



AGENDA

WARRENTON PLANNING COMMISSION
Regular Meeting | November 9, 2023 | 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=VG5sMFFTVEqTWI1dXVXSTBFbWw2UT09>

Meeting ID: 851 4280 5492 | **Passcode:** 12345 | **Dial in number:** 253-215-8782

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. ATTENDANCE

3. Election of Chair and Vice Chair for 2024 Calendar Year

4. APPROVAL OF MINUTES

- A. Planning Commission Regular Minutes – 10.12.23

5. PUBLIC COMMENT

At this time, anyone wishing to address the Planning Commission concerning items of interest may do so. The person addressing the Planning 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 Planning Commission and limited to 3 minutes per person. Public Comments may also be submitted by email to the Secretary, rsprengeler@ci.warrenton.or.us, no later than 4:00 p.m. the day of the meeting. The Planning Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. PUBLIC HEARING

- A. CONTINUED: Development Code Revision DCR-23-2, Mini-warehouse Regulations, Ordinance No. 1267

7. BUSINESS ITEMS

8. DISCUSSION ITEMS

- A. Accessory Dwelling Unit Code (DCR-23-6)

9. GOOD OF THE ORDER

10. ADJOURNMENT

Next Regular Meeting: December 14, 2023

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
 October 12, 2023
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

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

Commissioners Present: Kevin Swanson, Christine Bridgens (at 6:01 pm), Mike Moha, Chris Hayward, Jessica Sollaccio, Karin Hopper, and Lylla Gaebel

Staff Present: Planning Director Jay Blake and Planning Technician Rebecca Sprengeler

3. APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – 9.14.23

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

Swanson–aye; Moha–aye; Hayward–aye; Sollaccio–aye; Hopper–aye; Gaebel–aye

4. PUBLIC COMMENT ON NON-AGENDA ITEMS – None

5. PUBLIC HEARINGS

A. Development Code Revision DCR-23-2, Mini-warehouse Regulations, Ordinance No. 1267

Chair Hayward opened the hearing and read the hearing script. No conflicts of interest or ex-parte contacts were disclosed. No one challenged the Commissioner’s impartiality.

Planning Director Jay Blake presented the staff report. He noted previous discussions on the regulations to evaluate the number of current mini-storage sites in Warrenton compared to other communities, taxes, and jobs generated, and promoting the highest and best use of property with available infrastructure. Commissioner Bridgens added there are no restrictions that renters be within city limits, so the service does not solely support residents.

Chair Hayward asked for public testimony. No one spoke.

Commissioner Hopper asked about establishing a more restrictive ratio of units to population, establishing a maximum number of units, and restricting the use of current properties upon sale. Mr. Blake responded a higher restriction would need to be reviewed by legal and raising the cap

would be through an ordinance amendment. It was suggested that a tax be established for renters who do not live in the city. Mr. Blake explained a new tax would need to be reviewed by legal, go to the voters, and was concerned about equal protection under the law. Another suggestion was to tax mini-storage at a higher rate; this would discourage more development, recoup lost taxes, and would be easier to regulate than the residence status of renters. There was a previous discussion about regulating mini storage by square footage instead of by the number of units. This would allow more flexibility for the property owner and would be easier for staff to track. A brief discussion followed about a ban on mini-storage; it is possible but may be more difficult to defend legally. Commissioner Sollaccio asked if there is a way to limit mini-storage to certain zones. Mr. Blake noted that designated sites under the approved ordinance would be allowed to rebuild like the non-conforming use code, but it is still up in the air. Discussion continued about the square footage limitation. Commissioner Bridgens suggested adding language that when an existing unit is removed, it cannot be replaced somewhere else. Mr. Blake would need to bring this to legal for review because it is like a ban. Discussion continued.

Chair Hayward closed the public hearing.

Chair Hayward noted that the highest and best use is based on market function. The number of apartments in Warrenton may contribute to the high number of units. Commissioner Hopper would like to see a cap on the current number. She was concerned about the expected population growth dramatically increasing the number of units. The location of some units are prime locations that need to be protected. Commissioner Sollaccio noted more staff will be needed to serve the increase in population and they should be taxed at a higher rate. Commissioner Gaebel noted it is easy to raise a cap if needed in the future and was in favor of regulating by square footage. Commissioner Moha feels the cap should not apply to the I-1 zone. Much of the I-1 property is government-owned and tax-exempt. C-1 should be protected, but there have not been many applications for the I-1 zone and some tax is better than none. He suggested it remain conditional in I-1. Mr. Blake suggested bringing multiple options of the ordinance back after review from legal. The commission was generally in favor of multiple options. Chair Hayward would like clarification on the authority to implement a tax.

Commissioner Gaebel made a motion that the Planning Commission table Ordinance 1267 for further research and information. Motions was seconded and passed unanimously.

Swanson-aye; Bridgens-aye; Moha-aye; Hayward-aye; Sollaccio-aye; Hopper-aye; Gaebel-aye

6. BUSINESS ITEMS – None

7. DISCUSSION ITEMS

A. Sign Code Task Force Report

Mr. Bake presented the final report from the sign code task force with recommendations. He suggested holding mini-work sessions during future regular meetings to create a new code based on the report. Commissioner Sollaccio supported removing signs from the development code.

Commissioner Gabel suggested a change in the temporary political sign language. Commissioner Swanson would like a theme or motif for Warrenton like Sisters, Oregon. Commissioner Bridgens felt a theme would be difficult to do. The sign committee felt a theme should be created by downtown businesses, not driven by the city. Commissioner Moha felt it may be difficult to gain interest from the business owners. Chair Hayward agreed that businesses and developers should drive a theme. Mr. Blake felt the City Commission would be supportive of creating new street signs. Discussion followed about the Hammond district signage. Commissioner Hopper suggested time regulations for signs in residential areas.

B. Draft Residential Poultry Regulations

Mr. Blake presented code recommendations. There was an email from a citizen with concerns about the fee. The rate is up for discussion. The chicken complaints have increased and are mostly from free-range and noise. Commissioner Bridgens was concerned about wild animals. Enforcement would be through the Planning Department. Chair Hayward suggested criteria for coops. Commissioner Hopper liked the Sherwood ordinance except for the limit of 5 chickens even on large properties. There was general support for no roosters and concerns about rodents. Commissioner Gaebel suggested secure coops to deter predators.

8. GOOD OF THE ORDER

Mr. Blake – There was one response for the code audit that was over budget, with little experience. The whole audit will not move forward. The city received a state grant to complete a residential code audit this year. Next year will be commercial and industrial audits. He will meet with Columbia Memorial Hospital CEO to talk about their property in the industrial North Coast Business Park (NCBP). Creating a jobs-based zoning district based on jobs per acre may be a better zone there. He would like to discuss this with the NCBP property owners. He also reviewed an article about homebuyers being outbid by investors.

There being no further business, Chair Hayward adjourned the meeting at 7:22 p.m.

APPROVED:

ATTEST:

Chris Hayward, Chair

Rebecca Sprengeler, Secretary




City of Warrenton

Planning Department

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Phone: 503.861.0920 Fax: 503.861.2351

STAFF REPORT

TO: Warrenton Planning Commission
 FROM: Jay Blake, Planning Director 
 DATE: November 9, 2023
 SUBJ: Public Hearing: Ordinance 1267 – Type IV Review
 An ordinance defining mini-warehouse facilities and establishing a cap on the number of units within the City of Warrenton

At the October Planning commission meeting, staff was directed to prepare a revised Ordinance related to the cap on mini-warehouse sites/units within the city of Warrenton based on square footage of structures used for mini-storage units.

The Warrenton Planning Commission tabled the request, so it they must make a motion to remove it from the table and continue discussion on the item.

The proposed ordinance was sent to legal staff for guidance. At the time of the packet completion, we have not yet received legal recommendations. They will be presented at the meeting.

Staff did prepare an analysis of the square footage for all existing or in-process mini-warehouse buildings within the city it is included in this packet.

Background (from October, 2023 Planning Commission Meeting):

City staff received numerous requests related to the construction of new mini-storage units (now-defined as mini-warehouse facilities) in the Commercial and Industrial zoning districts. The requests continued even after the adoption of new design and location standards were established by Ordinance 1242 in 2020.

The initial review of this topic, held in March and April of 2023 focused on tax receipts from current mini-storage in Commercial and Industrial zones relative to other types of uses in the same zones. Staff presented research that showed that tax receipts from mini-warehouse facilities was significantly lower than on other comparably sized developments. Staff also noted that the number of mini-warehouse sites and units in Warrenton far exceeded the number of sites in other cities in Clatsop County and even the entire county combined. Warrenton has become a hub of mini-storage units.

In May the planning Commission invited all mini-warehouse owners to a live and virtual meeting to review the issues. No one attended. Staff was then directed to examine employment created by these uses. Using the same properties from the tax analysis, staff found that eight (8) full-time equivalent (FTE) people were employed by the mini-warehouse sites based on City business license records. However, other Commercial or Industrial uses (on similarly sized tracts) employed 162 FTE – twenty times higher employment rates than mini-warehouse facilities.

Staff noted that these facilities typically do not require the availability of municipal sewer or water services and could be served by on-site wells or septic systems. Staff supported the notion that our municipal systems should be reserved for higher tax-generating and employment-generating uses.

Staff worked with our legal counsel to develop a draft Ordinance for your consideration.

As a Type IV application this requires a public hearing by the Planning Commission and at least one hearing by the City Commission.

The following items are included in the packet:

- Mini-storage density analysis for Clatsop County
- Tax and FTE Analysis

Optional Courses of Action:

I move that the Planning Commission recommends approval of Ordinance 1267 “An Ordinance Establishing a Cap on the number of Mini-warehouse sites within the city of Warrenton and amending the Warrenton Development Code.” This motion is based on information in the October 12, 2023 staff review memo and testimony received at the public hearing. The Ordinance is hereby forwarded to the Warrenton City Commission for consideration.

I move that the Planning Commission recommends denial Ordinance 1267 “An Ordinance Establishing a Cap on the number of Mini-warehouse sites within the city of Warrenton and amending the Warrenton Development Code. This motion is based on findings of fact and testimony received at the public hearing.

I move that the Planning Commission table Ordinance 1267 for further research or information.

Staff Recommendation:

Staff recommends approval of Ordinance 1267 and directing staff to present the findings to the Warrenton City Commission as required in the Warrenton Development Code. If there are dissenting votes, please provide your reasons for your vote so that they can be included in the information presented to the City Commission.

Warrenton Mini-warehouse Sites

Site	Number of Units	Parcel Number	Square Footage
1983 SE Dolphin Avenue	498	81028D001600, 81033AA00900	28424
605 SE Alt 101	133	81027BC01400, 81027BC02000, 81027BC02701	20055
1805 South Main	155	81028CA03300	11078
1240 SE Jetty Avenue	30	81027BA02001, 81027AB04900	12082
51 NE Harbor Ct	300	81021AD02000, 81021AD02003, 81021AD08605, 81021AD08607	20910
65 Iredale Street (Leitch Lease)	100	81022BD02600, 81022BD02680, 81022BD02700, 81022BD02780	
1377 SE 11th St.	340	81027AA01700, 81027AA01800, 81027AA01900	49853
120-150 NE 5th Street	36	81015C000601, 81015C000602	21900
1211 Pacific Drive	14	81005CD05401	4200
2385 SE Dolphin	120	81033A000600	0
1100 NW 11th Street (Alder Manor)	38	81016A000105	5640
	1764		174142
2021 Population 6393			
Per capita Ratio	0.276		27.2

ORDINANCE NO. 1267

INTRODUCED BY ALL COMMISSIONERS

AN ORDINANCE ESTABLISHING A CAP ON THE NUMBER OF MINI-WAREHOUSE SITES WITHIN THE CITY OF WARRENTON AND AMENDING THE WARRENTON DEVELOPMENT CODE

WHEREAS, the City of Warrenton has allowed mini-warehouse or mini-storage sites to be developed within the community; and

WHEREAS, there are currently ten (10) approved mini-warehouse or mini-storage sites within the city limits (See attachment A); and

WHEREAS, the per capita number of mini-warehouse sites is higher in the City of Warrenton than any other community in Clatsop County at one site per 640 people. This ratio is nearly double other areas within the County; and

WHEREAS, the number of actual rental units based on Clatsop County Tax records is 1,764 with an additional 489 in development review.

WHEREAS, Mini-warehouse units do not create significant numbers of jobs.; and

WHEREAS, recent tax analysis by the city indicates that the mini-storage properties pay a lower property tax per acre than other commercial or industrial uses within the city; and

WHEREAS, Section 3.330 of the Warrenton Comprehensive Plan states,

“It is the City’s policy to support the establishment of a variety of well-designed industrial facilities in appropriate locations in order to expand employment opportunities, make use of land best suited for industry, increase local tax base and insure a stable economy.”; and

WHEREAS, the city finds that mini-warehouse units do not need municipal sanitary sewer or water service and could be developed in areas outside of the Urban Growth Boundaries; and

WHEREAS, the 2023 data for the number of mini-storage units per resident indicates that the City of Warrenton has one (1) storage unit per 2.85 residents, compared to the rest of Clatsop County which has one (1) storage unit per 41.6 residents.

WHEREAS, The Clatsop County records indicate that, including the proposed development, there will be 174,142 square feet of mini-warehouse structures within the city of Warrenton, which is 27.2 square feet per resident, and

WHEREAS, the number of jobs created per site with mini-warehouse units is significantly lower than other commercial and industrial uses. A 2023 survey of jobs indicates that only eight (8) full-time equivalent jobs are created by the ten (10) existing mini-warehouse sites in Warrenton. Other commercial or industrial uses have significantly higher employment rates.

Now, therefore, THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. The City of Warrenton hereby places a cap on the development of new mini-warehouse units within the city limits. The list of pre-existing mini-storage units is indicated on Attachment A.

Section 2. The following sections of the Warrenton Municipal Code are amended as follows:

~~Strike-through:~~ language removed from code

Bold – language added to the code

16.12 DEFINITIONS

Mini-warehouses or Mini-storage sites – means buildings or portions of buildings which are available for rental for the purpose of storing goods and where the average floor area rented to an individual customer does not exceed 600 square feet.

16.40 GENERAL COMMERCIAL (C-1) DISTRICT

16.40.030 Conditional Uses.

B. The following uses and their accessory uses are permitted in all other C-1 zoned area within the City Limits of Warrenton:

9. Mini-warehouses or similar storage uses, subject to the requirements in Section 16.116.030 (G). **In addition to the conditional use permit criteria in 16.220.030, for new mini-warehouses, the applicant shall be required to demonstrate that there is a deficit of mini-warehouses in the City. For purposes of this section, a deficit of mini-warehouses in the City shall mean that the total number of existing mini storage units within the City as compared to the City's current population, as estimated by Portland State University or another governmental source, does not exceed 27.2 square feet of mini-warehouse buildings per resident of the City of Warrenton. A**

mini-storage unit shall be defined as each space within a mini-warehouse that is designed to be made available to rent.

16.60 GENERAL INDUSTRIAL (I-1) DISTRICT

16.60.030 Conditional Uses.

B. The following uses 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 of 16.60.040, Development Standards:

9. New Mini-warehouses or similar storage facilities, **subject to the requirements in Section 16.116.030 (G) In addition to the conditional use permit criteria in 16.220.030, for new mini-warehouses, the applicant shall be required to demonstrate that there is a deficit of mini-warehouses in the City. For purposes of this section, a deficit of mini-warehouses in the City shall mean that the total number of existing mini storage units within the City as compared to the City's current population, as estimated by Portland State University or another governmental source, does not exceed 27.2 square feet per resident of the city of Warrenton. A mini-storage unit shall be defined as each space within a mini-warehouse that is designed to be made available to rent.**

16.116.030 Architectural and Site Design Standards

G. ~~Storage Unit Facilities Mini-Warehouses~~. Where ~~and when~~ allowed, ~~storage unit facilities mini-warehouses~~ shall be subject to the following design, siting, and location standards:

1. Setbacks. New ~~storage unit~~ facilities shall be constructed no closer than 100 feet from the East Harbor Drive right-of-way line. This setback area shall be used for landscaping, open space, public or private amenities, off-street parking, other businesses allowed in the zone; or a combination thereof.
2. Design Standards. New ~~storage unit~~ facilities shall be subject to the following design standards:
 - a. Building material requirements in Section 16.116.030(C)(3);
 - b. Building color standards in Section 16.116.030(C)(5);

- c. Mechanical equipment, outdoor storage and service area standards in Section 16.116.030(C)(6);
 - d. Building mass requirements in Section 16.116.030(C)(7);
 - e. Outdoor lighting standards in Section 1676.116.030(E); and
 - f. Other applicable design requirements of this section.
3. Location Requirements. New ~~storage unit~~ facilities may be constructed and operated where allowed by the zoning district, but not in the following areas:
- a. Along the South Main Avenue commercial corridor,
 - b. Along the Pacific Drive commercial corridor. (Ord. 1242 § 2, 2020)
4. **Size and Configuration.** Nothing in this section will prevent a mini-warehouse owner from reconfiguring sizes of existing mini-storage rental units, although no additions to the structures will be allowed.

Section 4. Effective Date. This ordinance takes effect

Adopted by the City Commission of the City of Warrenton, Oregon this ____ day of _____, 2023.

First Reading:

Second Reading:

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder

Ordinance #1267

Attachment A

Warrenton

Site	Parcel Number	Number of Units
1983 SE Dolphin Avenue	81028D001600	498
605 SE Alt 101	81027BC02000, 81027BC02701	133
1805 South Main	81028CA03300	155
1240 SE Jetty Avenue	81027BA02001, 81027AB04900	30
51 NE Harbor Ct	81021AD02000, 81021AD02003, 81021AD08605, 81021AD08607	300
65 Iredale Street (Lease)	81022BD02780A01, 81022BD02680A01	100
1377 SE 11th St.	81027AA02200, 81027AA02700, 81027AA02900, 81027AA03100, 81027AA03200, 81027AA03400, 81027AA03600	340
120-150 NE 5th Street	81015C000601, 81015C000602	36
1211 Pacific Drive	81005CD05401	14
2395 SE Dolphin	81033A000600	120
1100 NW 11th Street	81016A000105	38
SE Warrior Way (In Development Review)	810340002301	489
		2253

17.20.010 - Accessory dwelling units.

An accessory dwelling unit (ADU) is defined as a self-contained residential dwelling unit located on the same lot as a principal single-family dwelling, but not a recreational vehicle. The habitable living unit provides basic living requirements including permanent cooking and toilet facilities. It may be located either within the same building as the principal single-family dwelling unit and/or in a detached building, and may be created through conversion of an existing structure or through new construction.

A. Intent.

1. Provide homeowners with a means of obtaining rental income, companionship, security, services and flexibility in the use of their property as their household composition and needs evolve over time.
2. Add affordable housing units to the existing housing inventory.
3. Support more efficient use of existing housing stock and infrastructure by offering environmentally friendly housing choices.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle, that responds to changing family needs, smaller households, and increasing housing costs.
5. Create new housing units while respecting the look and scale of single-family neighborhoods.

B. Types of ADUs. There are two types of ADUs:

1. Detached ADUs in an accessory structure detached from the principal dwelling. Examples include converted detached garages, new construction, or converting a small existing dwelling into an ADU while building a new principal dwelling on the property.
2. ADUs that are attached to or part of the principal dwelling. Examples include converted living space, attached garages, basements or attics, additions to the existing dwelling, or a combination thereof.

C. Eligibility.

1. One ADU is allowed per detached single-family residential unit. ADUs are not permitted with any housing units developed under the provisions of OCMC 17.20.020, Cluster housing.
2. ADUs may be added to any existing single-family detached residential unit or constructed simultaneously with any new single-family detached residential unit.
3. ADUs are exempt from the density limits of the underlying zone.

D. Design Standards. An ADU shall meet the following standards and criteria. If not addressed in this section, base zone development standards apply:

1. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
 2. Setbacks.
 - a. For attached ADUs, any additions to the existing dwelling unit shall not encroach into the minimum setbacks in the underlying zone. However, access structures (e.g. stairs or ramps) may be allowed within the setback if no access can be provided to the unit without encroaching into the setback area.
 - b. For detached ADUs, structures shall be located behind the front building line of the principal dwelling or set back a minimum of forty feet, whichever is less, and shall meet all other rear and side yard setbacks for the underlying zone. Legal nonconforming detached structures that are converted into detached ADUs are exempt from this requirement, provided that modifications to the structure associated with the conversion do not cause it to encroach any further into the existing setbacks.
 3. Height. The height of a detached ADU shall not exceed the greater of the height of the principal dwelling unit or twenty feet.
 4. Size. The gross floor area of an ADU shall not be more than eight hundred square feet or sixty percent of the gross floor area of the principal dwelling unit, whichever is less. Conversion of an existing basement to an ADU shall be exempt from these size limits provided that no new floor area will be added with the conversion.
 5. Lot Coverage. The property shall comply with the lot coverage standards of the zoning designation.
 6. Design.
 - a. The exterior finish materials shall be similar in type, size and placement as those on the principal dwelling unit.
 - b. All windows shall include the same trim type and size as those on the principal dwelling unit, provided that the size of the trim shall be a minimum of two inches in width.
 - c. Eaves shall project from the building walls at the same distance as the eaves on the principal dwelling unit.
 7. Parking. No off-street parking is required. If provided, driveways shall comply with OCMC 16.12.035.
- E. Application Procedure. Applications are processed as a Type I minor site plan and design review per OCMC 17.62.035 concurrently with a building permit application.

(Ord. No. 18-1009, § 1(Exh. A), 7-3-2019; Ord. No. 19-1008, § 1(Exh. A), 12-18-2019; Ord. No. 22-1001, 1(Exh. A), 6-1-2022)