</u>	<u>50 ft.</u> <u>(48 ft.)⁴</u>	<u>28 ft.</u>	<u>10 ft.</u>	<u>None</u>	<u>None</u>	<u>8 ft⁴</u>	<u>Yes</u>	<u>5 ft.</u>	<u>5 ft.</u>
<u>Alleys</u>	<u>N/A</u>	<u>12 ft. - 24 ft.</u>	<u>12 - 24 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Shared-Use Path⁵</u>	<u>N/A</u>	<u>10 ft. - 16 ft.</u>	<u>10 - 16 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>

as a shared roadway and accommodate bikes. On-street parking is not permitted where posted speeds are greater than 35 mph.

² The standard design should be provided where feasible. In constrained areas where providing the standard widths are not practical, alternative minimum design requirements may be applied with approval of the City Engineer.

³ Median/flex lane and planting strips are optional depending on surrounding land use and available right-of-way.

⁴ Parking on residential neighborhood streets is allowed and may be allowed on one side only in constrained areas or where approved by the City Engineer, resulting in a curb-to-curb width of 28 feet and overall right-of-way width of 48 feet.

⁵ Shared-use path requires 2 ft. gravel shoulder and 10 ft. minimum vertical clearance. If a shared-used path is put in place of a sidewalk and bike lane a 1 ft. to 2 ft. paved shoulder and a 5 ft. planter strip is required between the path and the travel lane.

REFER TO FIGURES 9 - 14 OF THE TSP FOR CROSS SECTION VIEWS OF ALL STREET TYPES.

[New Chapter] 16.201 Transit Access and Supportive Improvements

Development that is proposed adjacent to an existing or planned transit stop, as designated in an adopted transportation or transit plan, shall provide the following transit access and supportive improvements in coordination with the transit service provider:

- A. Reasonably direct pedestrian connections between the transit stop and primary entrances of the buildings on site. For the purpose of this Section, "reasonably direct" means 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 users.**
- B. The primary entrance of the building closest to the street where the transit stop is located that is oriented to that street.**
- C. A transit passenger landing pad that is ADA accessible.**
- D. An easement or dedication for a passenger shelter or bench if such an improvement is identified in an adopted plan.**
- E. Lighting at the transit stop.**
- F. Other improvements identified in an adopted plan.**

16.208.040 Type II Procedure (Administrative).

[...]

C. Notice of Application for Type II Administrative Decision.

1. Before making a Type II administrative decision, the Community Development Director shall mail notice to:
 - a. All owners of record of real property within 100 feet of the subject area not less than 20 days prior to the decision date;

[...]

- d. Any person who submits a written request to receive a notice; and

- e. Any governmental agency which is entitled to notice under an intergovernmental agreement entered into with the City. The City may shall notify other affected agencies, as appropriate, for review of the application. **Affected agencies include but are not limited to other City and corresponding County departments; Warrenton-Hammond School District; utility companies; and Sunset Empire Transportation District and other transportation facility and service providers.** ODOT shall be notified when there is a land division abutting a state facility for review of, comment on, and suggestion of conditions of approval for, the application.

16.208.050 Type III Procedure (Quasi-Judicial).

[...]

C. Notice of Hearing.

1. Mailed Notice. Notice of a Type III application hearing (or appeal) or Type I or II appeal hearing shall be given by the Community Development Director in the following manner:
 - a. At least 20 days before the hearing date, notice shall be mailed to:
 - i. The applicant and all owners or contract purchasers of record of the property which is the subject of the application;
 - ii. All property owners of record within 200 feet of the site (N/A for Type I appeal);
 - iii. Any governmental agency which has entered into an intergovernmental agreement with the City, which includes provision for such notice, or who is otherwise entitled to such notice. ODOT shall be notified when there is a land division abutting a state facility for review of, comment on, and suggestion of conditions of approval for, the application. **Transit and other transportation facility and service providers shall be notified of Type III application hearings.** [Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.];
 - iv. Any neighborhood or community organization recognized by the City Commission and whose boundaries include the property proposed for development;

[...]

16.208.070 General Provisions.

[...]

C. Pre-Application Conferences.

1. Participants. When a pre-application conference is required, the applicant shall meet with the Community Development Director or his/her designee(s). **The Community Development Director shall invite City staff from other departments to provide technical expertise applicable to the proposal, as necessary, as well as other public agency staff such as transportation and transit agency staff.**

[...]

D. Applications.

3. Check for Acceptance and Completeness.

b. Completeness.

[...]

iv. Coordinated Review. When required by this Code, or at the direction of the Community Development Director, the City shall submit the application for review and comment to ODOT and other applicable City, county, state, and federal review agencies. **Potential applicable agencies include but are not limited to City Building, Public Works, Fire, Police, and Parks departments; Clatsop County Building, Planning, Parks, Public Health, Public Safety, and Public Works departments; Warrenton-Hammond School District; utility companies; and Sunset Empire Transportation District and other transportation facility and service providers.**

16.216.020 General Requirements.

[...]

k. Flag lots and lots accessed by midblock lanes.

Infill lots may be developed as flag lots or mid-block developments as defined in this section.

A. Flag Lots. Flag lots may be created only when a through street cannot be extended to serve future development. A flag lot must have at least 16 feet of frontage on a public way and may serve no more than two dwelling units, including accessory dwellings and dwellings on individual lots or other commercial or industrial uses. A minimum width of 12 feet of frontage for each lot shall be required when three or more flag lots are using a shared access. In no instance may more than four parcels utilize a joint access; in such instances the properties shall be served by a public or private street as the case may dictate. The layout of flag lots, the placement of buildings on such lots, and the alignment of shared drives shall be designed so that future street connections can be made as adjacent properties develop, to the extent practicable, and in accordance with the transportation connectivity and block length standards of Section 16.120.020.

B. Mid-Block Lanes. Where consecutive flag lot developments or other infill development could have the effect of precluding local street extensions through a long block, the Planning Director may require the improvement of mid-block lanes through the block. Lots may be developed without frontage onto a public street when access is provided by mid-block lanes. Mid-block lanes are private drives serving more than two dwelling units with reciprocal access easements; such lanes are an

alternative to requiring public right-of-way street improvements where physical site constraints preclude the development of a standard street. Mid-block lanes, at a minimum, shall be paved, have adequate storm drainage (surface retention, where feasible, is preferred), meet the construction standards for alleys, and conform to the standards of subsections C through E.

- C. Dedication of Shared Drive Lane.** A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area. The owner shall record an easement from each property sharing a drive for vehicle access similar to an alley. Dedication or recording, as applicable, shall be so indicated on the face of the subdivision or partition plat.
- D. Maximum Drive Lane Length.** The maximum drive lane length is subject to requirements of the Uniform Fire Code, but shall not exceed 150 feet for a shared drive, and 400 feet for a shared rear lane.
- E. Future Street Plans.** Building placement and alignment of shared drives shall be designated so that future street connections can be made as surrounding properties develop.

16.220.030 Review Criteria.

[...]

C. Drive-Up/ Drive-Through Facility

- A. Purpose.** Where drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian comfort and safety.
- B. Standards.** Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:
- 1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.**
 - 2. The drive-up or drive-through facility shall not be oriented to street corner.**
 - 3. The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.**
 - 4. Drive-up and drive-through queuing areas shall be designed so that vehicles will**

not obstruct any street, fire lane, walkway, bike lane, or sidewalk.

- 5. Along Highway 101, between SE Marlin and SE Dolphin Avenues, no new drive-up or drive-through facility is allowed within 400 linear feet of another drive-up or drive-through facility, where the existing drive-up or drive-through facility lawfully existed as of the date of an application for a new drive-up or drive-through facility.**

16.232.060 Transportation Planning Rule Compliance.

- A. When a development application includes a proposed Comprehensive Plan amendment, or 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.** Significant means the proposal would:
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.
- 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.

16.256.010 Purpose.

The purpose of this chapter of the Warrenton Development Code is to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities (see Section 16.256.060). This chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a traffic impact study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact study; and who is qualified to prepare the study.

16.256.020 Typical Average Daily Trips.

Standards by which to gauge a ~~Average~~ daily vehicle trips include: 10 trips per day per single-family household; five trips per day per apartment; and 30 trips per day per 1,000 square feet of gross floor area such as a new supermarket or other retail development shall be calculated using the rates and methodology in the most recent addition of the Institute of Transportation Engineers Trip Generation Manual.

16.256.030 When Required.

A traffic impact study ~~may~~ **will** be required to be submitted to the City with a land use application, when the following conditions apply :

- A. The development application involves a change in zoning or a plan amendment designation; or,
- B. The development shall cause one or more of the following effects, which can be determined by field counts, site observation, traffic impact analysis or study, field measurements, crash history, Institute of Transportation Engineers Trip Generation ~~m~~Manual; and information and studies provided by the local reviewing jurisdiction and/or ODOT:
 - 1. An increase in site traffic volume generation by 300 average daily trips (ADT) or more; or
 - 2. An increase in ADT hour volume of a particular movement to and from the state highway by 20% or more; or
 - 3. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or
 - 4. The location of the access driveway does not meet minimum ~~sitesight~~ distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard; or
 - 5. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

16.256.040 Traffic Impact Study Requirements.

- A. Preparation. A traffic impact study shall be prepared by a professional engineer ~~in accordance with OAR 734-051-180~~ **registered in the State of Oregon. The study scope and content shall be determined in coordination with the City Public Works Director or designee. Traffic impact analyses required by Clatsop County or ODOT shall be prepared in**

accordance with the requirements of those road authorities. Preparation of the study report is the responsibility of the land owner or applicant.

B. Transportation ~~p~~Planning ~~r~~Rule compliance, Section 16.232.060.

16.256.050 Approval Criteria.

The traffic impact study report shall be reviewed according to the following criteria:

- A. The study complies with the content requirements set forth by the City and/or other road authorities as appropriate;
- B. The study demonstrates that adequate transportation facilities exist to serve the proposed land use action or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the road authority;
- C. For affected City facilities, the study demonstrates that the project meets mobility and other applicable performance standards established in the adopted transportation system plan, and includes identification of multi-modal solutions used to meet these standards, as needed; and
- D. Proposed design and construction of transportation improvements are in accordance with the design standards and the access spacing standards specified in the transportation system plan.

16.256.060 Conditions of Approval.

- A. The City may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for planned improvements; and require construction of improvements to ensure consistency with the future planned transportation system.
- B. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.
- C. Where the existing transportation system is shown to be impacted by the proposed use, improvements such as paving; curbing; installation of or contribution to traffic signals; and/or construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
- D. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.

NOTICE OF DECISION AND ORDER
SDR 18-4 and V18-3 Trondheim Acres LLC/Tractor Supply

Applicant: Keith Corporation

Application: Site Design Review and Variance

Location: Tax Lot 1900, 2500, abutting Alternate Highway 101

Application Date: October 1, 2018 (SDR) and October 23, 2018 (Variance)

Application Complete: October 10, 2018

120 Day Deadline: February 7, 2019

Criteria: Warrenton Municipal Code Chapters and Sections:

- 16.40.040, 050 and 060 C-1 General Commercial Zone development, design and other applicable standards
- 16.116.030 Commercial Design Standards,
- 16.120 Access and Circulation Design Standards
- 16.124 Design standards for landscaping, street trees, fences and walls
- 16.128 Vehicle and Bicycle Parking
- 16.132 Design standards for clear vision areas
- 16.136 Public facilities standards
- 16.140 Storm water and surface water management standards
- 16.144 Design standards for signs
- 16.192 Large scale developments
- 16.88 Flood hazard overlay district
- 16.212 Site design review application and review procedures
- 16.272 Variances

Hearing and record: The Planning Commission conducted a public hearing on November 8 which was continued to November 15, 2018. At the continued hearing, based on certain aspects of the November 6, 2018 staff report, evidence and testimony of the applicant, the Planning Commission reached a decision to approve the application for site design review including the 24-foot wide access drive aisles and no improvements to SE King Avenue, and the variance application for an eight-foot high chain link fence, subject to the following conditions.

1. In addition to the patio, picnic table and three benches, the applicant shall add a gazebo or picnic shelter to provide cover from the elements for those people using these amenities which shall be located on the northwest corner of the site.
2. The developer shall eliminate two parking spaces and provide a thermoplastic striping or raised crosswalk (i.e. similar) walkway adjacent to the center landscape island in the parking area north of the building to provide an obvious pedestrian path from the parking

lot to the building. The developer also shall provide similar pedestrian crossings at the two intersections with access from SE Marlin Avenue and Alternate Highway 101 Business.

3. The developer shall acquire appropriate access rights and approvals from the Oregon Department of Transportation for the two access driveways on Alternate 101 Business and SE Marlin Avenue prior to building permits.
4. The applicant shall grant easements meeting the standards of the city and other private utility providers for access, maintenance and enforcement measures and activities. Additionally, the applicant shall install one or more barricades and signs at the terminus of the private drive indicating future driveway extensions and to enhance safety of traffic movements. The sanitary sewer on the south side of the building shall be relocated so that it is in the center of the future easement granted to the city.
5. Building construction plans and final site plan shall be reviewed and approved by the Fire Chief prior to grading and building permit issuance. All other conditions detailed in Fire Department comments dated November 14, 2018 shall be implemented.
6. The applicant shall prepare and submit a final storm water management plan, including details on the detention and treatment basin for approval by the City Engineer prior to the issuance of grading and building permits. This plan shall be prepared and stamped by a professional engineer licensed in the state of Oregon. Additionally, the applicant shall prepare an erosion control plan and acquire a 1200 C permit from the Oregon Department of Environmental Quality prior to the issuance of grading and building permits.
7. The applicant shall create similar pedestrian crosswalks at the two private driveway accesses on SE Marlin Avenue and Alternate 101 Business, as well as the intersection of these two driveways at the northeast corner of the building site.
8. The applicant shall provide 6 bicycle parking spaces at the Warrenton Municipal Code required ratio on the north side of the building near the main entrance.
9. The sidewalk on the two driveways accessing the site shall each be six-feet wide. The planting strip shall be five feet wide. A future sidewalk and planting strip on the north side of the access off SE Marlin shall be shown on the final site plan as a "FUTURE IMPROVEMENT."
10. The developer shall provide a detailed landscaping plan for the site, including irrigation facilities, substantially following the preliminary landscaping plan submitted with the application materials which does not include vegetative screening of the outdoor storage,

but does include 14 trees in the parking lot which meets the standards of *Warrenton Municipal Code 16.124.070 Design Standards for New Landscaping*, and illustrates and describes the measures to ensure continual compliance with Warrenton Municipal Code 16.132.010 Clear Vision Area Standards. This plan shall be approved by the Community Development Director prior to the issuance of grading and building permits.

11. Wheel stops shall be installed in all parking stalls abutting the sidewalk around the building and along the north property line. Wheel stops are not required in the central parking area north of the building so that trucks with trailers can be accommodated.
12. The developer shall submit a geotechnical report for the site with application for grading and building permits.
13. The developers shall prepare an analysis of the downstream sanitary sewer pipes and pump station(s) to determine whether capacity exists to accommodate the estimated flow from the development. The developer shall be responsible for its commensurate share for improvements to the sanitary sewer facilities necessary to provide capacity to convey the additional flow from the project. A utility plan shall be prepared for review and approval. All plans shall be prepared and stamped by a registered engineer and submitted for review by the City's contract engineer.
14. Solid waste and recycling facilities shall be screened from public view and located subject to approval of the Public Works Director. Final design of screening shall be reviewed and approved by the Community Development Director prior to building permit issuance.
15. All private streets shall be marked as "Fire Lane – No Parking."
16. Sign permits shall be submitted and approved by the Community Development Director.
17. The future use of an existing, on site storage container shall be removed prior to building permit submittal or permitted under a separate application.
18. A pre-construction and post construction elevation certificate shall be submitted for review and approval as part of a floodplain development permit according to WMC 16.88.030.
19. SE King Avenue will have no improvements and will remain as it exists on Warrenton planning and transportation documents with a 45 ft building setback for this application. While SE king Avenue may remain undeveloped, it may be necessary to utilize its space for a temporary use under a temporary use permit. However, such use does create a any

right of way or easement on SE King Avenue, and may not be used as justification for any future application or vacation of SE King Avenue.

20. Private street shall be marked and named according to street naming standards.

An appeal of this decision shall be pursuant to Warrenton Municipal Code 16.208.050.H. The deadline for an appeal of this decision is 5:00 P.M. December 27, 2018.

Appeals: H. Appeal. A Type III quasi-judicial decision may be appealed to the City Commission as follows:

Notice of Appeal. Any person with standing to appeal, as provided in subsection (H)(1) of this section, may appeal a Type III quasi-judicial decision by filing a notice of appeal according to the following procedures:

1. Time for Filing. A notice of appeal shall be filed with the Community Development Director within 14 days of the date the notice of decision was mailed. **A notice of appeal must be received in the Warrenton Planning Department by 5:00 P.M. December 27, 2018.**

2. Content of Notice of Appeal. The notice of appeal shall contain:

- (A) An identification of the decision being appealed, including the date of the decision.
- (B) A statement demonstrating the person filing the notice of appeal has standing to appeal.
- (C) A statement identifying the specific issues raised on appeal.
- (D) A statement demonstrating that the appeal issues were raised by oral or written testimony during the comment period or prior to the close of the record established at the Planning Commission's public hearing.
- (E) Filing fee.

3. Scope of Appeal. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing, as provided above, unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

4. Appeal Procedures. Type III notice as provided in this section and hearing procedures as provided by Section 16.208.060 shall be used for all Type III quasi-judicial decision appeals.

Paul Mitchell, Chair, Planning Commission

Date

