

<u>AGENDA</u>

WARRENTON PLANNING COMMISSION
Regular Meeting | May 10, 2022 | 6:00pm
Warrenton City Hall Commission Chambers | 225 S Main Avenue, Warrenton, OR 97146

The meeting will be broadcast via Zoom at the following link

https://us02web.zoom.us/j/89594092173?pwd=VG5sMFFTVExqTWl1dXVXSTBFbWw2UT09

Meeting ID: 895 9409 2173 | Passcode: 612659 | Dial in number: 253-215-8782

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE
- 2. ATTENDANCE
- 3. APPROVAL OF MINUTES
 - A. Planning Commission Minutes 4.14.22
- 4. PUBLIC COMMENT

At this time, anyone wishing to address the Planning Commission concerning items of interest may do so. The person addressing the Commission must complete a Public Comment Card and submit it to the Secretary prior to the meeting. All comments will be addressed to the whole Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the Secretary, at rsprengeler@ci.warrenton.or.us, no later than 5:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

- 5. PUBLIC HEARING None
- 6. BUSINESS ITEMS
 - A. Comprehensive Plan Amendments CP-22-1 & Development Code Revisions DCR-22-1 to (WMC) 16.40 General Commercial Zone (C-1), 16.44 Mixed Use Commercial (CMU), & 16.60 General Industrial (I-1)
- 7. DISCUSSION ITEMS
- 8. GOOD OF THE ORDER
- 9. ADJOURNMENT

Next Meeting: June 9, 2022

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 Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
Warrenton Planning Commission
April 14, 2022
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Vice Chair Hayward called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

<u>Commissioners Present:</u> Vice Chair Chris Hayward, Kevin Swanson (Zoom), Ken Yuill, Lylla Gaebel (Zoom), and Christine Bridgens

Commissioners Absent: Chair Paul Mitchell and Mike Moha

Staff Present: Planning Consultant Kevin Cronin (Zoom) and Permit Technician Hallie Homolac

PUBLIC COMMENT ON NON-AGENDA ITEMS - None

APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes -3.10.22

Commissioner Hayward made the motion to approve the minutes. Motion was seconded and passed unanimously.

Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye

PUBLC HEARINGS

Vice Chair Hayward opened the type IV legislative hearing on amendments to the Warrenton Comprehensive Plan (CP-22-1) and the Warrenton Development Code (DCR-22-1). The proposed amendments would amend WMC chapters 16.40 General Commercial Zone (C-1), 16.44 Mixed Use Commercial (CMU), & 16.60 General Industrial (I-1) and Comprehensive Plan Article 9 "Economy" in order to implement the Economic Opportunity Analysis (EOA).

Planning consultant Kevin Cronin noted this was discussed at a work session last month. He noted the staff report on proposed amendment to the Warrenton Comprehensive Plan and Warrenton Development Code.

Discussion followed about recent changes regarding marijuana dispensaries. Commissioner Yuill feels marijuana manufacturing should be a conditional use. Mr. Cronin responded that he did not propose any changes regarding marijuana. Brief discussion continued.

Commissioner Yuill asked about changes to storage unit facilities. Mr. Cronin explained his

MINUTES Warrenton Planning Commission Work Session – 4.14.22 Page: 1 suggested change for units be conditional uses in both C-1 and I-1. Brief discussion followed.

Discussion followed about the memo from Public Works Director Collin Stelzig regarding breweries impacts on infrastructure. Commissioner Yuill explained why he would still like for breweries to be conditional uses. Mr. Cronin noted the wastewater system would be impacted, then explained the site design review process and requirements for type III or type II review. Discussion followed about the industrial pretreatment program mentioned in the memo. Commissioner Gaebel agreed breweries should be conditional uses. She also agreed that the marijuana should be a conditional use in both areas. Commissioner Swanson feels information should be provided to the public about a pretreatment program especially regarding funding. Discussion continued about breweries. There were concerns about having to expand the wastewater treatment plant. It was noted the requirement for taprooms is to encourage a retail presence and be neighborhood friendly, but there was concern about start-ups not being able to support the cost of taprooms upfront. Commissioner Yuill suggested changing the language from "shall" to "may" regarding the requirement. Commissioner Swanson agreed.

Commissioner Gaebel asked how the suggested changes will affect the adoption process. Mr. Cronin explained they should close the hearing if there is no public comment and allow staff to make the changes. The revised documents could then be scheduled for a public hearing with the City Commission or brought back to the Planning Commission in May. Commissioner Gabel suggested closing the hearing.

Commissioner Yuill discussed his thoughts about adding drive throughs as conditional uses and food carts as permitted uses in the CMU zone.

Commissioner Gaebel made a motion to close the public hearing. The motion was seconded and passed unanimously.

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Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye
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Vice Chair Hayward closed the public hearing.

Commissioner Gaebel made the motion to make breweries a conditional use and also that the marijuana (manufacturers and retail distributers) be a conditional use. Vice Chair Hayward requested the motion be restated as two separate motions.

Commissioner Gaebel made the motion to make breweries a conditional use. Motion was seconded and passed unanimously.

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Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye
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Commissioner Gaebel made the motion to make the manufacturing of marijuana a conditional use in all zones. Motion was seconded and passed unanimously.

Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye

MINUTES Warrenton Planning Commission Work Session – 4.14.22 Page: 2 Commissioner Yuill made the motion to, as a conditional use in the CMU, have drive-up facilities. Commissioner Bridgens asked for clarification. Mr. Cronin noted CMU zones in Hammond and Chelsea Gardens and explained the purpose of the zone is to encourage a pedestrian friendly environment. Drive throughs conflict with this. Discussion continued.

Commissioner Yuill made a motion to, under the conditional use aspect in CMU, allow food carts. Motion was seconded and passed with majority in favor. Commissioner Gaebel asked if making food carts conditional uses would allow them to be made temporary. Mr. Cronin briefly explained temporary uses and stated he is not recommending this as a temporary use. Commissioner Yuill asked about setting date and time restrictions as conditions of approval for food carts if made to be conditional uses. Mr. Cronin stated this could be added as a legal condition of approval. Commissioner Yuill explained his reasoning for the food carts being conditional uses to support the goal of developing more economic opportunities. There was brief discussion about what the conditions should be. Commissioner Yuill feels it should be addressed on a case-by-case basis. Discussion about food carts continued.

Hayward – nay; Swanson – aye; Yuill – aye; Gaebel – nay; Bridgens – aye

There was brief discussion about the language requiring taprooms for breweries.

Commissioner Yuill made the motion to, under breweries, change the wording from "shall include a taproom" to "may include a taproom." Motion was seconded and passed unanimously. There was brief discussion about what a taproom is and how it increases the cost.

Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye

Vice Chair Hayward asked about continuing this to the next meeting for a final draft.

Commissioner Gaebel made the motion to have Kevin make the changes and it come back to the May meeting. Motion was seconded and passed unanimously.

Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye

Vice Chair Hayward noted the suggested changes to the agenda format as proposed by staff.

Commissioner Gaebel made the motion to make the changes recommended. Motion was seconded and passed unanimously.

Hayward – aye; Swanson – aye; Yuill – aye; Gaebel – aye; Bridgens – aye

DISCUSSION - None

GOOD OF THE ORDER - None

Commissioner Bridgens noted Warrenton is growing and feels there are not enough police officers or firefighters. Commissioner Gaebel suggested participating in the budget committee

MINUTES Warrenton Planning Commission Work Session – 4.14.22 Page: 3 hearing. Commissioner Swanson suggested offering public comment at a City Commission meeting. Vice Chair Hayward made comments in agreement.

There being no further business, Vice Chair Hayward adjourned the meeting at 6:45 p.m.

There being no further business, vice C	APPROVED:		
	APPROVED:		
ATTEST:	Paul Mitchell, Chair		
Rebecca Sprengeler, Secretary			

https://www.dailyastorian.com/news/local/for-astoria-breweries-wastewater-a-byproduct-of-success/article_f7465e52-bf7c-11ec-a088-73b2d92188a8.html

SPOTLIGHT

For Astoria breweries, wastewater a byproduct of success

City working with businesses to preserve treatment lagoons

By Nicole Bales The Astorian Apr 29, 2022



Astoria has three wastewater treatment lagoons in Alderbrook. Lydia Ely/The Astorian

As craft breweries in Astoria have soared over the past decade, so has the impact on the city's wastewater treatment.

Three treatment lagoons on the east end of Alderbrook progressively treat wastewater before it is released into the Columbia River. Built in the 1970s, the lagoons were not designed to treat industrial waste, which is higher strength and usually has dramatically higher concentration of solids than residential or other commercial waste.

When breweries, cideries and distilleries began cropping up, the potential impact of large quantities of wastewater on the treatment system was not known. Over time, as production increased at Fort George Brewery and Buoy Beer Co. — the city's largest breweries — the

concentration of suspended solids from the hops, barley and yeast used in the brewing
process started to strain the system.
By 2019, the city estimated the lagoons received enough solids for 23,000 people, more than
double the city's population.
The city was facing costly upgrades to increase capacity and significant environmental fines if
treated wastewater pumped into the river was not clean enough for federal standards.
The impact caught the city and the two breweries by surprise.
The impact caught the city and the two bleweries by surprise.
"Back when we didn't know what it was doing, or the volumes were smaller — it was just kind
of creeping up on us — we could look at it and say, 'Wow, this is scary,' or, 'Hey, our limits are
getting up there," said Jeff Harrington, the city's public works director. "But now we're
bumping right up against the edge."

The city began working with the two breweries, the state and others to develop solutions, including an industrial pretreatment program, which limits the amount of industrial waste that can enter the treatment lagoons.

The program requires all existing and new fermentation cluster businesses to have industrial discharge permits, which set the limits. It will also include a new rate structure that will classify different users based on concentration of wastewater.

The city is moving forward with another project to increase capacity, which is expected to be complete by 2025. Until then, the remaining capacity has been dedicated to existing businesses. New breweries will be required to treat wastewater to the level of a residential user before it enters the lagoons.

The City Council is expected to approve an ordinance in the coming weeks that will formalize the program and set a framework. Separate resolutions will detail specific aspects, including the limits and rate structure.

The first public hearing on the ordinance will be held Monday night.

Some business leaders and brewery owners feel the new regulations and wastewater fees could make further expansion in Astoria too costly, or make it too expensive for new ventures to enter the market. There are also concerns that businesses will be left to compete for capacity.

Craft beer boom

The problem Astoria is facing is not unique.

Craft beer has boomed across the country, forcing cities and breweries to figure out how to address the impact on municipal treatment systems. Down the coast from Astoria, for example, Newport created an industrial pretreatment program and levied fines against Rogue Ales for not meeting limits.

Between the industrial pretreatment program and another \$5 million project to expand capacity, Astoria expects the treatment lagoons to last until 2045.

The project will turn a lagoon into a sludge storage pond with baffles and a new headworks to filter out grit and other solids. The city recently received nearly \$5 million in coronavirus relief funds to complete the project.

If nothing were done to address the industrial waste from breweries, the city said it is possible a mechanically driven plant would be necessary within five years, which is estimated to cost between \$50 million and \$70 million.

City engineers say Astoria is well suited for treatment lagoons, and that a mechanical plant is not a viable option. Even with a mechanical plant, the city said it would still need an industrial pretreatment program, which is common in other municipalities.

Astoria has never had significant industrial users on the treatment system before Fort George and Buoy Beer. Requests from seafood processors to discharge into the system have been denied, which has forced the businesses to work with the state Department of Environmental Quality to treat their own waste and discharge it directly into the river.

The city issued Fort George and Buoy Beer industrial discharge permits ahead of establishing the program so they could keep up with expansions while working toward a solution. The permits allowed the breweries to discharge a higher level of solids than previously agreed upon.

Fort George and Buoy Beer jointly hired John Mercer, a brewery wastewater consultant, which led to developing a side-streaming system, which removes the heaviest effluent before the wastewater is discharged into the city's system.

Fort George puts the heavy effluent into tanks that are taken to local farms for supplemental cattle feed most of the year. The farms cannot take the effluent during the winter, which leaves the brewery needing to find another option for a few months a year.

"It's been a very difficult pivot," Chris Nemlowill, the owner of Fort George Brewery, told The Astorian, adding that the process and logistics have been costly and time-consuming.

He said the lagoons are outdated infrastructure, and that he would like to see capacity upgrades that can accommodate growth in the city.

"I do think it's really important that we take this opportunity to look at any additional capacity we could gain with our current wastewater treatment plant," he said. "I am concerned because without capacity upgrades, you're just in a spot where the fermentation sector cannot grow in Astoria.

"It will be impossible. I don't think people are going to want to start businesses in Astoria if they can't grow them."

Nemlowill said he would like to come back to the table before the city moves forward with the ordinance.

Nemlowill and David Kroening, the president and general manager of Buoy Beer, said they are not advocating for a new mechanical plant, but do want to see more creative solutions to increase capacity.

"I don't know if we've solved or if we have enough information yet, if everything we're doing now is going to solve the issue," Kroening said during a City Council meeting in April. "What other changes might be coming? Are we investing money in now and then we get into another issue in three years where we're not low enough, and it comes down that we need to spend multimillion dollars at that point? That's going to be a challenge that I'm not sure how we will solve it if we get to that."

City engineers have acknowledged the amount of infrastructure Fort George and Buoy Beer have contributed to improve treatment capacity.

"We have seen it hands-down affect the wastewater treatment plant in a positive way," Cindy Moore, the assistant city engineer, said. "There's this fine-tuning of the difficulty associated with the wintertime discharge."

Harrington said there is nothing that could have been done or can be done to the treatment plant that will allow the breweries to continue discharging as they have been in recent years.

"Industry usually deals with their waste before it gets discharged," Harrington said, adding that treating at the source is most economical and that on-site treatment is common for larger breweries.

New breweries

Obelisk Beer Co., a brewery planning to open in Astoria this year, is one of the first new breweries to navigate the new regulations.

When Dave Coyne and Nathan Lampson, owners of Obelisk Beer, approached the city for a building permit, they were told they would first need to have a plan in place to pretreat wastewater on-site to a level consistent with a residence before it goes into the city's treatment lagoons.

For Coyne and Lampson, who are planning on opening a taproom on Bond Street, that meant implementing a biological treatment system to treat wastewater.

Lampson has advocated for some capacity being allocated for new businesses, saying it could keep other businesses from coming to Astoria.

"A part of it is comforting because we know that with the path where we have our own biological treatment, we're not as beholden to changes in effluent capacity," Lampson told The Astorian. "But the flip is that we're starting a pretty small project and the costs associated with the improvement is pretty high.

"I'm just hoping that for other small projects, that doesn't prevent them from existing."

Nicole Bales

Reporter

Nicole Bales is a reporter for The Astorian. Contact her at 971-704-1723 or nbales@dailyastorian.com.

Warrenton No Main Collapse Search Print No Municipal Code

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Previous

T itle 16
DEVELOPMENT
CODE

D ivision 2 LAND USE DISTRICTS

C hapter 16.40 GENERAL COMMERCIAL (C-1) DISTRICT*

CodeAlert: This topic has been affected by Ordinance No. 1 249. To view amendments and newly added provisions, please refer to the C odeAlert Amendment List.

1 6.40.010 Purpose.

The purpose of the General Commercial Zone is to allow a broad range of commercial uses providing products and services in the Warrenton downtown area, the Hammond business district and marina, and along the Highway 101 corridor.

16.40.020 Permitted Uses.

The following uses and their accessory uses are permitted in the C-1 zone if the uses conform to the standards in Sections through 16.40.060, Chapters 16.124, 16.212 and other applicable Development Code standards, and other City laws:

- A. Only the following uses and their accessory uses are permitted along Highway 101, SE Marlin, SE Ensign Drive, SE Discovery Lane, and SE Dolphin Avenues and shall comply with the above noted sections as well as Chapter 16.132:
 - 1. Personal and business service establishments such as barber or beauty shop, clothes cleaning, funeral home **and pet grooming**.
 - 2. Professional, financial, business and medical offices.
 - 3. Retail business establishments.
 - 4. Amusement enterprises such as theater or bowling alley.
 - 5. Technical, professional, vocational and business schools.
 - 6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
 - 7. Eating and drinking establishment.
 - 8. Hotel, motel or other tourist accommodation, including bed and breakfast.
 - 9. Automobile sales, and/or service and parts establishment.
 - 10. Boat and marine equipment sales, service or repair facilities.
 - 11. Building material sales yard.
 - 12. Government buildings and uses.
 - 13. Transportation facilities and improvements subject to the standards of Section 16.20.040.
 - 14. Dredge material disposal (DMD) subject to Section 16.40.050 (site 27S located within this area zoned C-1) and Chapter 16.104.
 - 15. Community garden(s) (see definitions).
 - 16. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
 - 17. Congregate care or assisted living facility.

18.	Public utilities, including pipelines, cables, and utility crossings but not structures.

- 19. Commercial uses with second floor residential use(s) [apartment(s)] or on the same lot with existing single family detached built prior to April 2, 1997.
- 20. Homestay lodging subject to the standards in Chapter 8.24.
- 21. Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
- 22. Medical marijuana dispensaries and recreational marijuana retail outlets licensed by the State of Oregon and subject to Section 16.40.060.I.
 - 23. Similar uses as those stated above.
- B. For all other C-1 zoned areas within the City limits of Warrenton, the following uses and their accessory uses are permitted and shall comply with the above noted sections:
 - 1. Personal and business service establishments such as barber or beauty shop, clothes cleaning or funeral home, **and pet grooming.**
 - 2. Professional, financial, business and medical offices.
 - 3. Retail business establishments.
 - 4. Amusement enterprises such as theater or bowling alley.
 - 5. Technical, professional, vocational and business schools.
 - 6. Membership organizations such as unions, lodge hall, club or fraternal buildings.
 - 7. Eating and drinking establishment, **including food carts and food pods.**
 - 8. Hotel, motel or other tourist accommodation, including bed and breakfast.
 - 9. Automobile sales, service or repair establishment.
 - 10. Boat and marine equipment sales, service or repair facilities.
 - 11. Building material sales yard.
 - 12. Residential home.
 - 13. Residential (care) facility.
 - 14. Home occupations (must comply with paragraph 19 of this subsection).
 - 15. Child care center.
 - 16. Government buildings and uses.
 - 17. Public utilities, including structures, pipelines, cables, and utility crossings.
 - 18. Hospital, medical offices, sanitarium, rest home, nursing or convalescent home.
 - 19. Congregate care or assisted living facility.
 - 20. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged.
 - 21. Transportation facilities and improvements subject to the standards of Section 16.20.040.
 - 22. Community garden(s) (see definitions).
 - 23. Commercial uses with second floor residential use(s) [apartment(s)] or on the same lot with existing single- family detached built prior to April 2, 1997.
 - 24. Homestay lodging subject to the standards in Chapter 8.24.
 - 25. Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
 - 26. Similar uses as those stated in this section. (Ord. 1248 § 2, 2021; Ord. 1234 § 1, 2020; Ord. 1196-A § 1, 2015; Ord. 1186-A § 1, 2014; Ord. 1177-A § 2, 2013)

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:
 - 1. Cabinet, carpenter, woodworking or sheet metal shops.
 - 2. Processing uses such as bottling plants, bakeries and commercial laundries.
 - 3. Research and development establishments, laboratories, and similar facilities.
 - 4. Wholesale storage and distribution facilities, including cold storage.
 - 5. RV Park.
 - 6. New drive-through/drive-up facility or substantially improved as defined by 25% of assessed value.
 - 7. Similar uses as those stated in this section.
- B. The following uses and their accessory uses are permitted in all other C-1 zoned areas within the City limits of Warrenton:
 - 1. Cabinet, carpenter, woodworking or sheet metal shops.
 - 2. Building contractor shops, including plumbing, electrical and HVAC.
 - 3. Fuel oil distributor.
 - 4. Processing uses such as bottling plants, bakeries, **coffee roasters**, and commercial laundries.
 - 5. Research and development establishments, laboratories, and similar uses.
 - 6. Wholesale storage and distribution facilities, including cold storage.
 - 7. Veterinary clinic, kennels.
 - 8. Tool and equipment rental.
 - 9. Mini-warehouses or similar storage uses, subject to the requirements in Section 16.116.030(G).
 - 10. Church, synagogue, or other place of worship.
 - 11. Commercial uses with 2nd floor residential use(s) [apartment(s)].
 - 12. RV Park.
 - 13. Multifamily housing development subject to the development and other applicable standards of Chapter 16.36, Section 16.124.070 generally and Section 16.124.070(C)(1) specifically, and Chapter 16.188.
 - 14. Cottage manufacturing that occurs in tenant spaces or structures that are less than 2,000 SF.
 - 15. Fermentation enterprises, such as breweries and distillers, may also include a taproom.
 - 16. Similar uses to those listed in this section. (Ord. 1242 § 1, 2020; Ord. 1225 § 3, 2019; Ord. 1211-A § 1, 2017)

16.40.40 040 Development Standards.

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

- A. Density Provisions.
 - 1. Minimum lot size, commercial uses: none.
 - 2. Minimum lot width, commercial uses: none.
 - 3. Minimum lot depth, commercial uses: none.
 - 4. Maximum building height: 45 feet.
 - 5. Commercial uses, maximum lot coverage: none.
- B. <u>S etback Requirements</u>.

- 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.
- 2. Minimum side and rear yard setbacks, commercial uses: 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.
- C. Landscaping requirements shall comply with Chapter 16.124 of the Development Code.

16.40.50 <u>050 Design Standards.</u>

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 Review approval. (Ord. 1225 § 3, 2019)

16.40.60 <u>060 Other Applicable Standards.</u>

- 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. RV parks shall comply with Chapter 16.176 and all applicable State and Federal laws and regulations.
- H. 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 pro-ponent 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.
- I. State licensed medical marijuana dispensaries and recreational marijuana retail outlets shall be located only east of Highway 101 and at least 1,000 feet from any public or private school, church, public park, or child care center, and operate exclusively as a single building occupant or with other licensed medical marijuana dispensaries or recreational marijuana retail outlets. (Ord. 1196-A § 2, 2015)

Warrenton \underline{N} ext \underline{M} ain \underline{C} ollapse \underline{S} earch \underline{P} rint No Municipal Code

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D ivision 2 LAND USE DISTRICTS

C hapter 16.44 COMMERCIAL MIXED USE (C-MU) DISTRICT

16.44.10 010 Purpose and Applicability.

- A. <u>P urpose</u>. A City goal 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. This chapter provides standards for the orderly improvement of mixed-use commercial areas based on the following policies:
 - 1. Use land and urban services efficiently;
 - 2. Support a mixture of land uses to encourage walking as an alternative to driving, and provide more employment and housing options; and
 - 3. Allow certain commercial uses amongst existing residential uses that are compatible with, and add interest to, the established residential character of the area.
- B. The Commercial Mixed-Use District applies to the following area: those properties bounded by 4th and 9th Streets along S. Main Avenue (Fort Stevens Highway/State Highway 104) extending west to, and including, the easterly half of the old railroad right-of-way and extending east to the Skipanon River's A-2 (Aquatic Conservation) Zoning District.

16.44.20 <u>020 Permitted Uses.</u>

The following uses and their accessory uses are permitted in the C-MU district if the Community Development Director determines that the uses conform to the standards in Sections 16.44.040 and 16.44.050, applicable Development Code standards, and other City laws. All new sewer and water connections for a proposed development shall comply with all City regulations:

A. Residential.

- 1. Single-family detached dwelling with covered parking in accordance with Chapter 16.180 on lots not having direct frontage on, or taking direct access from, a State highway.
- 2. Duplex, townhome, triplex, multifamily and rowhouse with garage (attached or detached) in accordance with Chapter 16.180 and subject to standards of Chapter 16.184.
- 3. Daycare center.
- 4. Home occupation, shall comply with Section 16.44.020(A)(5).
- 5. Single-family residences existing prior to April 2, 1997 may be repaired, remodeled, expanded, or replaced if damaged so long as building permits are obtained within 12 months of the date of discontinuance.
- 6. Homestay lodging subject to the standards in Chapter 8.24.
- 7. Accessory dwelling subject to standards of Section 16.180.040.
- 8. Similar uses as those listed in this section.
- B. Public and Institutional.

- 1. Church, synagogue, or other place of worship.
- 2. Clubs, lodges, similar uses.
- 3. Government buildings and uses.
- 4. Libraries, museums, community centers, and similar uses.

- 5. Public parking lots and garages, subject to design standards in Chapter 16.128.
- 6. Public utilities, including structures, pipelines, cables, and utility crossings.
- 7. Transportation facilities and improvements subject to the standards of Section 16.20.040.
- 8. Community garden(s) and public parks.
- 9. Similar uses as those listed in this section.

C. Commercial.

- 1. Personal and business service establishments such as a barber or beauty shop, clothes cleaning or a funeral home.
- 2. Professional, financial, business and medical offices. Drive-through facilities are not permitted within the C-MU district.
- 3. Retail business establishments and processing uses (e.g., bakery) of goods sold on site.
- 4. Amusement enterprises such as a theater or bowling alley.
- 5. Technical, professional, vocational and business schools.
- 6. Eating and drinking establishments. Drive-through facilities are not permitted within the C-MU district.
- 7. Hotel, motel or other tourist accommodation, including bed and breakfast.
- 8. Food carts and pods.
- 9. Multiple (or mixed) uses on the same lot or parcel.
- 10. Multiple (or mixed) uses on adjoining lots or parcels.
- 11. Similar uses as those listed in this section. (Ord. 1248 § 2, 2021; Ord. 1186-A § 2, 2014)

16.44.30 **030 Conditional Uses.**

The uses listed under Section 16.44.020 and their accessory uses may be permitted in the C-MU district when approved under Chapter 16.220, Conditional Use Permits:

- A. Cabinet, carpenter, woodworking or sheet metal shops, fully enclosed in a building.
- B. Building contractor shops, including plumbing, electrical and HVAC.
- C. Cottage manufacturing that occurs in tenant spaces or structures that are less than 2,000 SF.
- D. Research and development establishments, laboratories, and similar facilities.
- E. Drive-through/drive-up facility.
- E Vacation rental dwelling subject to the safety regulations in Section 8.24.030.
- F. Fermentation enterprises, such as breweries and distillers, may also have a taproom.
- G. Similar uses as those listed in this section. (Ord. 1248 § 2, 2021; Ord. 1225 § 4, 2019)

16.44.40 040 Development Standards.

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

- A. <u>Density Provisions.</u>
 - 1. Minimum lot size, commercial uses: none.
 - 2. Minimum lot size, residential uses: same as in Section 16.36.040.
 - 3. Minimum lot size, multiple-use commercial and residential developments (commercial and residential uses on the same lot): same as in Section 16.36.040.
 - 4. Minimum lot width, commercial uses: none.

- 5. Minimum lot width at the front building line, residential uses: same as in Section 16.36.040.
- 6. Minimum lot depth, commercial uses: none.
- 7. Minimum lot depth, residential uses: same as in Section 16.36.040.

- 8. Maximum building height: commercial, 45 feet; residential, 40 feet.
- 9. Lot coverage—Commercial uses and multiple uses: There is no maximum lot coverage requirement, except that compliance with other sections of this Code may preclude full (100%) lot coverage for some land uses.
- 10. Lot coverage—Residential uses: Not more than 55% of the lot area shall be covered by buildings, except as may be permitted by conditional use or variance.

B. <u>S etback Requirements (Residential and Multiple Uses)</u>.

- 1. Minimum front yard setback: 15 feet. (residential); none (multiple uses)
- 2. Minimum side yard setback: eight feet.
- 3. Minimum corner lot street side yard setback: eight 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. <u>S etback Requirements (Commercial Uses)</u>.

- 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. (Ord. 1225 § 4, 2019)

16.44.50 050 Other Applicable Standards.

- A. A mixed-use commercial district shall be located no closer than one-quarter mile from another mixed-use commercial district.
- B. Mixed-use commercial uses shall have frontage onto a state highway.
- C. Outside sales and service areas must be approved by the Warrenton Planning Commission if not enclosed by suitable vegetation, fencing or walls.
- D. Outside storage areas will be enclosed by suitable vegetation, fencing or walls, in conformance with Chapter 16.124.
- E. All uses will comply with access and parking standards in Chapter 16.128 except as may be permitted by conditional use or variance.
- F. Signs will comply with standards in Chapter 16.144.

G.	All development shall comply with the wetland and riparian area protection standards of Chapter 16.156.

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Warrenton **C** ollapse N ext M ain S earch P rint No **Municipal Code Frames**

U p **Previous** Title 16 **DEVELOPMENT**

D ivision 2 LAND USE DISTRICTS

Chapter 16.60 GENERAL INDUSTRIAL (I-1) DISTRICT*

* CodeAlert: This topic has been affected by Ordinance No. $\frac{1}{249}$. To view amendments and newly added provisions, please refer to the C odeAlert Amendment List.

16.60.10 **010** Purpose.

The purpose of the General Industrial Zone is to provide sites for employment related industries such as light, heavy, and airport-related industrial activities in the City of Warrenton. These areas are suitable for uses involving manufacturing, fabrication, processing, transshipment and bulk storage. General Industrial areas are near or adjacent to arterial transportation corridors.

16.60.020 Permitted Uses.

The following uses and activities and their accessory uses and activities are permitted in the I-1 zone if the Community Development Director determines that the uses conform to the standards of Section 16.60.040, applicable Development Code standards, and other City regulations:

- Production, processing, assembling, packaging or treatment of such products as food and beverage products, pharmaceutical, hardware and machine products. Retail of products made on site is permitted as an accessory use.
- B. 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.
- Research and development laboratories and similar uses.
- D. Printing facilities.
- E Public utility facilities such as power stations, sewage and water treatment plants.
- F. 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.
- Vehicle repair (welding, painting and service, and parts facilities).
- Airport support structures: hangars, weather stations, fuel terminals and storage buildings, etc.
- I. Mini-warehouses or similar storage uses.
- J. Contractor shop or equipment storage yard for storage and rental of equipment commonly used by a contractor.
- Cabinet, carpenter, woodworking, metal **fabrication** shops or similar establishments.
- L. Professional, financial, medical, or business offices.
- Public utilities, including structures, pipelines, cables, and utility crossings.
- N. Government buildings and uses.
- O. Passive restoration.
- P. Government buildings and uses.
- Transportation facilities and improvements subject to the standards of Section 16.20.040.

- R. Dredge material disposal (DMD) subject to Section 16.60.040 (site 20S), and Chapter 16.104.
- S. Community garden(s) (see definitions).

- T. Food and/or beverage trucks or carts.
- U. Similar uses to those listed in this section. (Ord. 1605-A § 1, 2016; Ord. 1196-A § 3, 2015; Ord. 1186-A § 5, 2014)

16.60.030 Conditional Uses.

The following uses and activities and their accessory uses and activities may be permitted in the I-1 zone when approved under Chapter 16.220, and subject to the provisions in Section 16.60.040, Development Standards:

- A. Heavy fabrication of finished or semi-finished products from raw materials.
- B. Airport runway extensions or relocations.
- C. One caretaker unit for each primary industrial use on a lot or parcel subject to the following conditions:
 - 1. The unit shall be served with public water and sanitary sewerage disposal, in conformance with City engineering and public works requirements.
 - The unit shall meet all applicable fire, safety, and building code requirements.
 - The unit shall be located no closer than 10 feet to any property line.
- D. New hospital, community college, or similar campus type facilities subject to institutional master plan standards in Section 16.224.
- E. New mini warehouse or similar storage facilities.
- Recreational marijuana production, recreational marijuana processing, or recreational marijuana wholesale activities, subject to Section 16.60.040.
- G. Similar uses as those listed in this section.

16.60.40 040 Development Standards.

The following standards are applicable in the I-1 zone:

- A. A ir 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.
- N oise. As may be permitted under all applicable laws and regulations.
- S torage. 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. F encing. 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.
- B uffer. 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.
- V ibration. 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. A irport 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 nonindustrial zone, the setback from the property line shall be 10 feet. When a property abuts a non-industrial zone, the setback shall be as follows:
 - 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. <u>B uilding Height</u>. 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 Hazard Overlay Zone, where the maximum building height is described by the Airport Hazard 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.
- N. Recreational marijuana production, recreational marijuana processing, and recreational marijuana wholesale activities shall be located only east of Highway 101 and at least 1,000 feet from any public or private school, church, public park or child care center, and shall exclusively as a single building occupant or with other licensed medical marijuana dispensaries or recreational marijuana retail outlets. (Ord. 1196-A § 4, 2015)

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